EXPLANATORY STATEMENT

Telecommunications Technical Standard (Safety of information technology equipment (Incorporating Amendment No. 1) 60950:2000) 2005

Issued by the Authority of the Australian Communications and Media Authority (ACMA)

Legislative Provisions


Section 376(1) of the Telecommunications Act 1997 (‘the Act’) allows the Australian Communications and Media Authority (ACMA) to make a technical standard relating to specified customer equipment and customer cabling.

Background

The telecommunications regulatory arrangement for customer equipment and customer cabling requires each supplier to apply a compliance label to its product prior to supply to the market. Compliance is determined against technical standards made under section 376 of the Act. The Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001 (‘the Labelling Notice’) made under section 407 of the Act specifies standards applicable to particular items of customer equipment and customer cabling.

Technical standards made under section 376 of the Act can only consist of such requirements as are necessary or convenient for:
- protecting the integrity of a telecommunications network or facility;
- protecting the health or safety of persons who may be affected by the operation of the network or facility to which the equipment or cabling is connected;
- ensuring equipment can be used to give access to an emergency call service;
- ensuring interoperability of equipment with a network facility used to provide the standard telephone service; or
- achieving an objective specified in the regulations (no regulations have been made to date).

The Act further provides that in making a technical standard ACMA may apply, adopt or incorporate any matter contained in a standard proposed or approved by any other body or association. ACMA practice is to adopt in their entirety telecommunications technical standards developed by industry. This is consistent with the practice of predecessor organisations.
The Australian Communications and Industry Forum (ACIF)\(^1\) has accreditation as a standards making organisation from Standards Australia. ACMA currently has a Memorandum of Understanding with ACIF under which ACIF is responsible for the development and revision of industry telecommunications technical standards.

Section 376 standards for items of customer equipment and customer cabling including the compliance level required to test each item against the relevant standard and specific requirements for labelling (for example placement, type and form of label) are specified in the Labelling Notice. The Labelling Notice also allows the parallel operation of ‘old’ and ‘replacement’ standards, in the event that an existing (old) standard is subsequently amended or replaced.

This parallel operation known as the overlap period, allows suppliers of customer equipment and customer cabling to continue to use the ‘old’ standard for the duration of the overlap period. This assists industry in the transition from one standard to the next. The cessation of an ‘old’ standard and the commencement of a ‘new’ standard are allowed to overlap only where the changes do not substantially alter requirements on network integrity, health and safety, access to an emergency call service or equipment interoperability aspects.

The Labelling Notice and the appropriate section 376 technical standards are the major components of the telecommunications regulatory arrangements and help to ensure the integrity, safety and continued availability of telecommunications networks within Australia.

**Purpose and Operation**

This Technical Standard defines the electrical safety requirements for telecommunications customer equipment.

This Technical Standard gives effect to the new standard and through its inclusion in the Labelling Notice, will replace the existing technical standard *Telecommunications Technical Standard (Safety of information technology equipment - AS/NZS 60950:2000)* 2003 through an overlap period. The new standard will supersede the existing standard, AS/NZS 60950:2000 after a minimum of three months from the time the standard is registered.

**Impact and Effect**

The introduction of this Technical Standard does not impose additional regulatory requirements on manufacturers and importers of customer equipment. The requirements in the new standard are unchanged relative to those in the existing standard. Adopting the new standard will further align Australian telecommunications regulatory requirements with world practice. It will also reduce the likelihood of misunderstanding of Australian telecommunication safety

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\(^1\) ACIF is an industry owned, operated and resourced company established in 1997 by the telecommunications industry to implement and manage self-regulation within Australia. ACIF provides a neutral forum in which all participants and end-users in the Australian communications industry can work together to foster an efficient, competitive environment through self-regulatory processes, technical codes and standards.
requirements by manufacturers and suppliers. The cost of compliance for industry will be reduced through alignment with world practices.

**Consultation**
Section 378 of the Act requires ACMA to ensure, so far as practicable, that interested persons have an opportunity to comment on a proposed technical standard and that due consideration be given to any comments before ACMA makes the standard. The new standard was prepared by the Standards Australia/Standards New Zealand Joint Technical Committee on Safety of Electronic Equipment, TE-001. It was subsequently reviewed by the ACIF Safety of Customer Equipment Working Committee 11 which comprises industry representatives including carriers, carriage service providers, equipment manufacturers and importers and test houses.

A draft version of the Technical Standard was made available for public comment for a period of 63 days, from 4 May to 5 July 2005, which is sufficient for the purposes of section 378 of the Act. The draft version of the Technical Standard was distributed to the industry members of ACIF and additionally promoted through an advertisement in a national newspaper, an electronic public mail based facility dedicated to communications and through Standards Australia.

A copy of the proposal and report were available for a free download on the ACIF website during that period and copies sent directly to interested parties who contacted ACIF. Four sets of public comments were received by ACIF and all comments were minor in nature and addressed or resolved satisfactorily.

The Office of Regulation Review (ORR) has advised that the making of the technical standard does not impose a substantial additional regulatory burden on manufacturers and importers of customer equipment. As such a Regulation Impact Statement (RIS) is not required. The ORR RIS exemption ID number is 7562.

**Other Documents Incorporated in this Instrument by Reference**
The Technical Standard incorporates the new standard by referencing it in the definitions and requiring the customer equipment to which the technical standard applies to comply with it. The new standard is available from Standards Australia (SAI Global Limited: www.standards.com.au).


**Detailed Description of the Amendment Instrument**
Details of the Amendment Instrument are in Attachment 1.
Notes on the instrument

Section 1—Name of Technical Standard
This section provides the name and citation for the Technical Standard as Telecommunications Technical Standard (Safety of information technology equipment (Incorporating Amendment No. 1) 60950:2000) 2005.

Section 2—Commencement
This section provides that the Technical Standard commences on the day after it is registered.

Section 3—Objects of Technical Standard
This section sets out the broad objects of the Technical Standard. These objects are consistent with matters that may be incorporated into a standard as provided by subsection 376(2) of the Act.

Section 4—Definitions
This section provides definitions for the instrument. It defines AS/NZS standard to reference the AS/NZS standard published in June 2000 and amended in May 2003 and includes definitions for ‘Act’ and ‘information technology equipment’.

Section 5—Application of Technical Standard
This section identifies the scope of the standard. It specifies the requirements for customer equipment and specified information technology equipment.

Section 6—Standard for customer equipment
This section provides that customer equipment referred to in section 5 must comply with the standard AS/NZS.