



TELSTRA CORPORATION LIMITED

Telstra submission to ACMA Consultation on Including QR Codes in the Telecommunications Labelling Notice

Public Submission

19 August 2022



01 Introduction

We welcome the opportunity to provide our views to the ACMA's consultation on **Proposal to include QR codes in the Telecommunications Labelling Notice and repeal 3 telecommunications standards** (IFC 21/2022). We support the introduction of Quick Response (QR) codes to *augment* compliance labelling practices to enable consumers to find out more information about a product. However, we do not agree with the ACMA's proposal for a QR code to be used *in place* of the Regulatory Compliance Mark (RCM).

We support the ACMA's proposal to repeal the three standards that are no longer necessary or useful.

Our submission is structured as follows:

- Section 2 contains our views, along with some suggestions for the ACMA's consideration to assist with the introduction of QR codes to augment compliance labelling; and
- Section 3 contains answers to specific questions posed in the consultation.

02 Use of a QR code should only augment, not replace the RCM

As noted in our introduction, we support the introduction of a QR code to augment the RCM. Introducing QR codes allows compliance labelling practices to keep pace with technological advancements (i.e., QR codes) thereby enabling consumers to easily become informed on the specifics of the device's compliance. Further, having compliance details for a device stored online will be of benefit to consumers in the second-hand market long after the original owner has discarded the packaging. While the QR code on the package will be long gone, a QR code is not the only way to a website (it is a quick way, but not the only way) and searching online for the make and model of a device coupled with the word "compliance" or "regulatory compliance" is likely to lead second-hand consumers to the same website linked by the QR code.

However, we do not agree with the ACMA's proposal to permit a QR code to be used *in place* of the RCM. The RCM is a unique, distinctive label which is familiar to consumers across Australia. As the ACMA's consultation paper observes, almost a decade ago the three existing compliance marks (A-Tick, C-Tick and RCM) were merged into a single compliance mark – the RCM. The now familiar RCM serves to reassure consumers that the device they are purchasing meets all safety compliance obligations relevant to the device.

By contrast, QR codes are used in a vast array of contexts and carry no such association with safety compliance for a consumer electronic device. Whether it's checking-in at restaurants, supermarkets, and other venues during COVID, advertisements in newspapers or on the television, or consumer packaging such as competitions on cereal boxes, QR codes are ubiquitous and commonplace. They are not associated with compliance or product safety. Indeed, many electronic consumer devices already carry QR codes on the packaging, and it may be confusing to consumers which QR code links them to safety compliance details.

If enacted as the ACMA propose, device manufacturers could completely replace the RCM with a QR code the next time they 'print' boxes for their products. Today, the absence of the RCM indicates the device is not compliant with health and safety compliance obligations. In the absence of the RCM Consumers may be confused, and possibly even concerned that a device is being sold without an RCM does not meet the relevant compliance safety standards.



Further, there is currently, and likely always will be, a cohort in the community who do not have a smartphone. And even for consumers who do have a smartphone, there is always the possibility that the battery is flat, or the camera is not working, or internet access is not available at the time. Without a working smartphone and access to the internet, it will not be possible to access the RCM through a QR code and website. There will also be a cohort of people with accessibility needs who may struggle to use the QR code approach for a variety of accessibility reasons (computer literacy, physical mobility or fine motor control to scan the code, etc) and we consider the RCM is likely to be more suitable for people with some accessibility needs than the QR code.

As such, we consider the RCM must be maintained as the primary method of indicating regulatory compliance, and we support the introduction of a QR code to augment compliance labelling practices by displaying the RCM and enabling consumers to find out more information about a product.

It is possible to insert a logo into the middle of a QR code.¹ One useful approach that could indicate to consumers that a particular QR code on the package is the link to find out more information about the compliance of the product would be for the QR code used to convey additional compliance information to incorporate the RCM as a “logo” in the middle of QR code itself.

Below, we put forward six suggestions for the ACMA’s consideration to help facilitate a smooth transition to the introduction of QR codes to augment consumer experience in determining regulatory compliance.

2.1. Public awareness

We consider it may be helpful to consumers for the ACMA to create some consumer awareness to accompany the introduction of QR codes as a mechanism for conveying regulatory compliance (alongside the RCM). A media release that could be brought to the attention of major electrical goods retailers to raise awareness amongst staff who may field questions from prospective customers asking why there is now a QR code alongside the RCM on the box would be helpful. It may also be worth Googling the phrase “what is the tick in the triangle symbol”, and alerting the companies of say the top 10 results of the media release.

Also, updating the ACMA’s website² on the RCM to note that consumer goods may soon carry a QR code alongside the familiar RCM where consumers can find more information, would be of benefit to consumers.

2.2. Definition of prominent on the website

The consultation paper and the amendment instrument³ require that where a QR code is used in place of the RCM, the RCM must be “displayed prominently”, which we support. We consider it would be helpful to manufacturers, retailers, or other purveyors of consumer electronic goods to have some guidance on what the ACMA considers to be *prominent*.

¹ For example, see <https://scanova.io/blog/how-to-make-a-custom-qr-code/>

² <https://www.acma.gov.au/step-5-label-your-product>

³ Amendment to Part 4, Division 3, Clause 10(1) of the *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015* (<https://www.legislation.gov.au/Details/F2018C00904>) to introduce a new subclause 10(1)(b) that reads “a QR code, or similar thing, if the relevant link is to information on a website that displays the RCM prominently”, and the same amendment to Schedule 4, Part 3, Clause 5(1).



As internet websites (the destination of the QR code link) can be viewed on a vast array of devices and screen sizes, an absolute measurement is not practical, as screen size and even the resolution on the screen will vary. However, we consider it may be helpful to provide some guidance to device manufacturers and retailers to assist them with website design. For example, guidance may include something along the lines of “around 10% of the screen when initially loaded”.

The ACMA’s website for labelling products already contains a section on [Physical Rules](#), including instructions for package labelling. We recommend it would be beneficial to update this with some guidance on displaying the RCM prominently on a website.

2.3. Avoiding confusion if there are multiple QR codes

Many electronic consumer devices already carry QR codes on the packaging to guide consumers to more information about the device, or to register the device for warranty purposes. In the event there are multiple QR codes on the packaging, we are concerned it may be confusing to consumers which QR code links them to safety compliance details. We propose the ACMA should consider an approach to make it clear to consumers which QR code links to the website where the compliance information is contained. This could, for example, be through incorporating the RCM as a “logo” in the middle of QR code itself, as mentioned above.

2.4. Minimum size of the QR code

Part 4, Division 3, Clause 10(1) of the *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015* specifies the minimum size for a label. Currently, the clause states the label must be at least 3mm high. However, this is very likely to be inadequate for a QR code, especially if the “length” of the Uniform Resource Locator (URL) linked by the QR code is long (which increases the granularity of the QR code). We consider the minimum size requirements should be amended to ensure that the QR code is of sufficient size that it is able to be scanned and interpreted within the focal range of a smartphone camera (which may vary from smartphone to smartphone). As a minimum, we anticipate this is likely to be at least 10mm high, even for a QR code of short length.

2.5. Website duration

Consumers look for the RCM at the point of purchase. Once the product is purchased, consumers are unlikely to ever check for the RCM again, as they can rightly assume that if the product was compliant when they purchased it, it would remain compliant ever after. However, there is a second-hand market and/or a “hand-me-down” market for many of the consumer electronic goods required to carry the RCM where a new consumer may seek to understand whether the product is compliant before making the purchase. This second-hand market could extend for many years beyond the period where a particular make and model of device is originally sold. We appreciate the current approach of printing the RCM on the packaging of a device is unlikely to benefit the second-hand consumer market as original owners will throw the packaging away in most cases. However, a QR printed on the packaging is not the only way to find a website. Searching the internet with some key phrases such as the device model number and “RCM” or “compliance” is likely to lead consumers in the second-hand market to the website where the RCM would be displayed.



As such, the ACMA's proposal to introduce a QR code and website improves on the current approach of the RCM printed on the packaging, as the website, and the URL linking to it, can persist long enough to be available for the second-hand market (and long after the packaging carrying the QR code has been discarded). However, that means maintaining the website and the URL linking to it must be maintained for a minimum duration.

We recommend the ACMA consider making it a requirement that the website linked by the QR code is maintained for a period beyond which the product is originally sold (first-hand). This means both maintaining the content of the page, and the URL (link) to that website. We consider the website may need to be maintained for an extended period. There are still 3G devices connected to Telstra's mobile network that were sold almost two decades ago. We would be pleased to provide the ACMA with some data on the longevity of devices on our network, if that would be of assistance to the ACMA in determining an appropriate duration for a website to maintain information about the compliance of a device.

2.6. ACMA to manage websites

Another possible option to ensure websites displaying the RCM and the URLs (links) to those websites is maintained for a suitable minimum duration would be for the ACMA to maintain the websites. Alternatively, the ACMA could engage Comms Alliance or AMTA, although we are cognisant that a wide array of devices outside the telecommunications sector (power tools for example) are required to carry the RCM, so a telecommunications industry association may not be the most appropriate vehicle to take responsibility for maintaining websites.

Either way, a centrally maintained repository of websites would ensure they are maintained for an appropriate minimum duration. This approach would, in many respects, be similar to the approach used by the ACMA for the website displaying exempt mobile repeaters.⁴

⁴ Exempt Mobile Repeaters. <https://www.acma.gov.au/list-exempt-repeaters>



03 Responses to questions

This section contains our responses to the three questions posed by the ACMA in the consultation paper.

Introduction of a QR Code as a valid compliance label

1. The ACMA proposes to amend the Telecommunications Labelling Notice to specify that a label must be in the form of the Regulatory Compliance Mark (RCM) or a QR code, or similar thing, if the relevant hyperlink is to information on a website that displays the RCM prominently.

This proposed amendment is consistent with the requirements in Schedule 3, Part 2, subclause 5(1) of the General Equipment Rules.

Do you have any comments on this proposed amendment?

We support the introduction of QR Codes to *augment* compliance labelling practices to enable consumers to find out more information about a product. However, we do not agree with the ACMA's proposal for a QR code to be used *in place* of the Regulatory Compliance Mark (RCM). In the body of our submission, we highlight several examples including accessibility, inclusion (not everyone has a smartphone) or a temporary inability to access the internet (e.g., flat battery in the smartphone) that make it essential to retain the RCM. We also recommend the ACMA undertake some activities to raise public awareness of the change, provide guidance on the definition of "prominent" and prescribe a minimum duration for which the website linked by the QR code should be maintained. See section 02 for details.

Other minor amendments to the Telecommunications Labelling Notice

2. The ACMA proposes to amend the Telecommunications Labelling Notice to remove outdated references to the terms *supplier code numbers* and the *national database manager*. The proposed amendments also include an update to the definition of *national database* to reflect the new database designated by the ACMA.

These proposed amendments are designed to create consistency between the labelling requirements in the Telecommunications Labelling Notice and those specified in the General Equipment Rules.

We seek comments on those proposed amendments to the Telecommunications Labelling Notice.

In line with section 02 of our submission and the answer to Q1 above, we recommend the amendments to the Telecommunications Labelling Notice are reconsidered to adopt the points we have made.

Repeal of three obsolete technical standards

3. The ACMA proposes to repeal 3 technical standards. The ISDN Basic Access Interface Standard and the ISDN Primary Rate Access Interface Standard have been identified for repeal as they relate to ISDN equipment that will no longer be supplied in Australia. The industry standard AS/NZS 4117, mandated by the Surge Protective Devices Standard, was withdrawn in 2017 and we are not aware of any intention by industry to replace that standard.

Do you have any comments on the ACMA's proposed repeal of the 3 identified standards? Do you have any comments on any of the technical standards listed in Schedule 1 or 4 of the Telecommunications Labelling Notice?

We support the ACMA's decision to repeal the three identified standards.