

19 December 2023

The Manager
Infrastructure and Equipment Safeguards Section
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne VIC 8010

Submitted via ACMA portal

SUBJECT: Comments on the on the Australian Communications and Media Authority (ACMA) review of electromagnetic compatibility (EMC) regulatory arrangements

Dear ACMA Officials:

ITI¹ is writing to submit comments on the Australian Communications and Media Authority (ACMA) review of electromagnetic compatibility (EMC) regulatory arrangements. We appreciate ACMA's commitment to transparency and stakeholder engagement evidenced by this open consultation.

In general, ITI supports ACMA's plan outlined to simplify and consolidate the radiocommunications equipment regulation using the Radiocommunications Equipment (General) Rules. Incorporating the relevant requirements currently defined in the Radiocommunications (Electromagnetic Compatibility) Standard 2017 and Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2017 into the General Equipment Rules is a reasonable approach to enhance the ability of affected parties to fully understand and comply with the requirements.

The existing requirements provide an effective and reasonable approach to contain the risks of interference to radiocommunications and to intended uses of equipment. Both the technical requirements (e.g., test limits and test methods) and the regulatory arrangements are quite effective for current environments and should remain so for the foreseeable future as technology and uses of equipment continue to evolve.

With the above points in mind, ITI strongly encourages ACMA to keep the requirements as they currently are while consolidating the related regulatory instruments. We ask that ACMA be mindful of unintended

¹ The Information Technology Industry Council (ITI) is the premier global advocate for technology, representing the world's most innovative companies. Founded in 1916, ITI is an international trade association with a team of professionals on four continents. We promote public policies and industry standards that advance competition and innovation worldwide. Our diverse membership and expert staff provide policymakers the broadest perspective and thought leadership from technology, hardware, software, services, and related industries.

consequences that might result in the regulatory process. Keeping the requirements as they are includes limiting the technical limits to emissions and avoiding the introduction of any immunity requirements.

ITI also offers the following feedback on specific questions included in the consultation paper section "Issues for comment":

- *Question 1. We are proposing to expand the range of EMC standards that may be used by suppliers to demonstrate compliance. This is anticipated to reduce barriers to trade, compliance costs and time to market. Do you have any comments on the proposal to reference all the EMC harmonised standards for emission under Directive 2014/30/EU in the ACMA's EMC regulatory arrangements?*
 - ITI supports the proposal to reference all the EMC harmonised standards for emissions under Directive 2014/30/EU in the ACMA's EMC regulatory arrangements. Doing so is consistent with what the ACMA has done for many years in accepting some of the EU harmonized standards (such as various editions of EN 55022 and now EN 55032) as alternatives to the Australian emissions standards. In many cases, the emission limits and test methods in the EN and AS/NZS standards are identical, thereby creating no increased risk of interference in Australia. Referencing the EN standards has potential to reduce costs and reporting burdens on suppliers, to make the Australian market more attractive to small and medium enterprises who might otherwise not make their new and innovative products available to Australian consumers.
 - ITI would like to recognize the positive impact of ACMA's "Changes to standards" policy (summarized at <https://www.acma.gov.au/technical-standards>) in reducing barriers to trade, compliance costs and time to market. ITI supports continuance of this policy.
- *Question 3. Do you have any comments on the options to exclude specified low-powered inductive power transfer devices such as wireless chargers for phones, electronic wearables and electric toothbrushes from the definition of a high-risk device?*
 - ITI prefers the proposal to exclude specified low-powered inductive power transfer devices such as wireless chargers for phones, electronic wearables, and electric toothbrushes from the definition of a high-risk device in the EMC regulation rather than the option to follow AS CISPR 11. Low-powered inductive power transfer devices are generally used in residential settings, making them better candidates for AS/NZS CISPR 32, for example, and not the ISM rules in AS CISPR 11. Such devices, by their very nature, do not pose a high risk. Therefore, excluding them from the definition of a high-risk device would provide an appropriate balance of limiting interference potential with reducing compliance cost and burden on suppliers. However, if the power level for such devices increases, this may pose higher risks. ITI proposes that ACMA define "low power" devices before removing them from high-risk device profile.
- *Question 4. Do you have any comments on our proposal to lower the compliance level of certain household devices? Are there any other devices that we have not identified, where we should consider lowering the compliance level due to their low risk of causing interference? If so, please specify the types of devices and why their compliance level should be changed, including any common characteristics that cause these devices to pose a low risk of interference.*
 - The proposal to lower the compliance level of certain household devices from medium risk to low risk seems reasonable, provided those devices would still need to meet the applicable EMC standards, as indicated in the consultation paper. ITI recommends review of the risk profile of medium risk devices and reducing the compliance level where appropriate assessment shows the risk as small to negligible.

- *Question 5. Do you have any comments on the categorisation of battery-powered devices as low-risk devices?*
 - We recommend that ACMA reinstate the provision for battery-powered devices as specified in subsection 1.8(2) of the ACMA Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2017 that “a battery powered device is not a medium risk device unless the ACMA has declared the device to be a medium risk device under subsection (3) of the labelling notice.”

Thank you for your time and consideration. We look forward to hearing from you soon.

Sincerely,



Stephanie Barrett
Senior Director of Policy, Product Regulatory & Sustainability
Information Technology Industry Council (ITI)