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The Manager
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**Ai Group response to ACMA's Review of electromagnetic compatibility (EMC) rules
Consultation paper**

The Australian Industry Group (Ai Group®) is a peak national employer organisation representing traditional, innovative and emerging industry sectors. We have been acting on behalf of businesses across Australia for 150 years. Ai Group and partner organisations represent the interests of more than 60,000 businesses employing more than 1 million staff.

Ai Group thanks the ACMA for the opportunity for comment on the consultation paper.

Ai Group understand that ACMA is consulting on the effectiveness of its regulatory arrangements for the electromagnetic compatibility (EMC) of equipment under the Radiocommunications Act 1992 (the Act). ACMA regulates EMC to help contain the risk of:

- interference to radiocommunications
- interference to any uses or functions of equipment.

Ai Group notes that the EMC regulatory arrangements apply to an extensive range of equipment including, but not limited to:

- products with internal combustion engines (such as chainsaws, motorcycles, cars, lawn mowers)
- household appliances (refrigerators, dishwashers, microwave ovens)
- electronic toys
- lighting equipment
- information technology equipment (personal computers, laptops, monitors, keyboards, printers, servers, hard drives, network equipment).

ACMA now are at Stage 3 of the reform program and are reviewing the EMC standard and EMC labelling notice and considering the incorporation of the relevant requirements into the General Equipment Rules.

ACMA has expressed comments on issues relevant to EMC equipment regulation and have posed a series of questions for stakeholders. Ai Group has provided our members views below.

Question 1

ACMA 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?

Ai Group response

Ai Group supports in principle expanding the range of EMC standards subject to consultation with industry. We recommend a process, not dissimilar to Standards Australia's adoption of international standards, that utilises a balanced committee of experts (Ai Group offers our members in such a role) to review applicability before authorising use in Australia. This approach will ensure that there are no unintended consequences with embracing an expanded set of European standards.

Ai Group's supports the ongoing maintenance of the relevant ANZ standards and we believe that all test reports must reference the relevant ANZ standard. Members advise that it is a consistent practice worldwide to reference local standards. This is crucial to maintain the significance of ANZ standards.

Ai Group members disagree with adding EMC standards for installations and EN 301 489 (EMC for radio comms standard). Installations are currently exempt from ACMA labelling requirements as are units that make up an installation. EN 301 489 has other parts such as Parts 7, 13, 19, 52, etc depending on the Radio type installed within a host. Noting that EN 301 489 is a secondary standard, and there is a tendency for the market to use this standard rather than the applicable product standard because the end product is fitted with a radio module.

Members advise that they see this practice where it is cheaper to test to the EN 301 489 standard rather than CISPR 15 for lighting products or CISPR 14-1 for household products. Member's customers tell them that if they have an EN 301 489 test report they do not need a test report to the applicable product standard. EN 30 489-1 would only be an acceptable substitute for products that fall within the scope of CISPR 32.

Question 2

Background (ACMA text):

In Australia, the Federal Chamber of Automotive Industries (FCAI) is the peak industry association for suppliers of light vehicles including category L and M vehicles and some category N vehicles.

If a supplier of a category L, M or N vehicle is not an FCAI member or their product does not comply with the FCAI code, then the EMC standard and EMC labelling notice will apply. In this case, the supplier may choose to comply with UN ECE R10 (excluding the provisions related to immunity, harmonics and flicker), CISPR 12, AS/NZS CISPR 12 or EN 55012.

Therefore, while the FCAI code requires full compliance with UN ECE R10, the ACMA's EMC regulatory arrangements do not require a supplier to comply with the immunity, harmonics, and flicker provisions in UN ECE R10. We note that the majority of category M or N light vehicles supplied in Australia are likely to fully comply with UN ECE R10, as most suppliers are FCAI members. However, there is a question as to whether the current EMC regulations should be expanded to capture immunity for vehicles, making the Australian requirements the same as the FCAI requirements.

Question 2:

Modern vehicles are increasingly embedded with and reliant on advanced electronic and safety

systems. Do you have any comments on whether the current EMC regulatory arrangements for managing EMC risks for vehicles, including electric vehicles, are effective?

Ai Group response

Electrical vehicles include other modes of transport such as e-bikes, e-scooters, mobility scooters and golf carts noting that none of these would be imported by Federal Chamber of Automotive Industries (FCAI) members.

Ai Group recommends that all electric vehicles and charging stations should be considered for EMC compliance including immunity and not be exempted by FCAI membership. Whilst the current labelling notice allows exemption from labelling for FCAI members we would like to see this continue rather than removing electric vehicles from the requirements. After-market automotive products must continue to be under the RCM regime. Immunity requirements are vital for such after-market products that are safety critical.

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?

Ai Group response

We believe that industry has already deemed that these product categories are not high-risk devices as most are used with product covered by CISPR 32 noting that a lot of these chargers are being assessed along with the applicable end product to CISPR 32. e.g. Wireless phone chargers.

The ACMA should be aware that higher powered wireless chargers that are available to power household items such as kettles and toasters should be considered high risk devices. The ACMA, along with industry, will need to determine at what power level these wireless chargers are no longer deemed high-risk devices and Ai Group recommends further discussion. Ai Group has also noted that such devices have greatly proliferated in many households and the cumulative effect of potential interference is unknown.

Question 4

Do you have any comments on our proposal to lower the compliance level of certain household devices from medium-risk to low-risk? 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.

Ai Group response

Ai Group does not support any reduction of regulation on household devices (i.e. reducing from medium to low risk) as the market is likely to be abused with non-conforming and low-quality product.

Members advise that the aim of the EMC regime when it was introduced 30 years ago or so was to reduce the amount of interference to broadcast receivers from household appliances. They are concerned that any change to the current compliance levels for household appliances

will undo the results achieved to date, especially due to the huge increase in numbers of such products in every household.

Question 5

Do you have any comments on the categorisation of battery-powered devices as low-risk devices?

Ai Group response

Ai Group does not agree that all battery powered devices can be classified as low risk. Members advise that the categorisation of battery powered device as low risk came at a time when there were minimal products that were battery powered and most of those had a rating of not more than 12V.

With the improvements of battery technology more and more products have become portable like IoTs, power tools, lawn mowers and other garden tools, and these types of products are more likely to interfere with broadcast receivers due to their design. Whilst there is still an argument that some low powered battery powered device can be classified as low risk it is no longer possible to say that all battery powered devices are low risk.

If further information is needed, please contact James Thomson on
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Yours sincerely

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