

28/11/2023

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

RE: Review of electromagnetic compatibility (EMC) regulatory arrangements

As a manufacturer of electronic equipment here in Australia I take a keen interest in the evolution of our regulatory landscape and am keen to provide input as the EMC regulations are amalgamated into the Radiocommunications Equipment (General) Rules 2021.

I will first address the 5 questions submitted by the consultation paper and then follow on with some additional comments regarding other changes I would like to see considered.

Question 1: Do you have any comments on our proposal to reference all the EMC harmonised standards for emission under Directive 2014/30/EU in the ACMA's EMC regulatory arrangements as indicated in Appendix A?

In general I strongly support any harmonisation of standards (and would love to see this approach across the electrical safety standards as well). As already noted, it significantly decreases the barriers and costs to market.

My only concern would be ensuring that the additionally accepted standards remain optional; that the equipment could be shown to comply with either the Directive 2014/30/EU standards or one of the generic standards referenced in Part 1 of the ACMA's list of standards. This arrangement would allow importers of existing devices to use one of the Directive 2014/30/EU standards but those who are manufacturing for the local market could continue to comply with the generic standards. Testing to some of the more obscure Directive 2014/30/EU standards could be quite costly as local EMC test labs would not be experienced/accredited for them, so obviously we would want to avoid any additional cost burden.

Question 2: Do you have any comments on whether the ACMA's current EMC regulatory arrangements for managing EMC risks for vehicles, including electric vehicles, are effective?

Based on the explanation in the consultation paper I feel that the current arrangement is sufficient.

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?

I agree that it makes sense to exclude low power inductive chargers from the definition of a high-risk device.

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.

If there is strong technical justification for such a change then this would be warranted. However given that microprocessor devices have such a wide range of characteristics it would surely still be necessary to set clock frequency limits? I.e. a device could only be classified as Low Risk if the processor clock frequency is less than 4MHz. Given the number of switchmode power supplies that don't meet their stated emissions specs I would also be inclined to exclude devices containing these from the Low Risk category.

Question 5. Do you have any comments on the categorisation of battery-powered devices as low-risk devices?

No comment.

Additional Comments

A discussion I had recently with ACMA centres around poor definition regarding responsibility of EMC compliance. The scenario is as follows:

In the case where an Australian company A is contract manufacturing (i.e. the product is manufactured exclusively for company B and the product is branded only with company B) is company B or company A deemed the manufacturer for purposes of the EMC labelling notice?

I was advised that *"Ultimately the party that is registered in the EESS National supplier Database and taking responsibility for a product is the one that will be held accountable"*

Unfortunately, the existing legislation is ambiguous about this. The particular issue is where Company A is contract manufacturing but also registered on the EESS for the sale of its own products: if Company B fails to maintain their EESS registration (or in the case of smaller customers they may, despite our insistence, not even register at all) Company A would be the only entity registered in the supply chain of the products in question.

I would like the legislation to provide a better definition for the term *supplier*, in particular covering the scenario of contract manufacturers that are based in Australia. Ultimately it should be the responsibility of the owner of the branding present on the product, or the importer of the product if the branding is not Australian owned.

Thanks for your time,

Zac Soden