

Proposal to remake the sunseting Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015 and 8 telecommunications standards Consultation paper

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Executive summary

The Australian Communications and Media Authority (ACMA) is consulting on a proposal to remake the Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015 (the TLN) and 8 telecommunications technical standards that are due to sunset on 1 April 2025. Our preliminary view is the TLN and 8 telecommunications technical standards are still necessary and relevant, and we are consulting to ensure that each of these instruments is operating effectively and efficiently.

We are proposing to remake the TLN and 7 technical standards to ensure there continues to be compliance enforceability in place for customer equipment and customer cabling to manage these network and consumer risks. We are proposing to remake the *Telecommunications Disability Standard (Requirements for Customer Equipment for use with the Standard Telephone Service – Features for special needs of persons with disabilities – AS/ACIF S040) 2015* (the Disability Standard) to reflect its continued public benefit.

The ACMA makes technical standards under subsection 376(1) of the *Telecommunications Act 1997* (the Act). The technical standards only consist of requirements as necessary or convenient to meet specified objectives. The specified objectives relate to network or consumer risks and include, but are not limited to:

- protecting network integrity
- protecting people's health and safety
- ensuring customer equipment can provide access to the emergency call service
- ensuring the supply of a standard telephone service
- ensuring the interoperability of customer equipment.

Seven of the 9 technical standards made by the ACMA under subsection 376(1) of the Act are due to sunset.

The TLN is made under subsection 407(1) of the Act and imposes labelling and related testing, declaration of conformity and record-keeping obligations on a manufacturer or importer to demonstrate that customer equipment or customer cabling complies or does not comply with applicable technical standards.

The Act provides for enforceability of the obligations in the TLN, which is premised on customer equipment or customer cabling being labelled with a compliance label or non-compliance label because the equipment or cabling does, or does not, comply with each applicable technical standard.

Additionally, the Disability Standard is due to sunset. This standard is made under subsection 380(1) of the Act and requires customer equipment that is used in connection with a standard telephone service to include features designed to meet the special needs of people with disability. We are proposing to remake the Disability Standard to ensure that this requirement continues.

Our proposal reflects some drafting improvements to the TLN, 7 technical standards and the Disability Standard, including minor changes to improve the clarity of certain provisions, remove redundant provisions and remove or update outdated references.

We are also proposing consequential amendments to 3 legislative instruments made under the Act, and 2 legislative instruments made under the *Radiocommunications Act 1992*, to update references to the remade TLN and remade technical standards.

Stakeholders are invited to provide comments to the ACMA on the proposal to remake the TLN, 7 technical standards and the Disability Standard, and the specific questions raised in this consultation paper.

Background

The ACMA's telecommunications regulatory arrangements

The ACMA is responsible for administering the technical regulation of telecommunications customer equipment and customer cabling under Part 21 of the Act.

We regulate telecommunications customer equipment and cabling on the customer side of the telecommunications network boundary.¹

Customer cabling is defined in subsection 20(4) of the Act to include 'a line that is used, installed ready for use, or intended for use on the customer side of the boundary of a telecommunications network'.

Customer equipment is defined in subsection 21(1) of the Act to include:

- (a) any equipment, apparatus, tower, mast, antenna or other structure or thing that is used, installed ready for use, or intended for use on the customer side of the boundary of a telecommunications network, or
- (b) any system (whether software-based or otherwise) that is used, installed ready for use, or intended for use on the customer side of the boundary of a telecommunications network

but does not include a line.

The ACMA has made applicable standards for customer equipment and customer cabling and imposed obligations (including in relation to labelling, testing and record-keeping) on the manufacturer or importer of specified telecommunications customer equipment and customer cabling. This consultation paper considers only the TLN, the Disability Standard and the subset of technical standards made under 376(1) the Act that are due to sunset on 1 April 2025 and consequential amendments to other legislative instruments made under the Act and the Radiocommunications Act.

Sunsetting process

Under Part 4 of Chapter 3 of the *Legislation Act 2003*, unless an exemption applies, most legislative instruments 'sunset' (that is, they are automatically repealed) on 1 April or 1 October that first occurs 10 years after they are registered. This is an automatic process applying to the legislative instruments affected.

¹ The boundary of a telecommunications network is defined in section 22 of the Act.

The following legislative instruments are due to sunset on 1 April 2025:

Table 1: Sunsetting instruments

Name of instrument
Technical standards
Telecommunications Technical Standard (Analogue Interworking and Non-interference Requirements for Customer Equipment for Connection to the Public Switched Telephone Network – AS/CA S002) 2015 (AS/CA S002-2015)
Telecommunications Technical Standard (Requirements for Customer Access Equipment for connection to a Telecommunications Network – AS/CA S003) 2015 (AS/CA S003-2015)
Telecommunications Technical Standard (Voice performance requirements for Customer Equipment – AS/CA S004) 2015 (AS/CA S004-2015)
Telecommunications Technical Standard (Requirements for customer cabling products – AS/CA S008) 2015 (AS/CA S008-2015)
Telecommunications Technical Standard (Requirements for Customer Equipment with hierarchical digital interfaces – AS/ACIF S016) 2015 (AS/ACIF S016-2015)
Telecommunications Technical Standard (Requirements for DSL Customer Equipment for connection to the Public Switched Telephone Network – AS/ACIF S041) 2015 (AS/ACIF S041-2015)
Telecommunications Technical Standard (Requirements for Customer Equipment for connection to a metallic local loop interface of a Telecommunications Network – AS/CA S043) 2015 (AS/CA S043-2015)
TLN
Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015
Disability Standard
Telecommunications Disability Standard (Requirements for Customer Equipment for use with the Standard Telephone Service — Features for special needs of persons with disabilities — AS/ACIF S040) 2015

The ACMA has formed the preliminary view that each of these instruments is operating effectively and efficiently and, as such, continues to form a necessary and useful part of the legislative framework. Accordingly, we propose to remake each of them in a new instrument prior to the sunset date referred to above, without any significant changes, so that their ongoing effect is preserved.

We acknowledge that the ongoing applicability of our technical standards relating to legacy customer equipment will need to be revisited as technology continues to develop.

Brief details of what each of the legislative instruments does

Technical standards

The ACMA has the power to make technical standards relating to customer equipment and customer cabling under subsection 376(1) of the Act. The technical standards are to only consist of requirements as necessary or convenient to meet specified objectives in subsection 376(2) of the Act, which include, but are not limited to:

- protecting the integrity of a telecommunications network or facility
- protecting the health or safety of persons who operate, work on, use services supplied by means of, or are otherwise reasonably likely to be affected by the operation of a telecommunications network or facility
- ensuring that customer equipment can be used to give access to an emergency call service
- ensuring the supply of a standard telephone service, the interoperability of customer equipment with a telecommunication network to which the equipment is, or is proposed to be, connected.

The technical standards typically incorporate, by reference, the requirements in industry standards developed by Communications Alliance Ltd (CA) and Standards Australia.

Below is a brief description of the 7 technical standards made under subsection 376(1) of the Act that are due to sunset on 1 April 2025.

1. AS/CA S002-2015

AS/CA S002-2015 applies to customer equipment that is designed, or intended, for connection to an analogue public switched telephone network (PSTN) two-wire service. This technical standard mandates compliance with the industry standard [AS/CA S002:2010 *Analogue Interworking and Non-Interference Requirements for Customer Equipment for Connection to the PSTN*](#) published by CA.

2. AS/CA S003-2015

AS/CA S003-2015 provides technical performance requirements for **customer access equipment** by mandating compliance with the following industry standards published by CA:

- [AS/CA S003.1:2010 *Requirements for Customer Access Equipment for Connection to a Telecommunications Network – Part 1: General*](#)
- [AS/CA S003.2:2010 *Requirements for Customer Access Equipment for Connection to a Telecommunications Network – Part 2: Analogue and TDM Based Technologies*](#)
- [AS/CA S003.3: 2010 *Requirements for Customer Access Equipment for Connection to a Telecommunications Network – Part 3: Packet and Cell Based Technologies.*](#)

Customer access equipment is defined in section 5 of AS/CA S003-2015 to mean customer equipment that is designed with multiple ports (that are local or network ports) that provide, or are intended to provide, access to a telecommunications network; and is capable of switching, storage, processing conversion, integration, line isolation/coupling or multiplexing of analogue or digital voice equivalent communications.

3. AS/CA S004-2015

AS/CA S004-2015 applies to customer equipment that is designed or intended to transmit and receive voice frequency signals for voice communication, voice messages or tones by direct or indirect electrical or electro acoustic means, and for connection to a telecommunications network. The technical standard mandates compliance with the industry standard [AS/CA S004:2013 Voice Performance Requirements for Customer Equipment](#) published by CA.

4. AS/CA S008-2015

AS/CA S008-2015 applies to customer cabling products and mandates compliance with the industry standard [AS/CA S008:2020 Requirements for Customer Cabling Products](#) published by CA.

5. AS/ACIF S016-2015

AS/ACIF S016-2015 applies to customer equipment that has a hierarchical digital interface at 2,048 kbit/s, 8,448 kbit/s, 34,368 kbit/s or 139,264 kbit/s, and is designed, or intended, for connection to a telecommunications network. The technical standard mandates compliance with the industry standard [AS/ACIF S016:2001 Requirements for Customer Equipment for Connection to Hierarchical Digital Interfaces](#) published by CA's predecessor, the Australian Communications Industry Forum.

6. AS/ACIF S041-2015

AS/ACIF S041-2015 applies to a thing that is customer equipment, or a part of customer equipment, that is designed or intended, for connection to a DSL service that shares the metallic local loop with an analogue PSTN. The technical standard mandates compliance with the following industry standards published by CA:

- [AS/CA S041.1:2015 Requirements for DSL Customer Equipment for Connection to the PSTN – Part 1: General](#)
- [AS/CA S041.2:2015 Requirements for DSL Customer Equipment for Connection to the Public Switched Telephone Network – Part 2: Modems for use in connection with all DSL services](#)
- [AS/CA S041.3:2015 Requirements for DSL Customer Equipment for Connection to the Public Switched Telephone Network – Part 3: Filters for use in connection with all xDSL services.](#)

7. AS/CA S043-2015

AS/CA S043-2015 applies to customer equipment that is designed, or intended, for connection to a telecommunications network via a metallic local loop interface. The technical standard mandates compliance with the following industry standards published by CA:

- [AS/CA S043.1:2015 Requirements for Customer Equipment for Connection to a Metallic Local Loop Interface of a Telecommunications Network – Part 1: General](#)
- [AS/CA S043.2:2016 Requirements for Customer Equipment for Connection to a Metallic Local Loop Interface of a Telecommunications Network – Part 2: Broadband](#)
- [AS/CA S043.2:2015 Requirements for Customer Equipment for Connection to a Metallic Local Loop Interface of a Telecommunications Network – Part 3: DC, Low Frequency AC and Voiceband.](#)

TLN

The ACMA has the power to make a legislative instrument (the TLN) under subsection 407(1) of the Act, requiring a person (a manufacturer or importer of customer equipment or customer cabling)² to apply a label to the equipment or cabling that indicates whether the equipment or cabling meets certain requirements. Additionally, section 408 of the Act provides a list of labelling requirements and ancillary matters that must or may be included in the TLN.

The TLN specifies the labelling, testing and record-keeping requirements for importers and Australian manufacturers, when there are technical standards that apply to the customer equipment or customer cabling (an item).

The applicable technical standards for customer equipment and customer cabling are set out in Schedules 1 and 4 to the TLN, respectively. Schedule 1 to the TLN further categorises customer equipment and the applicable technical standards according to whether they are connected to a network used to provide a public mobile telecommunications service, or a satellite service only, or other networks.

If there is an applicable technical standard (or standards) for an item, the TLN requires a manufacturer or importer to apply a label to indicate the item's compliance or non-compliance with the applicable technical standard before the item is supplied in Australia.

A manufacturer or importer must satisfy certain requirements before applying a compliance label, such as testing or certification of the item, making a declaration of conformity and registering on the national database of suppliers. The compliance label must meet requirements in relation to its form, scale, visibility and method of application as set out in the TLN. An important innovation in 2022 was to allow the use of a QR code or a similar thing to link a page prominently displaying the Regulatory Compliance Mark (RCM), as an alternative to labelling with the RCM.

Once a compliance label has been applied to an item, the manufacturer or importer must keep certain records for a specified period, and the ACMA, or inspectors appointed by the ACMA under the Act, have powers in the Act to request documents and information.

If the customer equipment or customer cabling does not comply with the applicable technical standards, a manufacturer or importer is required to apply a non-compliance label to the item before supplying it. The Act specifically contemplates requiring the application of a non-compliance label on customer equipment and customer cabling that does not comply with applicable technical standards.

Sections 411 to 416 of the Act set out offences that enforce compliance with the obligations in the TLN.

² Section 406A of the Act provides that a reference to a manufacturer or importer of customer equipment or customer cabling includes a reference to an agent in Australia authorised in writing to act on behalf of the manufacturer or importer.

Disability Standard

The ACMA has made the Disability Standard under subsection 380(1) of the Act to require customer equipment that is used in connection with a standard telephone service to include features designed to meet the special needs of people with disability.

The Disability Standard mandates the requirements in the industry standard [AS/ACIF S040:2001 Requirements for Customer Equipment for use with the Standard Telephone Service – Features for Special Needs](#) published by CA's predecessor, the Australian Communications Industry Forum.

Compliance with the Disability Standard is relevant to whether a person has infringed section 24 of the *Disability Discrimination Act 1992*.³

³ Section 383 of the Telecommunications Act provides that compliance with the Disability Standard is a relevant consideration in determining whether a person has infringed section 24 of the *Disability Discrimination Act 1992*, which makes certain conduct unlawful in discriminating against a person on the basis of their disability in the supply of goods or services.

Proposed changes to the legislative instruments

While the technical standards, the TLN and the Disability Standard are generally operating effectively, the ACMA has identified some opportunities to make minor amendments to:

- improve clarity
- correct cross-referencing errors
- remove redundant provisions
- reflect the current technological environment.

Technical standards

Remaking 7 technical standards

While the ACMA is proposing to remake all 7 technical standards that are due to sunset, we note that several of these standards are aimed at providing technical requirements for legacy customer equipment. Specifically, 3 technical standards – AS/CA S002-2015, AS/ACIF S016-2015 and AS/CA S043-2015 – have diminishing relevance due to the migration from a largely tapered copper pair customer access network to the NBN and the disconnection of the legacy Integrated Services Digital Network (ISDN).

We are proposing to remake AS/CA S002-2015 and AS/CA S043-2015 as parts of the public switched telecommunications network continue to be provided through tapered copper pair customer access network, particularly in regional or rural communities, and consequently it is necessary to continue mandating requirements for customer equipment using this legacy technology.

In relation to AS/ACIF S016-2015, the standard applies to equipment with data speeds that are no longer representative of the market. Although we are proposing to remake AS/ACIF S016-2015, we are open to allowing this technical standard to sunset if doing so is supported by stakeholders.

The ACMA acknowledges that the ongoing applicability of these 3 technical standards and other technical standards relating to legacy customer equipment may need to be revisited in the future as technology continues to evolve.

Question 1

- a) Is it necessary and appropriate for the ACMA to remake the 7 technical standards due to sunset?
- b) Should the ACMA allow AS/ACIF S016-2015 to sunset? If no, please explain your reasons why the standard should be remade.

Customer equipment and customer cabling to which the technical standards apply

Currently, the 7 technical standards due to sunset apply to specified customer equipment or specified customer cabling based on whether the item is 'designed or intended for use in connection to a telecommunications network'.

We note that there is ambiguity as to whether these technical standards apply to an item that is used for connection to a telecommunications network but is primarily designed or intended for use on another type of network such as a private network.

The ACMA is proposing to amend these 7 technical standards to apply to an item if it is 'used, installed ready for use, or intended for use for connection to a telecommunications network'. The proposed change in terminology is intended to provide greater clarity that our technical standards apply to an item if the customer equipment or customer cabling can be used for connection to a telecommunications network. It will also align the definitions of specified customer cabling and specified customer equipment with subsections 20(4) and 21(4) of the Act respectively.

Question 2

Do you have any comments on our proposal to change terminology to clarify the items to which the technical standards apply and to align with the definitions of customer cabling and customer equipment in subsections 20(4) and 21(4) of the Act?

TLN

Aligning provisions with the General Equipment Rules

Under the TLN and the Radiocommunications Equipment (General) Rules 2021 (General Equipment Rules), manufacturers and importers are required to satisfy similar labelling and record-keeping requirements, such as registering on the national database, making a declaration of conformity, keeping compliance records and labelling the equipment.

While these requirements are similar, there are some drafting and application differences. We propose amending the TLN to align these requirements with the General Equipment Rules where possible, noting that a manufacturer or importer of telecommunications customer equipment may also need to comply with the ACMA's radiocommunications equipment supply arrangements in the General Equipment Rules, where they apply. We consider that greater consistency across these arrangements will provide efficiencies for suppliers in their compliance and record-keeping obligations, reducing their regulatory burden.

We have outlined in Table 2 below a comparison of requirements between the TLN and the General Equipment Rules, and identified where we propose to align the TLN requirements with similar requirements in the General Equipment Rules.

Table 2: Comparison of TLN and General Equipment Rules requirements

Description	TLN	General Equipment Rules	Align with General Equipment Rules
Provision of information to national database	N/A	Using a method indicated by the database for including information on the database	Yes
Who can make a declaration of conformity	Manufacturer in Australia Importer in Australia	Manufacturer in Australia Overseas manufacturer (with some exceptions) Importer in Australia	No
Who may apply a label	Manufacturer in Australia Importer in Australia Agent in Australia of the manufacturer or importer	Manufacturer (Australian or overseas) Importer in Australia Agent of the manufacturer or the importer Person authorised by the manufacturer or the importer Person authorised by the agent of the manufacturer or the importer	Yes
Compliance records – electronic form	No provisions as to whether compliance records can be kept in electronic form	Specific provision permitting compliance records to be kept in electronic form	Yes
Compliance records – duration	Keep records ending two years after the item or all items of class ceased to be supplied in Australia, whichever is the later	Keep records for five years after the device is first supplied in Australia	No

National database

The proposed amendments related to the national database are machinery and intended to:

- align the definition of the national database across our regulatory arrangements by giving it the same meaning as in the General Equipment Rules
- clarify that manufacturers and importers should provide or update information using a method directed by the national database (that is, as per the directions by the [Electrical Equipment Safety System \(EESS\)](#)).

We note that in practice, manufacturers and importers would already be following the directions on the EESS website when providing or updating information on the database and we do not expect these amendments to increase the regulatory impost.

Declaration of conformity

We are not proposing to align the provisions relating to who can make a DoC with the General Equipment Rules, noting that our telecommunications standards provide Australian specific requirements unlike our radiocommunications standards which may directly recognise international standards. We consider that allowing an overseas manufacturer to make a DoC under the TLN may increase the risk of manufacturers or importers declaring compliance to international standards instead of Australian telecommunications and safety standards.

Person who may apply the label

We are proposing to amend the TLN to allow persons outside Australia to apply the compliance label or non-compliance label, noting that it may be more practical for overseas manufacturers to label the device particularly in relation to electronically labelling items.

The obligation will remain with the importer in Australia to ensure that the label has been applied and the item complies with any applicable technical standards.

We are also proposing to amend the TLN to allow persons outside Australia to prepare the written statement in relation to labelling the external surface of the packaging.

Compliance records

We are proposing to amend the TLN to expressly allow the compliance records to be kept in electronic form, which will reduce the regulatory burden on suppliers and reflect modern record-keeping practices.

We are not proposing to align record-keeping timeframes under the TLN with the General Equipment Rules. The ACMA considers that there is a strong public benefit rationale for maintaining the status quo of a longer timeframe to keep compliance records (ending 2 years after cessation of supply of the item or class of items in Australia) in the TLN given the pervasiveness of certain customer equipment such as mobile phones and their potential use in emergencies.

Question 5

Do you have any comments on our proposal to align particular pre-labelling and record-keeping requirements in the new TLN with the General Equipment Rules (where possible and as proposed above)?

Removal of inspection and auditing powers in TLN

Part 6 of the TLN provides the ACMA and inspectors appointed by the ACMA under the Act, with powers in relation to inspection and auditing of compliance records. We have identified that these provisions are redundant as the ACMA and inspectors can rely on existing inspection, information-gathering and enforcement powers in Parts 26, 27 and 28 of the Act. Consequently, we are proposing to remove the provisions in Part 6 of the TLN.

Question 3

Do you have any comments on our proposal to remove the provisions in Part 6 of the TLN?

Clarifications of applicable technical standards for customer equipment

The TLN mandates compliance and labelling requirements for specified customer equipment based on whether there are any applicable technical standards for the equipment, which are specified in Schedule 1 to the TLN. The table in Schedule 1 to the TLN categorises customer equipment according to whether it is connected to a network used to provide a public mobile telecommunications service, or a satellite service only, or other networks.

The ACMA is proposing amendments to Schedule 1 to the TLN to:

- restructure the table and add new provisions to clarify the technical standards that apply to ‘hybrid customer equipment’ (see below)
- clarify that the applicable technical standards apply to customer equipment that is ‘used, installed ready for use, or intended for use for connection to a telecommunications network’
- clarify the application of the Telecommunications (Customer Equipment Safety) Technical Standard 2018 (Customer Equipment Safety Standard).

Hybrid customer equipment

The ACMA considers there is some risk that the current format of the table in Schedule 1 to the TLN may be interpreted as only requiring customer equipment to comply with the applicable technical standards for one type of telecommunications network. For example, under the current TLN, hybrid customer equipment that is to be connected to a telecommunications network that is used to supply a public mobile telecommunications service will not fall within item 1 of the Schedule. However, many commonly supplied modem routers are now capable of operation on both fixed and mobile networks. Similarly, a handset operating on a mobile network and also capable of receiving direct to mobile services from a satellite would currently fall under either item 2 or 3 of the table of Schedule 1 only. In both cases, the functionality of the hybrid device means that it should fall under multiple items in Schedule 1 so that all of the relevant standards apply to it.

This issue emerges because the current categorisation of items in the table in Schedule 1 to the TLN does not contemplate hybrid customer equipment intended to connect to different types of telecommunications networks. We are proposing to restructure the table and include new provisions to clarify that customer equipment may be required to comply with the applicable technical standards for various types of telecommunications networks (where relevant), reflecting the growth in hybrid customer equipment.

Clarifying when technical standards are applicable

We are also proposing to identify the applicable technical standards for customer equipment in Schedule 1 based on whether the equipment is ‘used, installed ready for use, or intended for use for connection to a telecommunications network’. This amendment is consistent with our proposed changes to terminology in the technical standards and aligns with the definition of ‘customer equipment’ in subsection 21(4) of the Act.

Customer Equipment Safety Standard

We are proposing to amend Schedule 1 to the TLN to clarify that the Customer Equipment Safety Standard only applies to equipment that needs to comply with another technical standard listed in the table in Schedule 1 to the TLN.⁴

This clarification is intended to reduce the regulatory burden by minimising the instances of testing to the Customer Equipment Safety Standard.

Question 4

Do you have any comments on our proposed amendments to Schedule 1 to the TLN?

Proposed changes to the handset and headset exemption

Item 3 of Schedule 2 to the TLN currently provides an exemption for handsets and headsets solely for use with an internet or voice modem connection to a telecommunications network. This exemption has existed since at least 1997 and has been carried forward to the current TLN, recalling a time when it was rare for handsets and headsets to connect to a telecommunications network using an internet or voice modem.

We consider that this exemption may no longer be operating effectively due to the technological shift from predominantly analogue to predominantly digital modes of operation. Nowadays, handsets and headsets typically connect to the telecommunications network via an internet or voice modem.

The ACMA proposes to amend the exemption in item 3 of Schedule 2 to the TLN to improve clarity and reflect the current technological environment.

Handsets

We are proposing to remove handsets from the exemptions in Schedule 2 to the TLN. The amendment will clarify that handsets are regulated, noting that currently an example in Schedule 1 to the TLN lists analogue telephones, VoIP telephones, cordless telephone handsets and base units as items of customer equipment that are intended to be regulated under the TLN.

In our view, most risks sit with the handset, unlike the headset which is an intermediary device. Consequently, we believe handsets should continue to be regulated under the TLN to ensure applicable technical performance requirements related to emergency call service access, network integrity and interoperability with a telecommunications network are met.

⁴ This requirement is set out in paragraph 12(b) of the [Telecommunications \(Customer Equipment Safety\) Technical Standard 2018](#).

Headsets

'Headsets' cover a wide range of items, including earbuds, multimedia headphones, gaming and computer headsets, and telephone and call centre headsets.

We currently regulate telephone headsets connected to an analogue network due to the electrical and acoustic safety risks associated with inadequate separation, or limitations between the network circuits and the headset, when subjected to over-voltages and network transients (clicks, pops, acoustic events). Our safety requirements for headsets are contained in the technical standard AS/CA S004-2015, which adopts in full the industry standard [AS/CA S004:2013 Voice Performance Requirements for Customer Equipment](#) published by CA.

We have identified 4 options for regulating headsets under the TLN:

- Option 1: Remove the current exemption in the TLN, so that all headsets are regulated under the TLN.
- Option 2: Exempt all headsets.
- Option 3: Redraft the TLN to exempt all headsets, except a headset (wired or wireless) consisting of a microphone and a speaker that is designed or intended for use with a standard telephone service.
- Option 4: Redraft the TLN to exempt all headsets, except a headset that is designed or intended for physical connection to analogue customer equipment.

The ACMA is not in favour of adopting options 1 or 2, as they are overly broad approaches that do not appropriately balance the electrical and acoustic safety risks for headsets with the regulatory impost on suppliers.

While we considered Option 3, evidence would be required to justify expanding our regulatory arrangements to capture a wider range of headsets than what is currently mandated under the TLN.

Option 4 is our preferred option, which exempts all headsets other than those that connect to an analogue network, where there is a risk of electrical and acoustic shock due to over voltages and network transients. We understand that the electrical and acoustic safety risks are minimised when a headset connects to a digital network or uses network termination units or routers, as the use of these equipment and digital signal processing limits electrical and acoustic shock reaching the headset. Consequently, we consider that regulating headsets which physically connect to analogue customer equipment is sufficient to address potential harms.

Question 6

Do you have any comments on our proposed amendments to item 3 of Schedule 2 to the TLN? If so, please specify your reasons and provide evidence to support your position.

Labelling cabling items

Currently under Schedule 4 to the TLN, a person may be exempt from labelling particular cabling items if either of the following requirements is met:

- the cabling item displays specified identification information on the sheath of the item at regular intervals of not more than 2 metres,⁵ or
- the person:
 - a. notifies the ACMA of an intention not to label the particular cabling items,
 - b. establishes a publicly available internet register listing the particular cabling items, and
 - c. registers on the national database.⁶

We note that the information displayed on the sheath of the cabling item and the publicly available register are intended to be alternative options to labelling with the Regulatory Compliance Mark (RCM).

We consider that the option to display specified information on the sheath of the cabling item is more appropriately characterised as an alternative form of label rather than an exemption from labelling.

Additionally, we consider that the option to establish a publicly available internet register is redundant as the definition of compliance label now includes a QR code, or similar thing, with a relevant link to a website that displays the RCM prominently. This means manufacturers and importers can use a website that prominently displays the RCM for all future and existing cabling items instead of maintaining a publicly available internet register that would need to be updated with each new product, as an alternative to affixing the RCM.

The proposed amendments will have the effect of requiring manufacturers or importers to label their cabling items using one of 3 options: the RCM, a QR code or a similar thing linking to a webpage on which the RCM is prominently displayed, or displaying specified information in the sheath of the cable.

We are proposing a one-year transitional period during which a manufacturer or importer of particular cabling items can choose to comply with the old or new labelling arrangements.⁷

The ACMA is proposing to:

- clarify that specified information displayed on the sheath of the item is a form of a compliance label
- remove clauses 8 to 10 of Schedule 4 to the TLN, which provide the alternative option to establish a public available internet register
- provide a one-year transitional period for manufacturers or importers of particular cabling items.

Question 7

Do you have any comments on our proposed amendments to labelling cabling items?

⁵ Clause 7 of Schedule 4 to the TLN

⁶ Clauses 8, 9 and 10 of Schedule 4 to the TLN

⁷ The manufacturer or importer must have satisfied the requirements in clause 7 of Schedule 4 to the TLN or clauses 8, 9 and 10 of Schedule 4 to the TLN immediately before commencement of the remade TLN.

Disability Standard

We are proposing to remake the Disability Standard with only very minor or machinery amendments to update references.

The ACMA considers that there is a public benefit for continuing to make a standard specifying the inclusion of special features in customer equipment used to provide a standard telephone service to meet the needs of people with disability.

Question 8

Do you have any comments on our proposal to remake the Disability Standard?

Consequential amendments

Telecommunications customer equipment may also be subject to our radiocommunications regulatory arrangements made under the Radiocommunications Act, with 2 radiocommunications legislative instruments currently referencing the TLN.

In addition, 3 telecommunications legislative instruments made under the Act reference the TLN and/or a technical standard.

We are proposing minor consequential amendments to the following instruments as a result of the remaking of the TLN and technical standards:

- Telecommunications (Customer Equipment Safety) Technical Standard 2018
- Telecommunications (Type of Cabling Work) Declaration 2024
- Telecommunications Cabling Provider Rules 2014
- Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2017
- Radiocommunications (Citizen Band Radio Stations) Class Licence 2015.

Issues for comment

We invite comments on the issues set out in this paper:

1. a) Is it necessary and appropriate for the ACMA to remake the seven technical standards due to sunset?

b) Should the ACMA allow AS/ACIF S016-2015 to sunset? If no, please provide your reasons why the standard should be remade.
2. Do you have any comments on our proposal to change terminology to clarify the items to which the technical standards apply and to align with the definitions of customer cabling and customer equipment in subsections 20(4) and 21(4) of the Act?
3. Do you have any comments on our proposal to align particular pre-labelling and record-keeping requirements in the proposed TLN with the General Equipment Rules (where possible)?
4. Do you have any comments on our proposal to remove the provisions in Part 6 of the TLN?
5. Do you have any comments on our proposed amendments to Schedule 1 to the TLN?
6. Do you have any comments on our proposed amendments to the exemption in item 3 of Schedule 2 to the TLN? If so, please specify your reasons and provide evidence to support your position.
7. Do you have any comments on our proposed amendments in relation to labelling cabling items?
8. Do you have any comments on our proposal to remake the Disability Standard?

Invitation to comment

Making a submission

Comments are sought from the public regarding the ACMA's proposal to remake each of the legislative instruments referred to above, on the basis that each of them is operating effectively and efficiently.

- [Online submissions](#) can be made by uploading a document. Submissions in PDF, Microsoft Word or Rich Text Format are preferred.
- Submissions by post can be sent to:
The Manager
Infrastructure and Equipment Safeguards Section
Australian Communications and Media Authority
PO Box 13112
Law Courts
Melbourne VIC 8010

The closing date for submissions is COB, **20 December 2024**.

Consultation enquiries can be emailed to techreg@acma.gov.au.

Publication of submissions

The ACMA publishes submissions on our website, including personal information (such as names and contact details), except for information that you have claimed (and we have accepted) is confidential.

Confidential information will not be published or otherwise released unless required or authorised by law.

Privacy

View information about our policy on the [publication of submissions](#), including collection of personal information during consultation and how we handle that information.

Information on the *Privacy Act 1988*, how to access or correct personal information, how to make a privacy complaint and how we will deal with the complaint, is available in our [privacy policy](#).