Telecommunications Labelling (Customer Equipment and Customer Cabling) Amendment Notice 2002 (No. 2)

The AUSTRALIAN COMMUNICATIONS AUTHORITY makes this Notice under section 407 of the Telecommunications Act 1997.

Dated 4 June 2002

A J SHAW
Chair

A HORSLEY
Member

Australian Communications Authority

1 Name of Notice
This Notice is the Telecommunications Labelling (Customer Equipment and Customer Cabling) Amendment Notice 2002 (No. 2).

2 Commencement
This Notice commences on gazettal.

3 Amendment of Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001
Schedule 1  Amendments

(section 3)

[1]  Section 1.4, after definition of *endorsed test report*

*insert*  
*exempt item* has the meaning given by section 2A.1.

[2]  Section 1.4, definition of *item*

*omit*  
a modified item.

*insert*  
a modified item or an exempt item.

[3]  After subsection 1.5 (3)

*insert*  
(4) If the item is an exempt item, the compliance records include the entry in relation to the item on the register mentioned in section 2A.4.

[4]  Paragraph 1.6 (d)

*omit*  
if it is intended to apply a compliance label to the item —

*insert*  
if it is intended to apply a compliance label to the item, or if it is an exempt item —


*insert*  

Part 2A  Exemption from compliance labelling for certain items

2A.1  Exempt items

An item is an *exempt item* if:
(a)  it complies with ACA TS008-1997 or AS/ACIF S008-2001; and
(b) under section 420 of the Act, it may be installed only by a person mentioned in subsection 420 (1) of the Act.

2A.2 Exemption from compliance labelling

Despite section 3.1, an exempt item is not required to bear a compliance label if the supplier of the item:

(a) has given the ACA a notice in accordance with subsection 2A.3 (1); and

(b) has established a register in accordance with section 2A.4; and

(c) has listed the exempt item on the register; and

(d) complies with the requirements mentioned in Part 5.

Note An exempt item must bear a compliance label in accordance with section 3.1 if the supplier has not complied with this section.

2A.3 Notice of intention not to apply compliance label to exempt items

(1) If a supplier intends not to apply a compliance label to exempt items, the supplier must:

(a) give the ACA written notice of the intention; and

(b) if the supplier does not have a supplier code number — obtain a supplier code number from the ACA.

(2) The notice must be in the form set out in Schedule 4A.

2A.4 Register of exempt items that do not bear a compliance label

(1) A supplier who intends to supply exempt items that do not bear a compliance label must:

(a) establish on the internet a publicly available register that:

(i) states the name of the supplier; and

(ii) lists each of the exempt items that do not bear a compliance label; and

(iii) includes, for each exempt item listed on the register, the information mentioned in subsection (2); and

(b) tell the ACA the internet address for the register.

(2) For subparagraph (1) (a) (iii), the information is:

(a) for an item of customer cabling:

(i) the information mentioned in paragraphs 3.7 (a) and (b); and

(ii) the number of pairs within the item of cabling; and

(b) for an item of associated customer equipment, the information mentioned in paragraphs 3.8 (2) (a) and (b).

(3) An entry for an item on a register for subsection (1) may also include other information that may help to identify the item.
(4) A register for subsection (1) must:
   (a) include only exempt items that do not bear a compliance label; and
   (b) list the exempt items in groups of like items, according to:
       (i) the technical characteristics of the item; or
       (ii) the function of the item; or
       (iii) the purposes for which the item is used, or for which it is intended that the item be used; or
       (iv) the location of the item; and
   (c) be separated from any other lists of products.

[6] Part 4, heading
substitute

Part 4 Compliance levels

[7] Section 4.1
substitute

4.1 Application of Part 4
(1) This Part applies in relation to an item to which a compliance label is to be applied.
(2) Divisions 4.2 and 4.3 also apply to an exempt item to which a compliance label will not be applied.

[8] Paragraph 4.2 (1) (b)
substitute
(b) if the supplier does not have a supplier code number — a supplier code number.

[9] Part 5, heading
substitute

Part 5 Compliance records
[10] Subsection 5.2 (1)

substitute

(1) This section applies to the supplier of:
   (a) an item to which a compliance label is applied; or
   (b) an exempt item to which a compliance label is not applied.


insert

(2A) This section also applies to an exempt item:
   (a) that does not bear a compliance label; and
   (b) that was first manufactured or imported on or after 1 July 1997; and
   (c) that complied with each applicable standard.

[12] After Schedule 4

insert

Schedule 4A Notice of intention not to apply a compliance label to exempt items

(section 2A.3)

For Your Information

- You may complete this form if you are a supplier (that is, a manufacturer or an importer) or an authorised agent for a supplier of an item or a device. An agent must complete both Supplier’s Details and Agent’s Details sections.
- Suppliers must already have a Supplier Code Number from the ACA or apply for one in this Schedule.
- Giving false or misleading information is a serious offence.
- Suppliers must obtain permission to NOT apply a compliance label to exempt items only once.

(1) Do you have a Supplier Code Number (SCN)?

☐ Yes (go to question 2) ☐ No (go to question 3)

(2) Your SCN (if already issued to you by the ACA): _____________________________
### (3) (a) Supplier’s Details:

<table>
<thead>
<tr>
<th>Name of company (or partnership, trading trust or individual)</th>
<th>Australian Company Number (ACN) or Australian Registered Body Number (ARBN) (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal address</td>
<td>Street address (if same as postal address, write ‘as above’)</td>
</tr>
<tr>
<td>Contact numbers</td>
<td>Postcode</td>
</tr>
<tr>
<td>Phone ( )</td>
<td>Fax ( )</td>
</tr>
<tr>
<td>Street address, in Australia, where compliance records are accessible (if same as postal address, write ‘as above’)</td>
<td>Postcode</td>
</tr>
</tbody>
</table>

### (3) (b) Agent’s Details: (Please also provide the following information if you are an authorised agent for a supplier)

<table>
<thead>
<tr>
<th>Name of company (or partnership, trading trust or individual)</th>
<th>Australian Company Number (ACN) or Australian Registered Body Number (ARBN) (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal address</td>
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<tr>
<td>Phone ( )</td>
<td>Fax ( )</td>
</tr>
<tr>
<td>Street address, in Australia, where compliance records are accessible (if same as postal address, write ‘as above’)</td>
<td>Postcode</td>
</tr>
</tbody>
</table>

### (4) Internet Address Details

Internet address of the publicly available register required under section 2A.4

The Internet address must be the complete URL eg


<table>
<thead>
<tr>
<th>Signature of Supplier/Agent</th>
<th>Position in Company, etc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name (Print)</td>
<td>Date</td>
</tr>
</tbody>
</table>

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Federal Register of Legislative Instruments F2005B00248
(5) Declaration:
I declare that the contents of this application are true and correct.
Signature of Supplier/Agent  Position in Company, etc

Name (Print)  Date

(6) Return Your Completed Form To:

- **For New South Wales Region**
  (including Sydney, Newcastle, Canberra and Coffs Harbour):
  Australian Communications Authority
  GPO Box 5295
  Sydney NSW 2001
  Fax:  (02) 9245 4099
  Email: nswro@aca.gov.au

- **For Southern Australia Region**
  (including Melbourne, Adelaide, Hobart and Wodonga):
  Australian Communications Authority
  PO Box 13120, Law Courts
  Melbourne VIC 8010
  Fax:  (03) 9963 6989
  Email: saro@aca.gov.au

- **For Northern Australia Region**
  (including Cairns, Darwin and Townsville):
  Australian Communications Authority
  PO Box 1225
  Cairns QLD 4870
  Fax:  (07) 4048 7400
  Email: naro@aca.gov.au