Radiocommunications (C-Tick Mark) Determination 1998

The AUSTRALIAN COMMUNICATIONS AUTHORITY makes this determination under subsection 188A (7) and subparagraph 188A (8) (a) (i) of the Radiocommunications Act 1992.


A J SHAW
Chairman

R HORTON
Deputy Chairman

Australian Communications Authority
Radiocommunications (C-Tick Mark) Determination 1998

made under the

Radiocommunications Act 1992

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Part 1 Preliminary

1 Name of determination
This determination is the Radiocommunications (C-Tick Mark) Determination 1998.

2 Commencement
This determination commences on gazettal.

3 Definitions
In this determination:
applicable standard, for a device, means a standard, including an EMC standard, applying to the device.
C-Tick mark means the protected symbol mentioned in paragraph 188A (8) (a) of the Act.
ECR specifications, for a device, within the meaning of section 15A of the Radiocommunications Act 1983, means the Equipment Compliance Requirement specifications for a type approval certificate issued under section 15A of that Act.
Note: Definitions

A number of expressions used in this determination are defined in the Act, including:

- accreditation body
- competent body
- device
- EMC standard
- radiocommunications community
- recognised testing authority
- standard

Other expressions (including technical references in Schedule 1) are defined in the Radiocommunications (Definitions) Determination No. 2 of 1993 and the Radiocommunications Regulations.
Part 2 Use and application of the C-Tick mark

Section 4

Part 2 Use and application of the C-Tick mark

4 Purpose of Part (Act, s 188A)

(1) Subsection 188A (1) of the Act provides that a person must not use or apply a protected symbol which, as defined in subsection 188A (8) of the Act, includes the symbol known in the radiocommunications community as the C-Tick mark.

(2) However, subsection 188A (7) of the Act provides that section 188A does not apply to the use or application of a protected symbol for a purpose of a kind specified in a written determination made by the ACA.

(3) The kinds of purposes for which the C-Tick mark may be used or applied are specified in this Part.

5 Use or application of C-Tick mark

For subsection 188A (7) of the Act, the following purposes are specified:

(a) for showing that a device complies with an applicable standard, other than by use or application for the purposes of labelling referred to in subsection 188A (6) of the Act;

(b) for showing that a device complies with relevant ECR specifications listed in Schedule 1;

(c) for showing that a person provides services to assist others to comply with applicable standards relating to devices;

(d) for use in relation to information or comment about standards;

(e) for showing that a body:

   (i) is an accreditation body; and

   (ii) may determine that specified persons are recognised testing authorities or competent bodies;
(f) for showing that:
   (i) a body is a recognised testing authority; and
   (ii) the body may test devices for compliance with applicable standards;

(g) for showing that a body:
   (i) is a competent body; and
   (ii) may provide services in relation to C-Tick labelling requirements and showing compliance with applicable standards;

(h) for supplying copies of the C-Tick mark to persons entitled to use or apply the C-Tick mark;

(j) for showing that a body:
   (i) supplies copies of the C-Tick mark to persons entitled to use or apply the mark; and
   (ii) supplies copies of standards.

**Examples**

1. Under paragraph (a), manufacturers, importers and retailers of devices can use the C-tick mark on advertisements, packaging, displays, warranty forms and instruction leaflets relating to their products, to show that the products comply with applicable standards.

2. Under paragraph (c), consultants can use the C-Tick mark in advertisements, and on stationery and business cards to show that they offer services to help manufacturers and importers of electrical, electronic and radiocommunications equipment to comply with applicable standards.
Part 3 Design

6 Purpose of Part

(1) Paragraph 188A (8) (a) of the Act provides that the C-Tick mark is a protected symbol, the design of which is set out in a written determination made by the ACA.

(2) The purpose of this Part is to set out the design of the C-Tick mark.

7 Protected symbol

For subparagraph 188A (8) (a) (i) of the Act, the design of the C-Tick mark is set out in Schedule 2.
## Schedule 1 ECR specifications

(Paragraph 5 (b))

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(section 7)