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The Construction & Mining Equipment Industry Group and
the Tractor & Machinery Association of Australia

# CMEIG-TMA VOLUNTARY CODE OF PRACTICE SUPPORTING ACMA RADIOCOMMUNICATIONS AND ELECTROMAGNETIC ENERGY LABELLING EXEMPTIONS

The code was prepared under the direction of the Construction & Mining Equipment Industry Group (CMEIG) and the Tractor Machinery Association of Australia (TMA) board, and endorsed for their own use by members of these organisations.

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# DEFINITIONS

**ACMA** – The Australian Communications and Media Authority (https://www.acma.gov.au/)

**ACMA Requirements** - those requirements identified more specifically in the 'Background' and 'Technical Requirements' sections of this Code of Practice

**CMEIG** - The Construction and Mining Equipment Industry Group of Australia (http://www.cmeig.com.au/)

**Equipment** – includes all devices, machinery and equipment manufactured, installed, imported and/or supplied by members of CMEIG or TMA

**TMA –** The Tractor and Machinery Association of Australia (https://www.tma.asn.au/)

# SCOPE

This Voluntary Code of Practice details a labelling exemption to two ACMA requirements (to the extent that these apply), namely the Radiocommunications (Compliance Labelling – Devices) Notice 2014 (Radiocommunications Labelling Notice) and the Radiocommunications (Compliance Labelling – Electromagnetic Radiation) Notice 2014, that may be available to members of CMEIG and TMA.

# BACKGROUND

The ACMA regulatory framework includes various requirements covering certain categories of:

- Telecommunications customer equipment (CE) and customer cabling (CC)
- Radiocommunications devices
- Electromagnetic compatibility (EMC) performance of electrical and electronic devices, vehicles and devices with internal combustion engines, and
- Electromagnetic energy (EME) from radio transmitters

The aforementioned requirements are identified in the following labelling notices (as amended and replaced from time to time) which can be viewed on the ACMA website[1]:

- **The Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015**
- **The Radiocommunications (Compliance Labelling – Devices) Notice 2014**
- **The Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2017**
- **The Radiocommunications (Compliance Labelling - Electromagnetic Radiation) Notice 2014**

[1] At the time of writing, the ACMA notices could be obtained at https://www.acma.gov.au/Industry/Suppliers/Product-supply-and-compliance/Steps-to-compliance/legislation---labelling-notices

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The ACMA requirements require in-scope equipment to comply with applicable mandatory technical standards and to be labelled with a regulatory compliance mark. An overview of this process is provided by the ACMA as follows:

| **Steps to compliance** |
|---|
| 1. Identify the applicable labelling notice |
| 2. Identify the applicable technical standards (prescribed in the relevant labelling notice) and the testing requirements |
| 3. Demonstrate product compliance |
| 4. Complete a Declaration of Conformity (DoC) and maintain compliance records |
| 5. Register as a 'responsible supplier' |
| 6. Label the product |

**Table 1 - ACMA Steps to Compliance (Ref. http://www.acma.gov.au/Industry/Suppliers/Product-supply-and-compliance/Steps-to-compliance/technical-standards)**

The ACMA previously implemented an exemption from The Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2008 (as amended and replaced from time to time), where equipment supplied by CMEIG and TMA members was in accordance with the *CMEIG/TMA code, 'Voluntary Code of Practice for Electromagnetic Compatibility (EMC) of Machinery'*.

This code of practice documents two additional exemptions, the Radiocommunications (Compliance Labelling – Devices) Notice 2014 (Radiocommunications Labelling Notice) and the Radiocommunications (Compliance Labelling – Electromagnetic Radiation) Notice 2014 (as amended and replaced from time to time), to the extent that these apply. This supplements the *CMEIG/TMA code, 'Voluntary Code of Practice for Electromagnetic Compatibility (EMC) of Machinery'*.

An explanatory statement from the ACMA regarding this exemption can be viewed on the Federal Register of Legislation.[2]

# IN-SCOPE EQUIPMENT

This voluntary Code of Practice applies to equipment to the extent to which the ACMA Requirements apply.

[2] At the time of writing, this explanatory statement was available at the following link: https://www.legislation.gov.au/Details/F2017L01395/Explanatory%20Statement/Text

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# DETAILS OF EXEMPTION

To the extent that the ACMA Requirements apply to members of CMEIG or TMA, members of CMEIG and TMA are exempted from complying with the labelling requirements within the Radiocommunications (Compliance Labelling – Devices) Notice 2014 and the Radiocommunications (Compliance Labelling - Electromagnetic Radiation) Notice 2014 (as amended and replaced from time to time).

The full extent of the applicable exemption and requisite conditions are set out in the aforementioned labelling notices. A simplified summary is provided in table 2 below.

| **Labelling Notices** *(as amended and replaced from time to time)* | **Brief Description of Exemption** |
|---|---|
| The Radiocommunications (Compliance Labelling – Devices) Notice 2014 | **Exempt from labelling requirements of the notice** for equipment subject to compliance with this code.<br><br>*Refer to the labelling notice for details of the extent of the exemption*. |
| The Radiocommunications (Compliance Labelling - Electromagnetic Radiation) Notice 2014 | **Exempt from labelling requirements of the notice** subject to compliance with this code.<br><br>*Refer to the labelling notice for details of the extent of the exemption*. |
| The Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2008 | **Exempt from the labelling notice** subject to compliance with the CMEIG/TMA code, ‘Voluntary Code of Practice for Electromagnetic Compatibility (EMC) of Machinery’.<br><br>*Refer to the relevant code of practice and the labelling notice for more details* |

**Table 2 - Summary of CMEIG - TMA exemptions to ACMA requirements**

Traceability of individual Equipment compliance status for Equipment supplied under this Code of Practice is provided by reference to manufacturer/supplier name or trademark (as applicable) and series/serial/model numbers.

Compliance with this Code of Practice requires that sufficient evaluation has been undertaken, to ensure that the Equipment complies with the criteria in the applicable ACMA Requirements.

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Table 1 has been amended and reproduced below as Table 3, highlighting the extent of this exemption (see Step 6):

| **Steps to compliance** |
|---|
| 1. Identify the applicable labelling notice |
| 2. Identify the applicable technical standards (prescribed in the relevant labelling notice) and the testing requirements |
| 3. Demonstrate product compliance |
| 4. Complete a Declaration of Conformity (DoC) and maintain compliance records |
| 5. Register as a 'responsible supplier' |
| 6. ~~Label the product~~ |

**Table 3 – Amended from ACMA Steps to Compliance (Ref. http://www.acma.gov.au/Industry/Suppliers/Product-supply-and-compliance/Steps-to-compliance/technical-standards)**

# REFERENCE

For more information on CMEIG, refer to www.cmeig.com.au.
For more information on TMA, refer to www.tma.asn.au.