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The Manager
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Review of Electromagnetic Compatibility (EMC) Rules

The Construction and Mining Equipment Industry Group (CMEIG) is the peak industry association representing construction and mining equipment (i.e. earthmoving machine) manufacturers and importers. With annual sales revenue of more than $20 billion AUD, CMEIG members supply and maintain equipment for the nation's mining, quarrying, construction, electric power generation and forestry industries. Most of the world's major earthmoving machinery manufacturers are represented in the Association's membership. CMEIG represents over 20,000 directly employed Australians, and serves an industry employing tens of thousands of Australians across the construction and mining sectors.

The Tractor and Machinery Association of Australia is one of the country's oldest and established industry bodies with over 70 years of history working with the farm machinery industry. During this period, we have been working hard to represent both dealers, suppliers, and local manufacturers of farm machinery in many aspects of business including tracking and recording sales figures, working with relevant OH&S authorities in drafting legislation that is practical to our industry, and in more recent times, advocating on behalf of the industry to all forms of Government.

CMEIG and TMA respectfully provide the following responses to the five issues for comment in the Australian Communications and Media Authority (ACMA) public consultation regarding effectiveness of regulatory arrangements for the electromagnetic compatibility (EMC) of equipment under the Radiocommunications Act 1992[1].

We appreciate your consideration of our responses and appreciate the opportunity to discuss in more detail.

Sincerely,

David Birrell
Chief Executive Officer – CMEIG

Gary Northover
Executive Director - TMA

[1] ACMA Consultation – Review of Electromagnetic Compatibility Rules: link

CMEIG and TMA Responses to the ACMA Review of Electromagnetic Compatibility (EMC) Rules

Question 1. We are proposing to expand the range of EMC standards that may be used by suppliers to demonstrate compliance. This is anticipated to reduce barriers to trade, compliance costs and time to market. Do you have any comments on the proposal to reference all the EMC harmonised standards for emission under Directive 2014/30/EU in the ACMA's EMC regulatory arrangements?

CMEIG and TMA respectfully submit a correction to the following statement in the consultation paper:

> *"…the codes of practices for EMC by TIC [2], CMEIG and TMA correspond with the ACMA's EMC regulatory arrangements by only requiring compliance with UN ECE R10 in relation to emissions. However, recent amendments to UN ECE R10 mean that it now applies to more categories of vehicles than it had previously which may mean over time that TIC [2] CMEIG and TMA also look to adopt UN ECE R10's immunity requirements as part of their individual codes of practice.*

Please kindly note, *UN ECE R10 - Uniform provisions concerning the approval of vehicles with regard to electromagnetic compatibility*[3] , is applicable to road vehicles. Earthmoving and agricultural machinery provided by CMEIG and TMA are not in scope.

It is our understanding that the CMEIG and TMA code of practice[4] and the referenced standards within, while similar, are not presently aligned with UN ECE R10. We also do not expect specific alignment with UN ECE R10 over time, contrary to the aforementioned statement.

Instead of applying UN ECE R10 requirements:

- CMEIG members continue to apply the following international standard to validate EMC characteristics:

  ISO 13766 (Series) - Earth-moving and building construction machinery - Electromagnetic compatibility (EMC) of machines with internal electrical power supply

- TMA members continue to apply the following international standard to validate EMC characteristics:

  ISO 14982 (Series) – Agricultural and Forestry Machinery – Electromagnetic Compatibility

CMEIG and TMA members encourage the ACMA to retain recognition of the aforementioned standards to support reduction of barriers to trade, compliance costs and time to market - we note that these existing measures have proven to be effective to date. We also note that standards and international best practice can evolve over time. As such, we support the ACMA's approach to provide flexibility by recognising a wider range of international documents.

With regards to the ACMA proposal to supplement the existing EMC emissions regulatory arrangements with new EMC immunity requirements such as exists in the aforementioned ISO standards, CMEIG and TMA note that EMC immunity is a machinery safety matter, moreso than a spectrum management matter. Machinery safety is already addressed by workplace health and safety regulators in the various states and territories of Australia. We believe separately introducing EMC immunity requirements by the ACMA may create confusion within our membership regarding scope of regulatory responsibility between the ACMA and existing workplace health and safety regulators. CMEIG and TMA therefore encourage the ACMA to engage in additional industry consultation with our members should the ACMA choose to proceed with regulating EMC immunity for earthmoving and agricultural machinery.

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[2] Please note, this response is provided by CMEIG and TMA. CMEIG and TMA have not consulted with the TIC as part of providing this response.

[3] Regulation No 10 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to electromagnetic compatibility (link)

[4] CMEIG-TMA Code of Practice for EMC of Machinery (link)

Question 2. Modern vehicles are increasingly embedded with and reliant on advanced electronic and safety systems. Do you have any comments on whether the current EMC regulatory arrangements for managing EMC risks for vehicles, including electric vehicles, are effective?

CMEIG and TMA believe the current arrangements are effective for the management of EMC risks for earthmoving and agricultural machinery.

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?

CMEIG and TMA do not have any comments with regards to this question.

Question 4. Do you have any comments on our proposal to lower the compliance level of certain household devices? 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.

CMEIG and TMA do not have any comments with regards to this question.

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

CMEIG and TMA do not have any comments with regards to this question.