

**COMMUNICATIONS
ALLIANCE LTD**



AUSTRALIAN COMMUNICATIONS AND MEDIA
AUTHORITY

REVIEW OF THE TELECOMMUNICATIONS
LABELLING (CUSTOMER EQUIPMENT
AND CUSTOMER CABLING) NOTICE 2001

COMMUNICATIONS ALLIANCE SUBMISSION
12 APRIL 2013

EXECUTIVE SUMMARY

Communications Alliance is pleased to have the opportunity to make a submission to the review by the Australian Communications and Media Authority into the *Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001* (the TLN).

Communications Alliance welcomes the review, noting that periodic reviews help ensure regulatory arrangements to continue meet the needs of both the industry and the community. We would like to provide the following introductory comments:

- Communications Alliance is of the opinion that although the TLN structure has essentially not changed since 2001, it remains robust and is considered to be the best approach for the foreseeable future. It continues to offer the industry and the community stability and an effective tool. Communications Alliance believes that regulating on the basis of customer equipment interfaces is still the most appropriate mechanism.
- The Discussion Paper does not obviously identify any major technical issues as drivers for this review. Communications Alliance therefore speculates the drivers are more administrative in their nature; for example, to make the TLN easier to amend.
- Communications Alliance notes that most international and regional standards are still interface based. It is believed that regulating by functionality, for example, would be unworkable and would only serve to uncover further problems in its application and require considerable industry resources with little benefit.
- Communications Alliance also notes that any major change in the TLN may necessitate major changes in the way the Standards, as called up by the TLN, are structured. This would require a major allocation of industry resources, which would be difficult to achieve in the present climate, particularly given the need for industry to concentrate on NBN-related issues.
- Communications Alliance suggests that the consequences of any proposed changes coming out of the review will need careful consideration by both the ACMA and industry.

Communications Alliance also understands that individual organisations will be providing separate submissions to the ACMA in response to the consultation paper.

About Communications Alliance

Communications Alliance is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including carriers, carriage and internet service providers, content providers, equipment vendors, IT companies, consultants and business groups.

Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the

Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance. For more details about Communications Alliance, see <http://www.commsalliance.com.au>.

INDUSTRY COMMENTS

Communications Alliance would like to make the following comments on the proposed review of the *Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001*.

Rationales for review

1. Communications Alliance notes that the Discussion Paper is primarily concerned with the telecommunication regulatory powers of the ACMA under the Telecommunications Act (and not the regulatory powers for broadcasting, radiocommunications or the internet) so the comments in this submission are being provided in that context.
2. Communications Alliance would like to make the observation that it is testament to the TLN that the labelling notice has been able to manage the changes in customer equipment in its 12 years and this is in fact one of its strengths - providing stability for the industry over that period of time. There is concern however that the rationales for developing the TLN in the form that we are accustomed to today, has been lost over time. Without an appreciation of this history, there is a danger that any subsequent review may lead to the TLN losing some inherent strengths.
3. Communications Alliance understands that there is tension stemming from the convergence of technologies across a number of industries that have traditionally been considered as separate silos. We agree that this may at the surface present what appears to be a dilemma but the industry believes that the problems are readily identifiable and that they can be rectified under the existing arrangements.
4. The ACMA has suggested that the TLN has become a complex document, which has presented difficulties in categorising equipment. Although recognising the necessary complexity of the TLN, the industry does not share the view that there are problems with the current structure of the TLN and are reasonably comfortable with how customer equipment is categorised.
5. Communications Alliance notes that channels already exist through industry bodies such as the Communications Alliance Customer Equipment and Cable Reference Panel (CECRP) and through regulatory bodies such as the ACMA Technical Working Group (TWG) where the AMCA can, if needed, draw upon the expertise of the industry to address specific implementation issues of the TLN.
6. Noting that the TLN categories are prominently interface-based, it is noted that this aligns with the current suite of customer equipment Standards and how they have been drafted. Any change to this approach would likely require revisiting the Communications Alliance Standards which would raise resourcing

issues for both Communications Alliance and its members who support the Standards development processes. In particular, with the rollout of the NBN, the industry will be challenged in finding the needed capacity to revise the Standards and more importantly, to change their processes brought about by potential changes to the regulatory regime.

7. As outlined above, Communications Alliance does not believe any major changes to the TLN are required. If any changes were introduced, however, Communications Alliance would recommend the introduction of those changes in the regulatory regime, should be prioritised. It would be important to identify the core issues for the industry to address in the first instance and to place aside any peripheral issues for later consideration.

Specific issues for consideration

8. Communications Alliance wishes to highlight an underlying role of customer equipment Standards which sometimes is overlooked as it is a part of the fabric of a Standard. Customer Equipment Standards specify a range of requirements to ensure that equipment present the necessary levels (and other parameters) to a telecommunications network to avoid harm to the network or to other services on the network. If there is a chance for non-compliance by the suppliers, for example by reducing the compliance level of a Standard, then this may lead to the unintended consequence of equipment failing to provide even basic telephony services. Fundamental to a Standard is the management of interference and network integrity which, if not adequately addressed by the regulatory regime, may lead to such an outcome.
9. In addition to electrical safety which is generally foremost in the mind when considering equipment safety, there are a number of other safety issues that need to be similarly addressed when considering compliance to customer equipment Standards. These include acoustic and optical safety and the ability to provide access to emergency call services.
10. Communications Alliance notes that although the categorisation of equipment into Categories A, B and C appears to be a little dated, the approach is still considered to be necessary. This is the mechanism facilitating the application of requirements to equipment indirectly connected to a public telecommunications network such as equipment behind a Customer Switching System, such as a PABX.
11. Communications Alliance notes that currently the Ethernet interface is not tested in itself under the TLN. Conversely, the TLN does allow for aspects of Ethernet-connected equipment to be tested and it appears that there are no shortcomings with the current arrangements in this aspect.
12. The TLN has demonstrated its flexibility in being able to introduce and withdraw Standards and TLN categories as required, for example with the introduction

and the withdrawal of the CDMA Standard, during the time when those services were managed by the mobile network operators.

13. With respect to international Standards, Communications Alliance notes that the conundrum of directly adopting these Standards as opposed to developing national Standards still remains. Under some regimes, such as with EMC, the advantages of adopting international Standards (CISPR Standards in the case of EMC) are clear as these Standards readily lend themselves to different national regimes. It is observed that this is not the case for many of the telecommunications Standards, noting issues relating to their stability and availability over time and more importantly, their applicability to the Australian telecommunications networks.
14. Communications Alliance agrees that some sections of the TLN have become out-of-date and require review, for example Schedule 7. These sections are not causing problems but they are examples where the TLN can be cleaned up without the TLN needing to undergo a substantive revision.
15. Communications Alliance would be happy to explore with the ACMA the specific examples of devices that have been provided in the Discussion Paper that are causing problems for the ACMA. It is understood that some concerns relate to where devices with a number of interfaces fall into multiple categories. It would be useful for the ACMA to clarify the issues relating to the examples provided in the Discussion Paper.
16. Communications Alliance agrees that informative fact sheets can be a useful aid for industry in understanding the application of the TLN and supports their development as required. The industry is offering to assist the ACMA in the development of factsheets where a need has been identified.
17. The ACMA proposal to categorise equipment by functionality instead of the interfaces appears to be unworkable. It is recognised that international standards for telecommunications equipment are typically based on interfaces and Australia would need to carefully consider if diverging from this approach. Attempting to define the function of a device may lead to the need to specify requirements beyond the interface and inside the device which can potentially lead to complications.
18. Communications Alliance suggests that one avenue for the ACMA to investigate is the approach taken under the EMC regulatory regime where there is one ACMA Standard that references all the applicable EMC Standards. Would there be administrative savings for the ACMA in adopting a similar approach for telecommunications Standards? Rather than having a separate Technical Standard for each Customer Equipment Standard, would there be any benefits in having a single Technical Standard that lists all the applicable Customer Equipment Standards, in effect replacing Schedule 1 Part 1 of the TLN?

Compliance

19. For many of the reasons touched upon in this submission, there is genuine concern not to oversimplify the compliance requirements in the TLN as a result of this review.
20. The importance of the selection of compliance levels for requirements that have an impact on the ACMA's s376 Heads of Power, and especially those relating to safety and network integrity, cannot be overstated.
21. With respect to other countries, it has been observed that the Australia regime is not onerous for suppliers in bringing product to the Australian market. Diligence needs to be taken to ensure that Australia does not become a dumping ground for product that is not fit-for-purpose or up to community expectations.

Communications Alliance would be happy to meet with the ACMA to explore any of the issues raised in this submission and would welcome the opportunity to seek clarification on some of the specific concerns that the ACMA has raised in its Discussion Paper.



Published by:
**COMMUNICATIONS
ALLIANCE LTD**

Level 9
32 Walker Street
North Sydney
NSW 2060 Australia

Correspondence
PO Box 444
Milsons Point
NSW 1565

T 61 2 9959 9111
F 61 2 9954 6136
TTY 61 2 9923 1911
E info@commsalliance.com.au
www.commsalliance.com.au
ABN 56 078 026 507

Care should be taken to ensure the material used is from the current version of the Standard or Industry Code and that it is updated whenever the Standard or Code is amended or revised. The number and date of the Standard or Code should therefore be clearly identified. If in doubt please contact Communications Alliance