



# Telecommunications (Customer Equipment Safety) Technical Standard 2018

*Telecommunications Act 1997*

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The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes the following technical standard under subsection 376(1) of the *Telecommunications Act 1997*.

Dated: 6 December 2018

Nerida O'Loughlin  
[signed]  
Member

James Cameron  
[signed]  
Member/~~General Manager~~

Australian Communications and Media Authority

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## Part 1 – Preliminary

### 1 Name

- (1) This technical standard is the *Telecommunications (Customer Equipment Safety) Technical Standard 2018*.
- (2) This technical standard may also be cited as the *Customer Equipment Safety Standard 2018*.

### 2 Commencement

This technical standard commences at the start of the day after it is registered on the Federal Register of Legislation.

Note: The Federal Register of Legislation may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au).

### 3 Authority

This technical standard is made under subsection 376(1) of the *Telecommunications Act 1997*.

### 4 Repeal of the *Telecommunications Technical Standard (Information Technology Equipment – Safety, Part 1: General Requirements – AS/NZS 60950.1:2011) 2011*

The *Telecommunications Technical Standard (Information Technology Equipment – Safety, Part 1: General Requirements – AS/NZS 60950.1:2011) 2011* (F2011L00684) is repealed.

### 5 Background

- (1) This technical standard applies to particular customer equipment, as provided by section 12.

Note: A thing that is customer equipment to which this technical standard applies is referred to as an *item*.

- (2) This technical standard consists only of such requirements as are necessary or convenient for:
  - (a) protecting the integrity of a telecommunications network or a facility;
  - (b) protecting the health or safety of persons who:
    - (i) operate;
    - (ii) work on;
    - (iii) use services supplied by means of; or
    - (iv) are otherwise reasonably likely to be affected by the operation of;a telecommunications network or a facility;
  - (c) ensuring that customer equipment can be used to give access to an emergency call service; or

- (d) ensuring, for the purposes of the supply of a standard telephone service, the interoperability of customer equipment with a telecommunications network to which the equipment is, or is proposed to be, connected.

## Part 2 – Interpretation

### 6 Definitions

In this technical standard:

**2015 industry standard** means the Australian/New Zealand Standard AS/NZS 60950.1:2015 – *Information technology equipment – Safety, Part 1: General requirements* published by Standards Australia on 1 September 2015.

Note 1: The 2015 industry standard is incorporated as in force at the times mentioned in sections 14 to 16.

Note 2: A copy of the 2015 industry standard could, at the time of making this technical standard, be obtained for a fee from SAI Global Pty Limited's website at <https://infostore.saiglobal.com/> or may be viewed at an office of the ACMA on request and subject to licensing conditions.

**2018 industry standard** means the Australian/New Zealand Standard AS/NZS 62368.1:2018 – *Audio/video, information and communication technology equipment – Part 1: Safety requirements* published by Standards Australia on 15 February 2018.

Note 1: The 2018 industry standard is incorporated as in force at the times mentioned in sections 14 and 15.

Note 2: A copy of the 2018 industry standard could, at the time of making this technical standard, be obtained for a fee from SAI Global Pty Limited's website at <https://infostore.saiglobal.com/> or may be viewed at an office of the ACMA on request and subject to licensing conditions.

**ACMA transition period** has the meaning given by section 8.

**Act** means the *Telecommunications Act 1997*.

**amendment instrument** means an instrument that amends the 2018 industry standard.

**applicable technical standard** has the meaning given by section 8 of the *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015*.

Note: The *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015* is a legislative instrument. For references in this technical standard to other legislative instruments, see section 7.

**included in a class of items** has the meaning given by section 10.

**industry transition period**, for an amendment or the replacement of the 2018 industry standard, has the meaning given by section 9.

**item** means a thing that is customer equipment to which this technical standard applies, as provided by section 12, and includes a modified item.

**manufacturer**, in relation to an item, includes (but is not limited to) a person who modifies the item.

**modified item** means an item that has been modified, by or on behalf of the manufacturer or importer of the item, after the item was manufactured or imported and, for the avoidance of doubt, is the item as modified.

**original item** has the meaning given by paragraph 10(1)(b).

**original modified item** has the meaning given by paragraph 10(2)(b).

**replacement standard** means a standard that replaces the 2018 industry standard.

Note: This definition does not cover a standard that replaces a replacement standard.

**technical standard** means a technical standard made by the ACMA under subsection 376(1) of the Act.

Note 1: A technical standard is a legislative instrument. For references in this technical standard to other legislative instruments, see section 7.

Note 2: A number of other expressions used in this technical standard are defined in the Act, including the following:

- (a) customer equipment (see sections 7 and 21);
- (b) emergency call service (see section 7);
- (c) facility (see section 7 and subsection 374(2));
- (d) import (see section 7);
- (e) manufacturer or importer of customer equipment or customer cabling (see section 406A);
- (f) standard telephone service (see section 7);
- (g) telecommunications network (see section 7 and subsection 374(1)).

## 7 References to other legislative instruments

In this technical standard, unless the contrary intention appears, a reference to any other legislative instrument is a reference to that other legislative instrument as in force from time to time.

Note 1: For references to Commonwealth Acts, see section 10 of the *Acts Interpretation Act 1901*; and see also subsection 13(1) of the *Legislation Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

Note 2: All Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation.

## 8 ACMA transition period

- (1) For the purposes of this technical standard, the **ACMA transition period** for the replacement of the 2015 industry standard is the period commencing on the day on which this technical standard commences and ending on 15 February 2022.

Note: See subsections 14(1) and 15(1) in relation to the ACMA transition period for the replacement of the 2015 industry standard.

- (2) For the purposes of this technical standard, if the 2018 industry standard is amended or replaced, there is an **ACMA transition period** in relation to that industry standard, being:
- (a) in a case where there is an industry transition period for the amendment or replacement of the 2018 industry standard – a period that is the same as the industry transition period; or
  - (b) in any other case – a period of two years commencing on the day the 2018 industry standard is amended or replaced.

Note 1: See subsections 14(3) and 15(3) in relation to an ACMA transition period for an amendment or the replacement of the 2018 industry standard.

Note 2: If the 2018 industry standard is amended or replaced during such an ACMA transition period, there is another ACMA transition period which overlaps with the first-mentioned

transition period. See subsections 14(4) and 15(4) in relation to overlapping ACMA transition periods.

## 9 Industry transition period

- (1) If:
- (a) an amendment instrument or a replacement standard determines arrangements to deal with any issues of a transitional nature that may arise as a result of the amendment or replacement of the 2018 industry standard;
  - (b) the arrangements are for a specified period commencing on the day the industry standard is amended or replaced; and
  - (c) the arrangements have the effect of allowing a relevant item to comply with:
    - (i) the industry standard as in force immediately before the commencement of the specified period; or
    - (ii) the industry standard, or the replacement standard, as in force at the commencement of the specified period;
- the specified period is an **industry transition period** for the amendment or replacement of the industry standard, for the purposes of paragraph 8(2)(a).
- (2) For the purposes of subsection (1), each of the following is a **relevant item**:
- (a) an item that is manufactured in Australia or imported during the specified period;
  - (b) a modified item that is made in Australia or imported during the specified period.

## 10 Class of items

- (1) In this technical standard:
- (a) an item (other than a modified item) is **included in a class of items** if the item:
    - (i) is identical to each other item of the class (irrespective of when the items were manufactured or imported); and
    - (ii) has the same manufacturer or importer as each other item; and
  - (b) the **original item**, in relation to the class, is the item of the class that was the first to be manufactured in Australia or imported.
- (2) In this technical standard:
- (a) a modified item is **included in a class of items** if:
    - (i) the modification which resulted in that item is identical to the modification which resulted in each other item of the class (irrespective of when the items were so modified);
    - (ii) the modified item is, in all other respects, identical to each other item (irrespective of when the items were manufactured or imported); and

- (iii) the modified item has the same manufacturer or importer as each other item; and
- (b) the *original modified item*, in relation to the class, is the item of the class that was the first to be so modified in Australia or imported.

## **11 Time a modified item is made**

In this technical standard, a reference to *the time a modified item is made* is a reference to the time of making of the modification which results in that item.

## Part 3 – Application and requirements

### 12 Application of this technical standard

This technical standard applies to customer equipment if both of the following requirements are met:

- (a) the equipment is designed or intended for connection to a telecommunications network;
- (b) there are one or more other technical standards that are applicable technical standards in relation to the equipment.

Note: See section 8 of, and the table in Schedule 1 to, the *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015* to find out whether there are any other technical standards that are applicable technical standards in relation to the customer equipment.

### 13 Requirements

- (1) An item (other than a modified item) must meet the requirements of at least one subsection of section 14.
- (2) A modified item must meet the requirements of at least one subsection of section 15.
- (3) Neither subsection (1) nor subsection (2) applies to an item if, under section 16, the item is taken to comply with this technical standard.

### 14 Standard for items (other than modified items)

- (1) If:
  - (a) an item is manufactured in Australia or imported during the ACMA transition period for the replacement of the 2015 industry standard; and
  - (b) the item complies with:
    - (i) the 2015 industry standard as in force immediately before the commencement of the transition period; or
    - (ii) the 2018 industry standard as in force at the commencement of the transition period;the item meets the requirements of this subsection.
- (2) If an item complies with the 2018 industry standard as in force at the time that the item is manufactured in Australia or imported, the item meets the requirements of this subsection.
- (3) If:
  - (a) an item is manufactured in Australia or imported during an ACMA transition period in relation to the 2018 industry standard; and
  - (b) the item complies with:



- (i) the 2018 industry standard as in force immediately before the commencement of the transition period; or
- (ii) the 2018 industry standard, or a replacement standard, as in force at the commencement of the transition period;

the item meets the requirements of this subsection.

(4) If:

- (a) an ACMA transition period overlaps with another ACMA transition period in relation to the 2018 industry standard;
- (b) an item is manufactured in Australia or imported during the period of overlap; and
- (c) the item complies with:
  - (i) the 2018 industry standard as in force immediately before the commencement of the earliest of those transition periods;
  - (ii) the 2018 industry standard as in force at the commencement of any one of those transition periods; or
  - (iii) a replacement standard as in force at the commencement of the ACMA transition period for that replacement of the 2018 industry standard;

the item meets the requirements of this subsection.

(5) If:

- (a) an item is made in Australia or imported after an ACMA transition period for the replacement of the 2018 industry standard; and
- (b) the item complies with the replacement standard as in force at the commencement of the transition period;

the item meets the requirements of this subsection.

(6) If:

- (a) an item is included in a class of items; and
- (b) the original item of the class meets the requirements of another subsection of this section;

the first-mentioned item meets the requirements of this subsection.

## **15 Standard for modified items**

(1) If:

- (a) a modified item is made in Australia or imported during the ACMA transition period for the replacement of the 2015 industry standard; and
- (b) the modified item complies with:
  - (i) the 2015 industry standard as in force immediately before the commencement of the transition period; or
  - (ii) the 2018 industry standard as in force at the commencement of the transition period;

the item meets the requirements of this subsection.

- (2) If a modified item complies with the 2018 industry standard as in force at the time that the modified item is made in Australia or imported, the modified item meets the requirements of this subsection.
- (3) If:
- (a) a modified item is made in Australia or imported during an ACMA transition period in relation to the 2018 industry standard; and
  - (b) the modified item complies with:
    - (i) the 2018 industry standard as in force immediately before the commencement of the transition period; or
    - (ii) the 2018 industry standard, or a replacement standard, as in force at the commencement of the transition period;

the modified item meets the requirements of this subsection.

- (4) If:
- (a) an ACMA transition period overlaps with another ACMA transition period in relation to the 2018 industry standard;
  - (b) a modified item is made in Australia or imported during the period of overlap; and
  - (c) the modified item complies with:
    - (i) the 2018 industry standard as in force immediately before the commencement of the earliest of those transition periods;
    - (ii) the 2018 industry standard as in force at the commencement of any one of those transition periods; or
    - (iii) a replacement standard as in force at the commencement of the ACMA transition period for that replacement of the 2018 industry standard;

the modified item meets the requirements of this subsection.

- (5) If:
- (a) a modified item is made in Australia or imported after an ACMA transition period for the replacement of the 2018 industry standard; and
  - (b) the modified item complies with the replacement standard as in force at the commencement of the transition period;

the modified item meets the requirements of this subsection.

- (6) If:
- (a) a modified item is included in a class of items; and
  - (b) the original modified item of the class meets the requirements of another subsection of this section;

the first-mentioned item meets the requirements of this subsection.

- (7) If:
- (a) a modified item would have been included in a class of items but for the making of the modification which resulted in that item;
  - (b) the original item, or (in the case of a class of modified items) the original modified item, of the class:
    - (i) complies with the 2015 industry standard, the 2018 industry standard, or a replacement standard, as in force at a particular time mentioned in another subsection of this section; and
    - (ii) otherwise meets the requirements of that subsection; and
  - (c) the modification is not material;
- the first-mentioned item meets the requirements of this subsection.
- (8) For the purpose of paragraph (7)(c), a modification is **material** if the modification could reasonably be expected to affect whether the modified item complies with the same standard (referred to in subparagraph (7)(b)(i)) with which the original item, or the original modified item, of the class complies.

## Part 4 – Savings and transitional arrangements

### 16 Items manufactured, imported or modified before commencement and other related items

- (1) In this section:
- (a) *Australian/New Zealand Standard* has the same meaning as in the old technical standard; and
  - (b) *old technical standard* means the *Telecommunications Technical Standard (Information Technology Equipment – Safety, Part 1: General Requirements – AS/NZS 60950.1:2011)* 2011 as in force immediately before the commencement of this technical standard.

#### *Items (other than modified items)*

- (2) If an item (other than a modified item):
- (a) was manufactured in Australia or imported before the commencement of this technical standard; and
  - (b) complies with the old technical standard;
- the item is taken to comply with this technical standard.
- (3) If an item (other than a modified item):
- (a) was manufactured in Australia or imported one year or more after the replacement of the Australian/New Zealand Standard but before the commencement of this technical standard; and
  - (b) complies with the 2015 industry standard as in force at the time the item was manufactured in Australia or imported;
- the item is taken to comply with this technical standard.
- (4) If:
- (a) an item (other than a modified item) is included in a class of items;
  - (b) the original item of the class was manufactured in Australia or imported before the commencement of this technical standard; and
  - (c) under subsection (2) or (3), the original item of the class is taken to comply with this technical standard;
- the first-mentioned item is taken to comply with this technical standard.

#### *Modified items*

- (5) If a modified item:
- (a) was made in Australia or imported before the commencement of this technical standard; and
  - (b) complies with the old technical standard;

the modified item is taken to comply with this technical standard.

(6) If a modified item:

- (a) was made in Australia or imported one year or more after the replacement of the Australian/New Zealand Standard but before the commencement of this technical standard; and
- (b) complies with the 2015 industry standard as in force at the time the modified item was made in Australia or imported;

the modified item is taken to comply with this technical standard.

(7) If:

- (a) a modified item is included in a class of items;
- (b) the original modified item of the class was made in Australia or imported before the commencement of this technical standard; and
- (c) under subsection (5) or (6), the original modified item of the class is taken to comply with this technical standard;

the first-mentioned item is taken to comply with this technical standard.