PRODUCTIVITY COMMISSION REVIEW OF THE TRANS TASMAN MUTUAL RECOGNITION AGREEMENT (TTMRA)

SUBMISSION FROM THE AUSTRALIAN COMMUNICATIONS AUTHORITY (ACA)

MARCH 2003

PRODUCTIVITY COMMISSION REVIEW OF THE TRANS TASMAN MUTUAL RECOGNITION AGREEMENT (TTMRA)

SUBMISSION FROM THE AUSTRALIAN COMMUNICATIONS AUTHORITY (ACA)

Introduction

The Australian Communications Authority (ACA) is pleased to make a brief submission to the Productivity Commission Review of the Trans Tasman Mutual Recognition Agreement (TTMRA). The ACA's experience of working under the TTMRA framework has been positive. Harmonised regulatory arrangements exist in the area of Electromagnetic Compatibility (EMC) and work is well advanced in the area of Radiocommunications equipment.

Background

The ACA and the Ministry of Economic Development, New Zealand (MED) have responsibility for EMC and Radiocommunications matters in their respective countries. A joint cooperation program under the TTMRA has been operating for some years to progress harmonisation of regulatory arrangements for EMC of electrical and electronic products and Radiocommunications equipment.

The ACA/MED EMC and Radiocommunications regulatory arrangements set performance requirements for electrical, electronic and Radiocommunications products to control electromagnetic emissions and other parameters, which have the potential to interfere with Radiocommunications services, or diminish their use. Effective Radiocommunications contribute significantly to the operations of government, industry, commerce, safety-of-life services and the well being of the community at large.

The ACA/MED EMC and Radiocommunications regulatory arrangements deal with products that encompass a significant area of trade across the Tasman and a wide range of electrical and electronic goods and Radiocommunications equipment. This is an important and growing sector of commerce with significant monetary value.

Prior to being involved with the TTMRA, the ACA and MED contributed to the production of joint Australian New Zealand equipment standards through involvement with Standards Australia/Standards New Zealand standards making process. This is a continuing process.

Discussion of issues

TTMRA harmonisation activities to date

The EMC regulatory arrangements in both Australia and New Zealand are now harmonised under the TTMRA. The ACA and the MED signed a Memorandum of Understanding on 7 November 2001 that enunciated agreed principles and processes to ensure continued alignment of EMC regulation. Products subject to the harmonised scheme can now be supplied from either country without additional regulatory intervention.

This provides significant benefits to suppliers and regulators in both countries. The harmonised arrangements have established a cross Tasman common market with respect to EMC compliance issues, effectively removing additional regulatory compliance costs in this area. Through formally agreed cooperative practices, the ACA and the MED now maintain joint market surveillance activities.

The TTMRA harmonisation effort moved from EMC to Radiocommunications in late 2001. Significant progress has been made in this area to date. Negotiations are continuing and finalisation of these harmonisation arrangements is expected in late 2004.

Future work

While Australia and New Zealand will harmonise arrangements for many Radiocommunications product types, it is anticipated that due to fundamental differences in radiofrequency usage it will not be possible to mutually recognise all product types. Work is continuing to identify these product types with the view to seeking Permanent Special Exemptions under the TTMRA.

The world of Radiocommunications is subject to continual development and equipment standards and regulatory practices need to be responsive to change. Discussions exploring processes for the maintenance of proposed harmonisation arrangements are in progress. The ACA and MED are examining options to maintain harmonisation including joint working arrangements for standards development and coordination of legislative changes.

Efficiency & effectiveness of current TTMRA arrangements

With several years experience working within the TTMRA cooperation arrangements, the ACA is comfortable with current practices and sees no need for change. The ACA is satisfied with the efficiency and effectiveness of the current TTMRA framework and is happy to continue working within it.

The ACA continues to make regular contact with the MED to discuss the TTMRA, standards and regulatory issues, enjoying a close relationship. Discussions include the maintenance of harmonisation by establishing processes to synchronise future regulation. The ACA and MED have each hosted discussions, consulted with industry in both countries and benefited from the support and involvement of both Chief Executive Officers.

Australian Communications Authority
21 March 2003