

## **Radiocommunications (Mutual Recognition: Australia) Notice 2008**

Pursuant to Regulation 32(1)(e), (g) and (j) of the Radiocommunications Regulations 2001, the Chief Executive of the Ministry of Economic Development, hereby gives the following notice.

### **Notice**

**1. Title, commencement and purpose**—(1) This notice is the Radiocommunications (Mutual Recognition: Australia) Notice 2008.

(2) This notice comes into force on 2 October 2008.

(3) This notice prescribes classes of products, being interfering equipment as defined in section 2(1) of the Radiocommunications Act 1989, that are exempt from:

- (a) the need to be the subject of a New Zealand declaration of conformity; and
- (b) New Zealand labelling requirements.

**2. Interpretation**—(1) For the purposes of this notice:

“ACMA” means the Australian Communications and Media Authority;

“Act” means the Radiocommunications Act 1989; and

“Regulation” and “Regulations” means Regulations made pursuant to the Act.

(2) Other words and expressions contained in this notice that are defined in the Act, Regulations and notices made under the Regulations, have the meanings so defined.

**3. Exemption requirements**—(1) If a product is of a class to which the Radiocommunications (EMC Standards) Notice 2004 No. 2 applies, or a notice in replacement thereof, the product is exempt from the requirement to be the subject of a New Zealand declaration of conformity and to comply with New Zealand labelling requirements if the product is declared, labelled and supplied in accordance with the Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2008, or a notice in replacement thereof, issued by the ACMA under section 182 of the Radiocommunications Act 1992 (Australia).

(2) If:

- (a) a product is of a class to which the Radiocommunications (Radio Standards) Notice 2007 applies, or a notice in replacement thereof; and
- (b) the applicable standard is an ACMA Radiocommunications Standard specified in that notice

then the product is exempt from the requirement to be the subject of a New Zealand declaration of conformity and to comply with New Zealand labelling requirements, provided the product is declared, labelled and supplied in accordance with the Radiocommunications (Compliance Labelling) Notice 2003, or a notice in replacement thereof, issued by the ACMA under section 182 of the Radiocommunications Act 1992 (Australia).

**4. Revocation**—The Radiocommunications (Regulatory Harmonisation) Notice 2005 made pursuant to Regulation 32 of the Radiocommunications Regulations 2001 (published in the *New Zealand Gazette*, 13 October 2005, No. 175, page 4400) is hereby revoked on 2 October 2008.

**5. Transitional provision**—Notwithstanding the revocation of the notice set out in clause 4, every product that is compliant with the requirements of that notice on the commencement date of this notice is deemed to be compliant with the requirements of this notice.

Dated at Wellington this Tuesday, the 30th day of September 2008.

SANJAI DEEPAK RAJ, Group Manager, Radio Spectrum Management, Ministry of Economic Development.

### **Explanatory Note**

*This note is not part of the notice, but is intended to indicate its general effect.*

*This notice:*

- (a) prescribes classes of interfering equipment that are exempt from the requirement to be the subject of a New Zealand declaration of conformity and to comply with New Zealand labelling requirements; and
- (b) prescribes the requirements to be met for the declaration, labelling and supply of such classes of interfering equipment in order to qualify for the exemption; and
- (c) revokes the Radiocommunications (Regulatory Harmonisation) Notice 2005.

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