

法規名稱：EXCHANGE OF LETTERS BETWEEN THE TAIPEI ECONOMIC AND CULTURAL OFFICE AND AUSTRALIAN COMMERCE AND INDUSTRY OFFICE FOR THE MUTUAL RECOGNITION ARRANGMENT FOR EQUIPMENT COVERED BY THE ELECTROMAGNETIC ENERGY(EME) HEALTH EXPOSURE REGULATORY ARRANGEMENT

簽訂日期：民國 96 年 10 月 19 日

生效日期：民國 96 年 10 月 19 日

Mr Steve Waters

Representative

Australian Commerce and Industry Office

The President International Tower

27th-28th Floors #9-11

Song Gao Road, Taipei

Dear Mr. Waters,

RE: Australia and Taiwan EME MRA

I am delighted to acknowledge the results of the recent discussions between representatives of the Australian Communications and Media Authority (ACMA) and the Taipei Economic and Cultural Office (TECO) on the subject of a mutual recognition arrangement for equipment covered by the Electromagnetic Energy (EME) health exposure regulatory arrangement. The arrangement, as embodied in your letter and in this letter, shall become effective upon ACIO' s receipt of this letter.

I am pleased to inform you that the National Communications Commission (NCC) is the designating authority in Taiwan for this project, and is able to implement an arrangement with the Australian Communications and Media Authority (ACMA). TECO confirms that Taiwan will apply the general provisions, Appendix A, and Phase I Procedures in Appendix B of the Asia-Pacific

Economic Cooperation Mutual Recognition Arrangement of the Conformity Assessment of Telecommunications Equipment (APEC TEL MRA) to equipment covered by this letter.

Your letter, and this letter, will constitute the abovementioned arrangement to recognize EME health exposure testing performed by mutually recognized competent conformity assessment bodies for radiocommunication products used against the human head, such as cellular and cordless phones.

This bilateral EME-MRA, which will come into effect on the date that you receive this letter, will allow products manufactured or tested in Taiwan with a test report issued by a recognized CAB to enter the Australia market without requiring retesting. The MRA is based on mutual recognition of accredited CABs being capable of testing and meeting each other's EME standard. Under this MRA, both ACMA and NCC recognize the limits of human exposure developed by the International Council on Non-Ionizing Radiation Protection (ICNIRP) guidelines.

The National Association of Testing Authorities (NATA) is a body with whom Taiwan Accreditation Foundation (TAF) has a mutual recognition arrangement. NCC will accept test reports from recognized CABs accredited by NATA, for the implementation of this project in Australia, for the technical regulations and specific standards covered in the Annex of this letter.

TECO, or NCC on behalf of TECO, will notify your office from time to time of any modifications to the Annex of this letter. The contact officer for this project in NCC is Mr. James Lou, the Senior Technical Specialist of Technologies Administration Division.

This letter represents the understandings of TECO and your letter in response to it noting ACIO's understanding that:

ACMA will be able to implement the APEC TEL MRA Phase I for accepting test reports issued by CABs (Taiwan) to equipment described in this letter in accordance with Australia' s EME regulations (the Annex in your letter);

Taiwan will be able to apply the above mentioned provisions of the APEC TEL MRA Phase I for accepting test reports issued by CABs (Australia) to equipment described in this letter in accordance with Taiwan' s EME regulations (the Annex in this letter).

Yours sincerely

Dr Gary Song-Huann LIN

Representative

Taipei Economic and Cultural Office

Unit 8, Tourism House

40 Blackall Street

BARTON ACT 2600

Annex: List of Taiwan' s EME Regulations

The SAR value Legislative instruments are:

1. Chinese National Standard (CNS)14959: Limits for exposure to time-varying electric magnetic and electromagnetic field (up to 300 GHz).
2. CNS14958-1: Human exposure to radio frequency fields from hand-held and body-mounted wireless communication devices -- Human models. Instrumentation, and procedures -- Part 1 procedure to determine the specific absorption rate (SAR) for hand-held devices used in close proximity to the ear

(frequency range of 300MHz-3GHz).

NCC recognizes test methodology EN62209-1 and is able to recognize the assessment methodology of ACMA' s EME standard : Radiocommunications (Electromagnetic Radiation-Human Exposure) Amendment Standard 2007 (No.1) as it is identical to EN62209-1. NCC will accept test reports from recognized CABs when the test reports demonstrate compliance with EN62209-1 and the exposure standard.

19 October 2007

RE: ACMA2005/96

Dr Gary Song-Huann LIN

Representative

Taipei Economic and Cultural Office

Unit 8, Tourism House

40 Blackall Street

BARTON ACT 2600

Dear Dr Lin:

RE: Australia and Taiwan EME MRA

I refer to the recent discussions between representatives of the Australian Communications and Media Authority (ACMA) and the Taipei Economic and Cultural Office (TECO) in Australia on the subject of a mutual recognition arrangement for equipment covered by the Electromagnetic Energy (EME) health exposure regulatory arrangement.

Further to these discussions, I am pleased to inform you that the Australian Commerce and Industry Office (ACIO), acting on behalf of the Australian Communications and Media Authority (ACMA), will be able to implement an arrangement with the

National Communications Commission (NCC) of Taiwan.

ACIO confirms that Australia will apply the general provisions in Appendix A and Phase 1 Procedures in Appendix B of the Asia-Pacific Economic Cooperation Mutual Recognition Arrangement of the Conformity Assessment of Telecommunications Equipment (APEC TEL MRA) to equipment covered by this letter.

This letter and your letter in reply in accepting its terms constitute the above mentioned arrangement to recognise EME health exposure testing performed by mutually recognised competent conformity assessment bodies for radiocommunication products used against the human head, such as cellular and cordless phones.

This arrangement takes effect on the date that I receive your letter in reply as an understanding between ACMA and NCC under the terms of the APEC Telecom MRA, that ACMA and NCC will apply the Phase 1 Procedures in Appendix B for the mutual recognition of testing laboratories for the acceptance of test reports from recognised Conformity Assessment Bodies (CABs) designated for EME health exposure conformity assessment of portable radiocommunications products used against the human head.

This bilateral EME-MRA will allow products manufactured or tested in Australia with a test report issued by a recognised CAB to enter the Taiwan market without requiring retesting. The MRA is based on the mutual recognition of accredited testing facilities being capable of testing and meeting each other's EME standard. Under this MRA, both ACMA and NCC recognise the limits of human exposure developed by the International Commission for Non-Ionising Radiation Protection (ICNIRP) guidelines.

Taiwan Accreditation Foundation (TAF) is a body with whom the

National Association of Testing Authorities (NATA) has a mutual recognition arrangement and is a NATA-MRA partner. ACMA will accept test reports from recognised CABs accredited by TAF the accreditation body, for the implementation of this project in Taiwan, for the technical regulations and specific standards covered in the Annex of this letter.

ACIO (on behalf of ACMA) may notify your office from time to time of any modifications to the Annex of this letter. The contact person for matters regarding this EME – MRA in ACMA is Dr Marlene Edmondson, Manager of the EME and Telecommunications Infrastructure Section, Regulation and Compliance Branch, Inputs Division, Canberra.

This letter represents the understandings of ACIO and your letter in response to it noting TECO' s understanding that:

NCC will be able to implement the APEC TEL MRA Phase 1 for accepting test reports issued by CABs (Australia) to equipment described in this letter in accordance with Taiwan' s EME regulations (the Annex in your letter); and Australia will be able to apply the above mentioned provisions of the APEC TEL MRA Phase 1 for accepting test reports issued by CABs (Taiwan) to equipment described in this letter in accordance with Australia' s EME regulations (the Annex in this letter).

Yours sincerely

Mr Steve Waters

Representative

Australian Commerce and Industry Office

The President International Tower,

27th-28th Floors #9-11

Song Gao Road,

TAIPEI

Annex: List of Australia' s EME Regulations

The EME legislative instruments are:

1. Radiocommunications (Electromagnetic Radiation - Human Exposure) Standard 2003.
2. Radiocommunications (Electromagnetic Radiation - Human Exposure) Amendment Standard 2007 (No. 1).
3. Radiocommunications (Compliance Labelling - Electromagnetic Radiation) Notice 2003.

Conformity assessment under the APEC TEL MRA is conducted against the importing Party' s requirements whether they are aligned with those of the exporting country or not and the whole premise of the APEC-TEL MRA is built on mutual acceptance of and confidence in each others test houses.

For this bilateral MRA, Australia and Taiwan EME standards are currently aligned which will make the task simpler for conformity assessment bodies and suppliers.

ACMA' s Radiocommunications (Electromagnetic Radiation - Human Exposure) Standard 2003 (the Exposure Standard) requires a range of mobile and portable transmitter devices, such as cellular and cordless phones to comply with the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Radiation Protection Standard "Maximum Exposure Levels to Radiofrequency Fields 3kHz to 300 GHz" .

With the Radiocommunications (Electromagnetic Radiation - Human Exposure) Amendment Standard 2007 (No. 1), ACMA recognises test methodology EN 62209-1 and is able to recognise the assessment

methodology of EME standard CNS 14958-1 as it is identical to EN 62209-1. ACMA will accept test reports from recognised CABs when the test reports demonstrate compliance with EN62209-1 and the Exposure Standard.