



Comtest Certification Body Pty Ltd

Telecommunication Equipment Certification Scheme

Terms, Conditions and Obligations of the Applicant and Certificate Holder

1. Preface

The Telecommunication Equipment Certification Scheme (TECS) offered by Comtest Certification Body is based on a type test scheme, which is one where a representative sample is provided for testing and certification, and does not include any surveillance activities or ongoing product quality control.

Ongoing conformance of the product with the standard is the responsibility of the certificate holder and the Australian manufacturer or importer.

This document sets out the Comtest Certification Body Pty Ltd terms and conditions for granting a Certificate for a telecommunications product and the obligations of the Applicant/Certificate Holder that must be satisfied to firstly obtain approval certification and then to maintain the validity and currency of the certificate.

2. Definitions

- Applicant: The registered business who is applying to be the Holder of a Certificate
- Certificate Holder: The registered business that holds a CCB Certificate of Approval for the product
- CCB: Comtest Certification Body Pty Ltd
- TECS: The "Telecommunication Equipment Certification Scheme" as operated by Comtest Certification Body

3. Terms, Conditions and Obligations

The Application Form CCB-02, Guides for Completing the Form CCB-04 and Schedule of Fees CCB-07 all form part of these Terms, Conditions and Obligations.

All information as required by the Application form and the Guide for Completing the Forms must be provided in order to obtain certification.

Deviations from the Terms, Conditions and Obligations of a Certificate Holder of a product will make the Certificate null and void.

All changes to the Certificate Holders details, product and/or manufacturer must be notified and assessed by Comtest Certification Body.

The application forms must be completed in full and signed and dated in accordance with the Guides.

The application is to be accompanied with all relevant documentation and information as detailed in the Guides for Completing the Form and will include at least the following:

- Test Report/s demonstrating compliance of the product to the applicable Standards.
- Detailed colour photographs
- Technical documents
- Sample where required
- Certification fee
- Signed Declaration by applicant and/or consultant.

4. Foundation for Claim of Compliance

A CCB Certificate is issued for telecommunication products that show compliance with the relevant ACMA Technical standards. Certification is based on the following information supplied in relation to the product:

Products with a High Risk Applicable Technical Standard or an Applicable Technical Standard)

1. any Endorsed Test Report demonstrating compliance with all or part of the Applicable Technical Standard;
2. any Test Report from a Testing Body demonstrating compliance with all or part of the Applicable Technical Standard;
3. any design analysis of the Item;
4. any electrical safety certificate issued under a law of a State or Territory that deals with the safety of electrical equipment (e.g. a Certificate of Approval or Certificate of Suitability given by an electricity safety authority of a State or Territory);
5. any IECCE CB Test Report that is accompanied by an IECCE CB Test Certificate, as well as any statement prepared by an Issuing and Recognising NCB that operates in Australia or a Recognised Testing Authority;
6. any relevant statement or certificate of compliance issued by a body recognised under a MRA.

All products must meet the requirements of the current Technical Standard at the time of certification.



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Telecommunication Equipment Certification Scheme

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Refer to the relevant Guide for further information.

5. Product Samples

A sample may be requested if there is a specific requirement such as; but are not limited to:

1. If ambiguous or incomplete information has been supplied in the test report and/or supporting information
2. A safety issue has been identified regarding the particular type of product that requires review
3. Review of the information supplied indicates an issue that needs to be investigated

Refer to the relevant Guide for further information.

At the conclusion of certification process and after any evidential requirements, notification will be provided in writing to the Applicant that the item is ready for collection. At the end of 14 days after sending the notice, if the item has not been collected, CCB may dispose of the item in a manner they consider appropriate and the Applicant will not be entitled to claim for the item or any loss or damage to it. Please note, that after examination and testing, the product will not be operational; may be in an unsafe condition and will be labelled accordingly.

6. Changes and Modifications

a) Technical Modifications

Any technical changes to the approved product will require registration. These changes may include modified additional models or other technical changes that would affect compliance under the original Certificate. Modifications will require an evaluation to establish compliance to the relevant Standard. Form CCB-02 is to be completed, signed and forwarded to CCB. Where modifications constitute a new type of product the applicant shall apply for a new Certificate.

b) Administrative Modifications

Where modifications of an administrative or non-technical nature occur to an approved product the Form CCB-02 must be completed, signed and forwarded to CCB. Such changes include a model number change, additional trade name or other non-technical change where a test report is not required. All modifications will be evaluated to ensure compliance is maintained to the relevant Standard.

c) Change in Registered Applicant Details

When changes of the registered Certificate Holder details occur, including the business name, ABN, ACN, ARBN, business address or contact details or change of ownership, the Certificate Holder must give written notice of such change/s to CCB within 30 days of the change by submitting the Form CCB-02 with the appropriate fee.

If the changes are accepted, a new main Certificate is re-issued.

7. Transfer of Certificates

Certificates can be transferred to another business entity provided both are in agreement and written authorisation from the existing Certificate Holder or appointed liquidator or other person in authority is provided.

Refer to the relevant Guide for further information.

If the changes are accepted, a new main Certificate is re-issued.

8. Fees

The Schedule of Fees is set out in Form CCB-07 and is available on our website.

- a) The application fees are based on a single review and processing of documentation.
- b) Where additional time is required to review and process additional information, charges at the published rate will be applied.
- c) If complex modifications and numerous models are submitted with an application for Certification an additional fee may apply.
- d) The applicable fee/s must be paid in Australian Dollars when the application is submitted.
- e) Fees may be paid by Credit Card, Electronic Funds Transfer (EFT) or cheque.



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Telecommunication Equipment Certification Scheme

Terms, Conditions and Obligations of the Applicant and Certificate Holder

9. Non-Conformities during Application Process

If non-conformities are identified during the application evaluation process, they shall be documented and raised with the applicant. Only when all non-conformities are satisfactorily addressed shall the certification process be completed.

Where a product is non-conforming with a requirement of the relevant product Standard, a CCB Certificate may be issued when appropriate evidence is provided.

10. Marking of Products

Marking shall be in accordance with the ACMA Telecommunication Labelling Notice 2015. Products must not be labelled with the RCM mark until the requirements of all the applicable ACMA labelling notices are met. When the RCM mark is used it must be in accordance with the requirements as detailed in AS/NZS 4417.

11. Obligations of Certificate Holders

- Claims for certification shall only be made in respect of products that fall within the scope of the certification scheme and have been certified by the Scheme.
- The Applicants and Certificate Holders and the manufacturer must make available any samples, drawings, specifications, documentation, reports and records that CCB require in the course of issuing and maintaining certification.
- Any modification to the product must be presented to CCB for assessment.
- The Applicants and Certificate Holders have an obligation to take appropriate actions to ensure that manufactured products offered for sale are the same as the approved product.
- Applicants must ensure payments for certification fees are made at the time of the submitted application.
- Applicants must either sign the declaration of section 10-1 of the application form CCB-02 or provide their authorised consultant with a declaration as per section 10-2.
- A Certificate Holder must not use CCB Certification in such a manner to bring the certification body into disrepute and shall not make any statement regarding its product certification that the certification body may consider misleading or unauthorised.
- A Certificate Holder shall only make claims regarding certification in respect of the scope in which the certification has been granted.
- A Certificate Holder shall ensure that no certificate or report nor any part thereof is used in a misleading manner.
- A Certificate Holder shall ensure that in making reference to its product certification in any communication media, such advertising complies with the requirements of the CCB TECS.
- A Certificate Holder may not reproduce the certificate or any part of the certificate.
- A Certificate Holder must keep a record of all complaints relating to the products compliance with the relevant standard and make these available to Comtest Certification Body Pty Ltd on request.
- The Certificate Holder must take appropriate action with respect to such complaints and any deficiencies found in products that affect compliance with the requirements for certification and document the actions taken.
- When the RCM mark is used it must be in accordance with the requirements as detailed in the ACMA labelling notices and AS/NZS 4417

12. Period of Validity

A Certification Body Statement in relation to an item must be kept for a period ending two years after the item or all items of a class of items cease to be supplied in Australia, whichever is the later.

A Certificate may be withdrawn, suspended or cancelled during the Certification life cycle in some circumstances: for example where changes have been made to the product and Comtest Certification Body have not been notified of the change.

Where amendments to the existing standards are published the certificate remains valid. On modification of the product, the product shall comply with any published amendment or new version of the applicable standard/s.

13. Withdrawal, Suspension, Cancellation or Expiry of Certification

Comtest Certification Body may withdraw, suspend or cancel Certificates where a breach of the terms, conditions and obligations specified herein has been substantiated or at the legal direction from an officer of a government regulator. The Certificate Holder shall in these circumstances ensure all certificates are returned to Comtest Certification Body and there shall be no reference to the certification in any public form such as advertising, promotions, literature or on any internet web page.



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Telecommunication Equipment Certification Scheme

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If during the application process, or after approval is given, it is determined that false information or an incorrect sample knowingly has been supplied by the client the certification will automatically be invalid and the certificate will be immediately withdrawn.

The Certificate Holder may, at any time, request in writing that their Certificate be withdrawn or cancelled.



Comtest Certification Body Pty Ltd

Telecommunication Equipment Certification Scheme

Terms, Conditions and Obligations of the Applicant and Certificate Holder

14. Changes of Comtest Certification Body Certification Prerequisites

Changes to the Comtest Certification Body Certification process may arise from standards changes, regulatory revisions, process reviews or legislation.

Public notification of Standards changes, regulatory revisions and legislative changes by the ACMA and/or a relevant legislative body is deemed to be notification on behalf of Comtest Certification Body.

Due notice of any changes to the approval process that may or will affect the requirements shall be given to Clients of Comtest Certification Body with sufficient time as deemed reasonable to allow the Client to take action.

Any changes to application requirements that are made to the client application guide will be communicated via the Comtest Certification Body web site.

15. Management of Certification Documentation

Certificates remain the property of Comtest Certification Body with consent given to the successful applicants to be Holders of the Certificate.

16. Complaints, appeals and disputes

A complaint or appeal or dispute for a decision made during the certification process can be addressed in writing to the General Manager via the CCB website (www.comtestcertificationbody.com.au/feedback) or directly to comtest@comtest.com.au. A member of Comtest Certification Body will respond within 2 working days of receipt of this notice.

17. Errors or Omissions

Clerical errors or omissions, whether in computation or otherwise in any certificate, document, quotation acknowledgements, shall be subject to correction.

18. Force Majeure

Comtest Certification Body shall not be liable to the Client for any loss or damaged directly or indirectly arising out of or in connection with any delay in delivery of the goods or failure to perform any term of this contract where such delay or failure is caused directly or indirectly by an act of God, fire, armed conflict, labour dispute, civil commotion, intervention of a government, inability to obtain labour, materials, facilities, accidents, interruptions of, or delays in transportation of any other cause beyond Comtest Certification Body control.

19. Proper Law

The contract and these conditions of approval shall be governed by Victorian Law and the Victorian Courts shall have exclusive jurisdiction in connection herewith.

NEED MORE INFORMATION?

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Or write to: The General Manager Ph: +61 3 9645 5933
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