

# HOMOLOGATION : ACTUAL STATE AND ACTION PLAN FOR A POSTERIORI MARKET SURVEILLANCE

Tunis, December 2015



# Summary

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1. The approval: a "need" or not
2. Tunisian experience
3. Other experiences
4. Advantage and disadvantage of the European experience
5. Approval (Action Plan for Tunisia)
6. Approval (Action Plan for Maghreb)
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# The approval: a "need" or not

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- ▶ Radio frequency spectrum: rare Source, Estate of the State
- ▶ The states rent the radio frequency spectrum to users according to a frequency plan
- ▶ For the respect of the lease, a state needs:
  - ▶ Protect tenants interfering;
  - ▶ Ensure that the tenant does not use resources beyond what it has been granted.
- ▶ The states are responsible for protecting consumers and the marketplace of counterfeit equipment, improper equipment to the interoperability standards and equipment harmful to health.



**Conclusion: certification is a necessity and basic testing should consider these aspects**



# Tunisian experience

- ▶ **Article 32 of the Telecommunications Code** (Law 01-2001 promulgation of the code in Telecommunications): Approval Requirement Prior import
- ▶ **Decree 830 of 2001 (MTCEN)** Certification Procedure (administrative and technical telecommunication terminals)
- ▶ **Decree 2727 of 2001 (MTCEN)** Certification Procedure (administrative and technical encryption systems)
- ▶ **Decree 2639 of 2008 (MTCEN)**: Creation of the single interface (One stop shop), simplifying approval procedures, authorizations and abolition of Adjustment of deadlines (CERT NDCA, ANF)
- ▶ **1744 Decree 1994 (TM)**: Systematic Technical Import control (a priori control and consumer protection)

# Tunisian experience: statistics

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Average annual number of folders for approval and compliance: 8000

- Online Treaties 75%
- Deposited at GU ICT 25%

Average processing time for applications:

- Approval: 11 days
- Compliance: 5 days
- Removal Authorization: 2 days



# Other experiences around the world

- **1. Self declaration of conformity**

- EU and EFTA countries
- Australia
- New Zealand

- **2. Classical type approval**

- North, Central and South America, Caribbean
- Asia
- South and North Africa
- Gulf Coast Countries

- **3. Type approval in restrictive markets**

- Russia
- Ukraine
- Moldova (certification process is EU-oriented)
- Belarus
- Georgia (certification process is EU-compliant)
- Armenia
- Azerbaijan
- Kazakhstan
- Uzbekistan
- Turkmenistan
- Kyrgyzstan
- Tajikistan

# European experience

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- ▶ For European countries, apart from the regulatory testing, they sought to ensure the security of people, facilities and health.
- ▶ Establishing a concept of essential requirements introduced in each European directive.

## **CE concept calls essential requirements :**

- **Safety** (Directive 2014/35/EU);
  - **Health (EMF)** (Directive 2014/35/UE);
  - **EMC** (Directive 2014/30/UE);
  - **Efficient use of spectrum (RADIO)** ( Directive 2014/53/EU)
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- ▶ Free movement of goods

European control system



# Advantage of the European experience

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- ▶ Transposition of directives
- ▶ Introduction of a quality infrastructure
- ▶ Implementation of accredited laboratories and recognized at international scale (near industrial companies and reduced costs)
- ▶ Establishment of a market monitoring system a posteriori

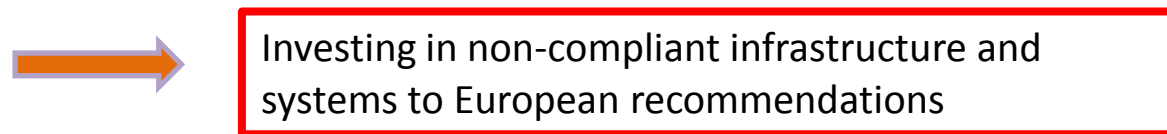
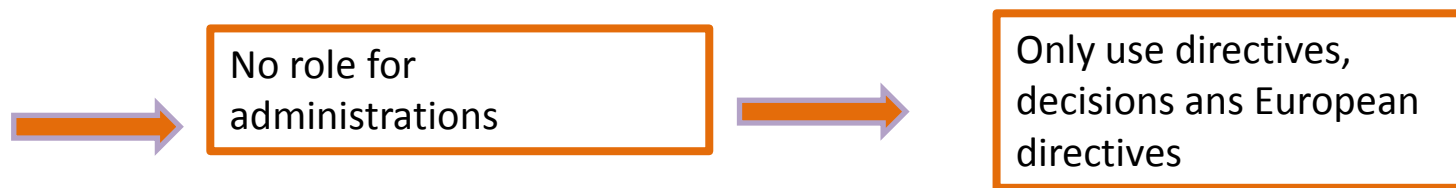




# disadvantage of the European experience

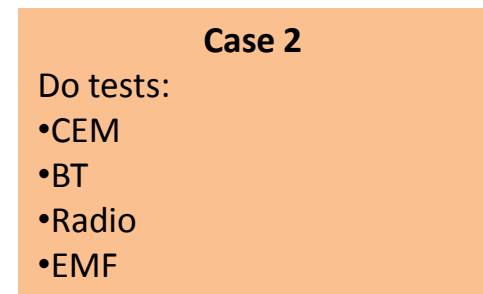
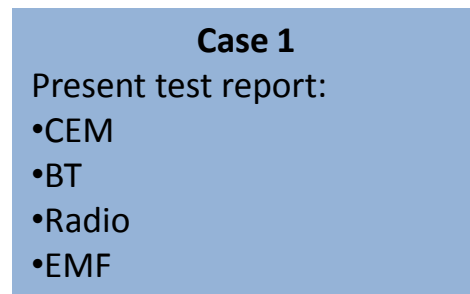
## Not included in the European Model

- Performance tests (protocol)
- Test interoperability
- National requirements in terms of use of the spectrum frequencies



# Constraints for the Tunisian model

- ▶ Incomplete infrastructure quality; non-accredited laboratories and testing not notified
- ▶ Market Control System:
  - ▶ Limited skills and resources
- ▶ Parallel Market (uncontrollable).
- ▶ Lack of a National Fund to finance market control operations.
- ▶ Cost consisting for economic operators
  - ▶ Obligation to require all stakeholders (manufacturers, importers, etc.) to meet the essential requirements



# Homologation (actual state) / declarative system

## Homologation (actual state in Tunisia)

- partial tests
- Very low test cost
- Systematic border control
- Light control market (rarely at market levels, supermarkets, etc.)
- Untrained Agents for the market control on technical aspects
- Laboratories with very limited scope of tests, not accredited and not notified
- No base sets for market control operations
- Existing penalties for fraud but rarely applicable

## European declarative system

- No trials with the mark in case of doubt
- Cost of tests consisting of marking
- No systematic monitoring except perhaps when doubt
- Strict market supervision
- Agents trained for market control and Specialized Laboratories as guidelines with full scope of testing to the Directives concerned, accredited and notified
- A National Fund consistent and well-defined to finance market control operations
- Heavy penalties for fraud

# Homologation (action plan)

## Homologation (avec intégration des exigences essentielles européennes)

- Transposition of European directives (to adopt any compliance testing)
- Creating Notification structures according to the relevant directive
- Creation of a National Fund consistent and well-defined to finance market control operations
- Recognition of conformity test reports issued by laboratories recognized by Tunisia (accredited labs who must be notified for testing compliance (EMC, BT, Radio, EMF))
- Repeat conformance tests in the laboratories of CERT in case of refusal of the test reports
- Preserving partial tests based on performance and interoperability testing (protocol)
- Accompany these laboratories to accreditation and notification (complementary human resources investments, text ..)
- Empower market leaders control structures on the technical aspects and especially the analysis of test reports
- Adapt regulations
- to impose the costs necessary to perform the compliance testing and which will be inflicted to the trader in case of fraud and affix heavy penalties in this case
- find the means to repay the testing laboratories if the equipment meets the directive

# Other experiences

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- ▶ For other countries such as the USA, New Zélandes, Australia, South Korea:
- ▶ Recognize the European system through MRAs
- ▶ Add other tests that ensure rigorous application of the protocols used to ensure interoperability with the networks of operators and telecommunications systems.
- ▶ By country sometimes require other certification schemes.



# Approval (Action Plan for Maghreb)

(ACAA)  
Agreements on  
Conformity  
Assessment and  
Acceptance of  
industrial products

Adoption of  
European system to  
eliminate technical  
barriers,

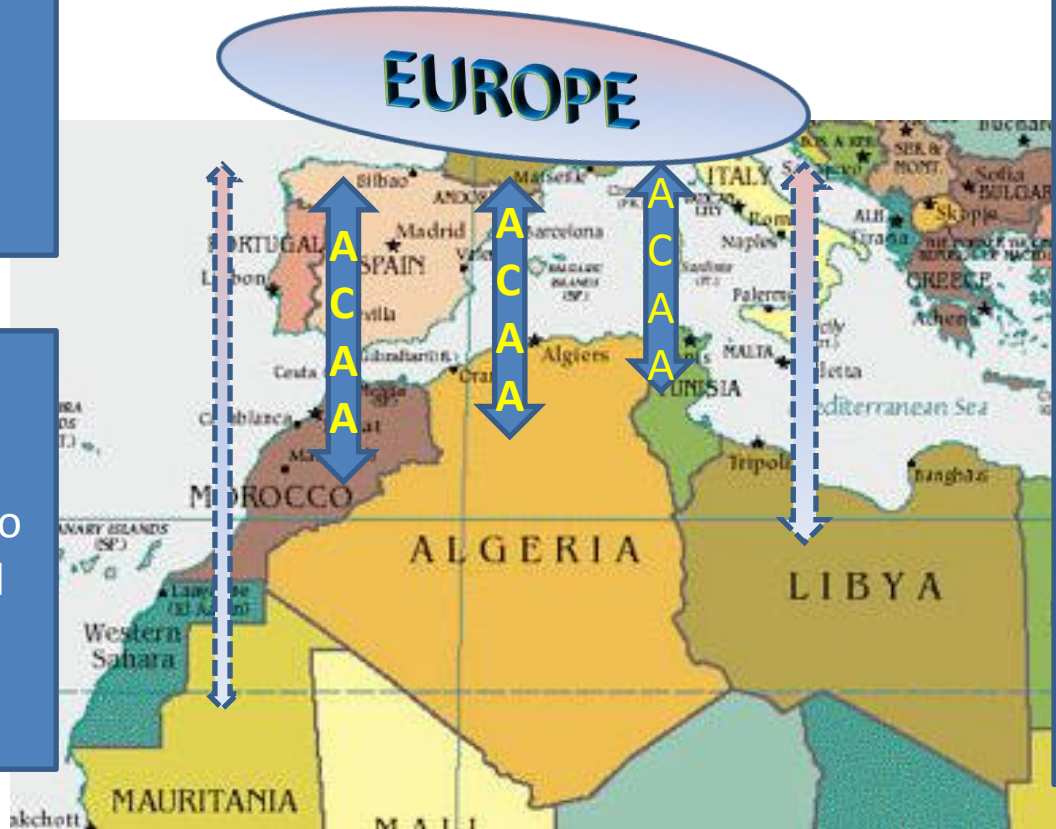
Total Adoption of  
European system

ACAA

Vs

MRA

Partial adoption of  
European system



MRA are  
agreements  
between  
European  
Union and  
other  
countries to  
enhance trade  
between  
them.

# Approval (Action Plan for Maghreb)

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- Model choice
- Unite with the Maghreb countries enjoying the ITU approach that encourages these countries to sign MRAs between them in the field of compliance and interoperability for radio equipment and telecommunications terminals, which can present a comprehensive negotiating framework between the Maghreb region and Europe
- Recognition of conformity for radio products
  - MRA sign with the EU instead to integrate in the ACAA in Radio directive
  - Edit the essential safety requirements, EMC, health and efficient use of spectrum in the new model of compliance
  - Change radio Directive to take account of national requirements (Ministry of Defense, Ministry of Interior, Radio Navigation, Maritime Radio, etc.)
- interoperability
  - Provide voluntary testing to ensure interoperability between systems



# Exemples OF CONFORMITY SCHEMAS

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# JAPAN

	Regulator	Mandatory Testing	Accepted Route
EMC Requirement	The Voluntary Control Council for Interference by Information Technology Equipment (VCCI)	VCCI V-3 report required	Product dependent some mandatory certification some via Declaration of Conformity (DoC)
Safety (Electrical) Requirement	Product Safety Electrical Appliance & Material (PSE)	IEC report with Japanese deviations (under CB Scheme)	DoC based on report and Construction File (CF)
Radio Requirement	Ministry of Internal Affairs and Communications (MiC)	Report required proving conformity to Japanese Radio Law and ordinances	MiC Conformity Assessment Body (CAB) review, leading to certification
Telecoms Requirement	MiC	Report required to prove conformity to Japanese Telecoms	MiC CAB review leading to certification



# SOUTH KOREA

	Regulator	Mandatory Testing	Accepted Route
EMC Requirement	Radio Research Agency (RRA)	Required	For non-radio or non-telecoms products, the Korean Certification (KC) Mark certification can be obtained using ILAC accredited EU EMC Reports
Safety (Electrical) Requirement	Ministry of Commerce, Industry and Energy (MOCIE)	A CB Scheme report is accepted but only part covers eK requirement so samples will need to be provided	Most AC powered and some DC powered products require eK Mark Certification
Radio Requirement	RRA	Mandatory In Country Testing	KC Certification
Telecoms Requirement	RRA	Mandatory In Country Testing	KC Certification



# Australia

	Regulator	Mandatory Testing	Accepted Route
EMC Requirement	Australian Communications and Media Authority (ACMA)	AS/NZS (or equivalent) Report	Declaration of Conformity (DoC) for Regulatory Compliance Mark (RCM). Supported by Technical Construction File
Safety (Electrical) Requirement	Electrical Regulatory Authorities Council (ERAC)	AS/NZS (or equivalent) Report	For most products DoC, but please check with us
Radio Requirement	ACMA	AS/NZS (or equivalent) Report	Doc for RCM. Supported by Technical Construction File
Telecoms Requirement	ACMA	AS/NZS (or equivalent) Report	Doc for RCM. Supported by Technical Construction File

Please be aware you will need a representative in Australia



# New Zealand

	Regulator	Mandatory Testing	Accepted Route
EMC Requirement	Australian Communications and Media Authority (ACMA)	AS/NZS (or equivalent) Report	Declaration of Conformity (DoC) for Regulatory Compliance Mark (RCM). Supported by Technical Construction File
Safety (Electrical) Requirement	Electrical Regulatory Authorities Council (ERAC)	AS/NZS (or equivalent) Report	For most products DOC (please check with our approvals experts)
Radio Requirement	ACMA	AS/NZS (or equivalent) Report	Doc for RCM. Supported by Technical Construction File
Telecoms Requirement	Telecoms NZ	For the majority of products PTC (or equivalent)	Telepermit Certification

Please be aware you will need a representative in New Zealand.



# BRAZIL

	Regulator	Mandatory Testing	Accepted Route
EMC Requirement	Agência Nacional de Telecomunicações (ANATEL)	In Country Testing	ANATEL Certification
Safety (Electrical) Requirement	The National Institute of Metrology, Standardization and Industrial Quality (INMETRO)	Product Dependent, CB Reports can be used	INMETRO Certification
Radio Requirement	ANATEL	In Country Testing	ANATEL Certification
Telecoms Requirement	ANATEL	In Country Testing	ANATEL Certification



# CHILE

	Regulator	Mandatory Testing	Accepted Route
Safety (Electrical) Requirement	Superintendencia de Electricidad y Combustibles (SEC)	Product Dependent	SEC Certification
Radio Requirement	Subsecretaria de Telecomunicaciones (SUBTEL)	FCC or EU Reports	SUBTEL Certification
Telecoms Requirement	SUBTEL	FCC or EU Reports	SUBTEL Certification



# MEXICO

	Regulator	Mandatory Testing	Accepted Route
Safety (Electrical) Requirement	Normalización y Certificación (NYCE)	In Country Testing	NOM Certification
Radio Requirement	Instituto Federal de Telecomunicaciones (IFTEL)	In Country Testing	IFTEL Certification
Telecoms Requirement	Instituto Federal de Telecomunicaciones (IFTEL)	In Country Testing	IFTEL Certification



# SAUDIA ARABIA

	Regulator	Mandatory Testing	Accepted Route
Safety (Electrical) Requirement	MB Saudi Standards, Metrology and Quality Organisation (SASO)	CB Scheme	
Radio Requirement	Communications and Information Technology Commission (CITC)	EU Test Reports	CITC Certification
Telecoms Requirement	CITC	EU Test Reports	CITC Certification





# Thank you

