

Radiocommunications (Mutual Recognition: People's Republic of China) Notice 2008

Pursuant to Regulation 32(1)(e) 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: People's Republic of China) Notice 2008.

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

(3) This notice prescribes a class of interfering equipment, being Specified Product as defined in the Agreement, that, subject to compliance with the requirements set out in this notice, is exempted from the need to comply with the labelling requirements in the Radiocommunications (Compliance) Notice 2004 or a notice in replacement thereof.

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

“Act” means the Radiocommunications Act 1989;

“the Agreement” means The Agreement Between the Government of New Zealand and the Government of the People's Republic of China on Co-operation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components done at Beijing on 7 April 2008;

“Conformity Assessment Body” has the meaning defined in the Agreement;

“Declaration of Conformity” has the meaning defined in the Radiocommunications (Compliance) Notice 2004, or a notice in replacement thereof;

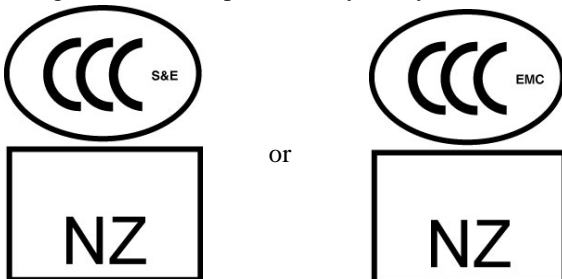
“Regulation” and “Regulations” means Regulations made pursuant to the Act;

“Specified Product” has the meaning defined in the Agreement; and

“supplier” means:

- (a) a person in New Zealand importing for supply in New Zealand; or
- (b) a person in New Zealand supplying interfering equipment in New Zealand; or
- (c) an authorised agent resident in New Zealand, of a person importing for supply in New Zealand; or
- (d) an authorised agent resident in New Zealand, of a person supplying interfering equipment in New Zealand.

(2) For the purpose of this notice and in accordance with Regulation 32(1)(e) of the Radiocommunications Regulations 2001, the “CCC Mark” means the mark defined in the Agreement and represented by the symbols:



(3) For the purpose of this notice and in accordance with Regulation 32(1)(h) of the Radiocommunications Regulations 2001, “CCC Certificate” has the meaning defined in the Agreement.

(4) 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. Labelling exemption requirements—(1) Subject to clause 3(2), if Specified Product is interfering equipment of a class to which the Radiocommunications (EMC Standards) Notice 2004 No. 2, or a notice in replacement thereof, applies the Specified Product is exempt from the requirement to be subject to New Zealand labelling requirements if the Specified Product:

- (a) is labelled with the CCC Mark in accordance with the Agreement;
- (b) is the subject of a CCC Certificate issued in accordance with the Agreement; and
- (c) is the subject of a Declaration of Conformity which must be made available to the chief executive upon request.

(2) A copy of the CCC certificate, to which clause 3(1)(b) relates:

- (a) must be in the English language;
- (b) must be retained by the supplier; and
- (c) must be made available to the chief executive upon request.

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 note prescribes the requirements to be met for the labelling of products for a class of interfering equipment, being Specified Product as defined in the Agreement Between the Government of New Zealand and the Government of the People's Republic of China on Co-operation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components done at Beijing on 7 April 2008 (Annex 14 to The Free Trade Agreement between New Zealand and China) (“the Agreement”).

The Specified Product, which consists of electric or electronic equipment and components, is not required to comply with New Zealand labelling requirements if it is:

- (i) labelled with the CCC Mark;
- (ii) the subject of a CCC Certificate; and
- (iii) the subject of a Declaration of Conformity.

The full text of the Agreement (Annex 14) can be found at

<http://chinafta.govt.nz/1-The-agreement/2-Text-of-the-agreement/20-Annexes/14-Annex-14.php>

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