The Role of Mutual Recognition Agreements: APEC Telecom MRA

Submitted by: Canada
The Role of Mutual Recognition Agreements:

APEC Telecom MRA

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Industry Canada
Definitions

- Oxford on-line dictionary
  - “Mutual”: (of two or more people) having the same specified relationship to each other
  - “Recognition”: acknowledgement of the existence, validity, or legality of something
  - “Agreement”: a negotiated and typically legally binding arrangement between parties as to a course of action
  - “Arrangement”: an [non-binding] agreement with someone to do something

MRA = Mutual Recognition Agreements/Arrangements
MRA on Conformity Assessment

Without an MRA

**Phase I: Mutual Recognition of Test Results**

**Without an MRA**

**Phase II: Mutual Recognition of Certification**
MRA’s Benefits

- Promotes trade by reducing and minimizing non-tariff or technical barriers to trade
- Shortens time to market and reduces cost of production for vendors
- Increases transparency of regulations and conformity assessment processes
- Provides access to participating countries to the latest in technology
- Provides more competition and choices in telecom equipment market
- Promotes conformity assessment industry and reduces $$ for government labs
- **NOT** an agreement on harmonization of standards and regulations
APEC TEL MRA

- Inception began 1997
- Endorsed by all 21 economies
- Canada played key role in APEC TEL MRA Task force
MRA-CA Phases

- **Phase I**
  - mutual recognition of testing laboratories
  - mutual acceptance of test reports from these laboratories
  - Building confidence and trust

- **Phase II**
  - mutual recognition of certification bodies
  - mutual acceptance of equipment certifications issued by these certification bodies
  - Established confidence and trust
MRA-CA Players

- **Regulatory Authority (RA)**
  - Responsible for implementation of regulation and recognition of CAB

- **Designating Authority (DA)**
  - Responsible for nominating CABs

- **Accreditation Body (AB)**
  - Responsible for assessment and accreditation of CABs

- **Conformity Assessment Body (CAB)**
  - Responsible for Testing, Certification & Verification of compliance

- **Manufacturer of regulated telecommunications products**
  - Responsible for compliance to regulatory requirements
Canada’s Case

- The *Telecommunications Act* and *Radiocommunication Act* provide Industry Canada (IC) with the authority to develop technical standards and to ensure that radio and terminal equipment meet these standards
  - *Radiocommunication Act*
    - Section 4(2): Radio Certification Requirements
    - Section 4(3): Radio Technical Standards
  - *Telecommunications Act*
    - Section 69.2 (1): Terminal equipment Registration
    - Section 69.2 (2): Terminal Equipment Technical Specifications
The following equipment must meet IC’s technical and administrative requirements before it can be sold in Canada:

- **Radio Equipment**
- **Terminal (wireline) Equipment**
- **Interference Causing Equipment (EMC)**
Conformity Assessment is a set of processes used to verify product compliance to regulatory requirements.

- Equipment must be tested and certified by an IC recognized Certification Body.
- Equipment must be tested by an IC recognized test laboratory and registered with the Certification and Engineering Bureau.
- Equipment must be tested to meet IC’s technical standards, but recognized test laboratories or registration is not required.
Canada’s Status on MRAs

**Binding**
- Canada-EU MRA (27 countries)
- Canada-EFTA MRA (3 countries)
- Canada-Switzerland MRA
  - These MRAs cover multiple sectors, including telecommunications
  - Scope of the telecommunications sector: terminal equipment, radio equipment, and EMC

**Non-binding**
- The APEC TEL MRA (21 economies), and
- The CITEL MRA (34 countries)
  - These are multilateral, single-sector arrangements
  - Scope: terminal equipment, radio equipment, and EMC
Mutual Recognition Arrangement for *Equivalence of Technical Requirements* for Telecommunications Equipment
**MRA-ETR**

- **Purpose**
  - To mutually recognize technical requirements (TR) of participating economies if they are deemed equivalent

- **Benefits**
  - Equipment manufacturers would only require one test to one standard to demonstrate conformity with the technical regulations of the MRA ETR participants

- **Status**
  - At APEC TEL 38 the MRA Task Force reached a consensus on the procedures to be used to determine equivalency of TR
  - An ad hoc group was formed to finalize the text of the MRA ETR by the 39th APEC TEL meeting (April 2009)
  - Full text endorsed at TELMIN08 at Okinawa, Japan in Oct 2010
MRA CA addresses conformity assessment processes while MRA ETR addresses technical requirements.

Both MRAs have the same coverage and are designed to expedite the trade of telecommunications equipment.

Each MRA can be implemented without the other one. They should be implemented concurrently in order to achieve maximum benefit.
- **Status of MRA-CA implementation**
  - Phase I & Phase II are being implemented with economies reporting concrete results and benefits.
  - “Fostering International Trade: Ten Years of MRA Success” by the APEC TEL MRA Task Force” – April 2010 edition of In Compliance Magazine.

- **Status of MRA-ETR implementation**
  - Guidelines to be proposed and discussed at the next APEC TEL meeting.
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<th>MRA Partner</th>
<th>Number of Canadian Labs Recognized</th>
<th>Number of Foreign Labs Recognized by Industry Canada</th>
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Number of Canadian Labs recognized by Industry Canada = 8
### Canadian and Foreign Certification Bodies

#### Recognized under Phase II of MRAs

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<th>Number of Canadian CBs Recognized</th>
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Number of Canadian CBs recognized by Industry Canada = 2
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Useful Links

- MRAs in which Canada participates: http://ic.gc.ca/MRA
- Terminal Attachment Program Advisory Committee (TAPAC): http://ic.gc.ca/TAPAC
Thank You