

Telecommunications Equipment Certification Scheme

FEBRUARY 2017

Canberra

Red Building
Benjamin Offices
Chan Street
Belconnen ACT

PO Box 78
Belconnen ACT 2616

T +61 2 6219 5555
F +61 2 6219 5353

Melbourne

Level 32
Melbourne Central Tower
360 Elizabeth Street
Melbourne VIC

PO Box 13112
Law Courts
Melbourne VIC 8010

T +61 3 9963 6800
F +61 3 9963 6899

Sydney

Level 5
The Bay Centre
65 Pirrama Road
Pyrmont NSW

PO Box Q500
Queen Victoria Building
NSW 1230

T +61 2 9334 7700 or 1800 226 667
F +61 2 9334 7799

Copyright notice

<http://creativecommons.org/licenses/by/3.0/au/>

With the exception of coats of arms, logos, emblems, images, other third-party material or devices protected by a trademark, this content is licensed under the Creative Commons Australia Attribution 3.0 Licence.

We request attribution as © Commonwealth of Australia (Australian Communications and Media Authority) 2017.

All other rights are reserved.

The Australian Communications and Media Authority has undertaken reasonable enquiries to identify material owned by third parties and secure permission for its reproduction. Permission may need to be obtained from third parties to re-use their material.

Written enquiries may be sent to:

Manager, Editorial and Design
PO Box 13112
Law Courts
Melbourne VIC 8010
Email: candinfo@acma.gov.au

Contents

Part 1 – General	1
1.1 Introduction and legislative framework	1
1.2 Purpose and scope	1
1.3 Definitions	2
1.4 Labelling Notice	4
1.5 Role of Certification Bodies	5
Part 2 – ACMA and JAS-ANZ roles and responsibilities	6
2.1 ACMA roles and responsibilities	6
2.2 JAS-ANZ roles and responsibilities	6
Part 3 – Determination and monitoring of Certification Bodies	7
3.1 Assessment of applications for a Certification Body Determination	7
3.1.1 Application form	7
3.1.1.1 <i>General requirements</i>	7
3.1.1.2 <i>Required information</i>	7
3.1.1.3 <i>Required supporting documentation</i>	7
3.1.2 Assessment of application	8
3.1.2.1 <i>Key steps</i>	8
3.1.2.2 <i>Relevant matters</i>	8
3.1.3 Making of a Certification Body Determination	9
3.1.4 Decision not to approve an application	9
3.1.5 Review	9
3.1.6 Performance reviews of Certification Bodies	9
3.1.7 Charges	9
3.2 Complaint handling	10
3.3 Matters of concern referred by the ACMA	10
3.4 Changes to the Scheme	10
Part 4 – Rules for the operation of Certification Bodies	11
4.1 Organisational and structural requirements	11
4.2 Issue of Certification Body Statements	11
4.2.1 Considerations for issuing a Certification Body Statement	11

Contents (Continued)

4.3 Reporting and record-keeping 12

Part 5 – Deed Poll 13

Part 1 – General

1.1 Introduction and legislative framework

The Australian Communications and Media Authority (**the ACMA**), in consultation with the Joint Accreditation System of Australia and New Zealand (**JAS-ANZ**), has developed the Telecommunications Equipment Certification Scheme (**the Scheme**) to assist JAS-ANZ, as an Approving Body, and Certification Bodies to perform their respective functions.

The *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015* (**the Labelling Notice**) is made by the ACMA under section 407 of the *Telecommunications Act 1997* (**the Act**). The Labelling Notice requires a manufacturer or importer (**Supplier**) of specified customer equipment or customer cabling (**Item**) to apply a label to the Item that indicates whether the Item complies with each Applicable Technical Standard made under section 376 of the Act as specified in the Labelling Notice.

A Supplier may treat an Item as compliant with an Applicable Technical Standard if the Supplier is reasonably satisfied that, having had regard to a document or documents of a particular kind, the Item complies with the Standard. A person may be reasonably satisfied that an Item complies with an Applicable Technical Standard if the person has had regard to a statement prepared by a Certification Body (**Certification Body Statement**) indicating that the Item complies with the Standard.

A Supplier may also be required, under the Labelling Notice or the Act itself, to produce a Certification Body Statement indicating whether an Item complies with an Applicable Technical Standard.

Subsection 410(1) of the Act provides that the ACMA may determine that a specified person or association is an Approving Body for the purposes of section 410. The ACMA has, by legislative instrument, determined that JAS-ANZ is an Approving Body for the purposes of section 410. The Commonwealth of Australia, acting through, and represented by the Acting Chair of, the ACMA, has entered into a Deed of Agreement (**Deed**) with JAS-ANZ, relating to the performance of JAS-ANZ's function as an Approving Body.

Under subsection 410(2) of the Act, JAS-ANZ, as an Approving Body may, by written instrument, determine that a specified person or association is a Certification Body for the purposes of Division 7 of Part 21 of the Act. Under the Labelling Notice, the role of a Certification Body is to issue Certification Body Statements that can be used by a Supplier of an Item for the purposes of demonstrating the Item's compliance with an Applicable Technical Standard.

1.2 Purpose and scope

The purpose of the Scheme is to assist:

- (a) JAS-ANZ, as an Approving Body, to perform the Approving Body Function; and
- (b) Certification Bodies to perform the Certification Body Function;

in a manner which produces lawful, fair and consistent decisions.

The Scheme has been made in accordance with the Deed and having regard to the requirements of the Act, the Labelling Notice and relevant international guidance documents produced by the International Organization for Standardization (**ISO**).

The Scheme is intended to set out the requirements to be met by an Approving Body for the assessment of applications for a Certification Body Determination. The Scheme also contains requirements about the operation of Certification Bodies. It is intended to guide an Approving Body and a Certification Body in the exercise of their discretion as decision-makers, and does not relieve the Approving Body or Certification Body from its obligation to give proper consideration to any other relevant matters and the merits of each case.

1.3 Definitions

In this Scheme, unless the context indicates otherwise:

Accreditation Manual means the Accreditation Manual published by JAS-ANZ on 20 May 2015, as amended from time to time;

ACMA means the Australian Communications and Media Authority;

Act means the *Telecommunications Act 1997*, as amended from time to time;

Applicable Technical Standard has the same meaning as in the Labelling Notice;

Approving Body has the same meaning as in the Act;

Approving Body Function means the function of an Approving Body of deciding whether or not to determine that a particular person or association is a Certification Body and includes the following tasks:

- (a) receiving applications for a Certification Body Determination;
- (b) gathering, evaluating and weighing up the evidence relevant to deciding whether an applicant is suitable to be determined as a Certification Body;
- (c) creating and maintaining records of the decision made upon an application and the reasons for the decision;
- (d) making a Certification Body Determination where an application has been successful;
- (e) notifying an applicant of the decision and the reasons for the decision, and any rights of review;
- (f) amending or revoking a Certification Body Determination where appropriate; and
- (g) doing anything incidental to the performance of any of the above tasks (such as handling inquiries, complaints, requests for review of a decision and other requests received, and making relevant information publicly available);

Business Day means a weekday other than a public holiday in the Australian Capital Territory;

Certification Body has the same meaning as in the Act;

Certification Body Determination means a written instrument, made under subsection 410(2) of the Act, by which an Approving Body determines that a specified person or association is a Certification Body for the purposes of Division 7 of Part 21 of the Act;

Certification Body Function means the function of a Certification Body of preparing Certification Body Statements and includes the following tasks:

- (a) receiving applications for a Certification Body Statement;
- (b) gathering, evaluating and weighing up the evidence relevant to deciding whether an Item complies with an Applicable Technical Standard in relation to the Item;
- (c) creating and maintaining records of the decision made upon an application and the reasons for the decision;
- (d) notifying an applicant of a decision and the reasons for the decision, and any rights of review; and
- (e) doing anything incidental to the performance of any of the above tasks (such as handling inquiries, complaints, requests for review of a decision and other requests received, and making relevant information publicly available);

Certification Body Statement means a statement prepared by a Certification Body indicating whether an Item complies with an Applicable Technical Standard in relation to the Item;

Compliance Label has the same meaning as in the Labelling Notice;

Compliance Records has the same meaning as in the Labelling Notice;

Declaration of Conformity has the same meaning as in the Labelling Notice;

Deed means the Deed of Agreement entered into between the Commonwealth of Australia, acting through, and represented by the Acting Chair of, the ACMA, and JAS-ANZ dated [insert date];

Endorsed Test Report has the same meaning as in the Labelling Notice;

High Risk Applicable Technical Standard has the same meaning as in the Labelling Notice;

IECEE CB Test Certificate has the same meaning as in the Labelling Notice;

IECEE CB Test Report has the same meaning as in the Labelling Notice;

Included in a Class of Items has the same meaning as in the Labelling Notice;

Industry Standard means a standard approved by Standards Australia or any other body or association and which is referenced in an Applicable Technical Standard;

ISO/IEC 17000 means *ISO/IEC 17000:2004 Conformity assessment – Vocabulary and general principles* published by the ISO, as amended from time to time¹;

¹ A copy of ISO/IEC 17000 can be purchased from SAI Global's website at <https://infostore.saiglobal.com>.

ISO/IEC 17065 means *ISO/IEC 17065:2012 Conformity assessment – Requirements for bodies certifying products, processes and services* published by the ISO, as amended from time to time²;

Issuing and Recognising NCB has the same meaning as in the Labelling Notice;

Item has the same meaning as in the Labelling Notice;

JAS-ANZ means the Joint Accreditation System of Australia and New Zealand;

Labelling Notice means the *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015*, as amended from time to time³;

MRA means an agreement or arrangement between Australia and another country that deals with mutual recognition in relation to conformity assessment;

National Database has the same meaning as in the Labelling Notice;

RCM has the same meaning as in the Labelling Notice;

Recognised Testing Authority has the same meaning as in the Labelling Notice;

Supplier means a manufacturer or importer of an Item;

Testing Body means a laboratory that has the equipment, resources and technical capability to conduct testing against, or in accordance with, one or more Applicable Technical Standards or Industry Standards; and

Test Report has the same meaning as in the Labelling Notice.

1.4 Labelling Notice

The Labelling Notice imposes obligations (including in relation to compliance labelling and record keeping) on the Supplier of an Item before the Item is supplied to the Australian market. In summary, a Supplier of an Item must, before the Item is supplied in Australia:

- (a) **Assess applicability** – establish whether the product is an Item which is subject to the telecommunications customer equipment and customer cabling regulatory arrangements.
- (b) **Identify the Applicable Technical Standards** – identify each Applicable Technical Standard in relation to the Item as specified in the Labelling Notice.
- (c) **Demonstrate compliance** – ensure that the Item complies with each Applicable Technical Standard in relation to the Item. Compliance may be demonstrated through testing and/or assessment of supporting documentation.

² A copy of ISO/IEC 17065 can be purchased from SAI Global's website at <https://infostore.saiglobal.com>.

³ A copy of the Labelling Notice can be found at www.legislation.gov.au.

- (d) **Complete a Declaration of Conformity (DoC) and maintain Compliance Records.**
- (e) **Register on the National Database** – a Supplier must register on the National Database before affixing a Compliance Label to a compliant Item.
- (f) **Apply a Compliance Label** – a Compliance Label indicates that the Item complies with the Applicable Technical Standards. The Compliance Label consists of the Regulatory Compliance Mark (**RCM**).

Part 21 of the Act contains provisions, including offence provisions, that generally prohibit the supply and connection of customer equipment and customer cabling that do not comply with an instrument made under section 407 of the Act. These requirements are intended to provide confidence to the ACMA, network operators and the public that products of that kind supplied in Australia comply with the Applicable Technical Standards, and that the Supplier of the product has taken appropriate steps to ensure the product is compliant.

1.5 Role of Certification Bodies

Under section 20 of the Labelling Notice, a Supplier of an Item that is subject to an Applicable Technical Standard (including a High Risk Applicable Technical Standard) may obtain a statement from a Certification Body as the basis for being reasonably satisfied that the Item complies with the Applicable Technical Standard.

A Certification Body can issue a statement that can be used by a Supplier of an Item for the purposes of demonstrating the Item's compliance with an Applicable Technical Standard.

Part 2 – ACMA and JAS-ANZ roles and responsibilities

2.1 ACMA roles and responsibilities

The ACMA is responsible for:

- (a) making a legislative instrument and such other arrangements as are necessary to allow JAS-ANZ to perform the Approving Body Function;
- (b) monitoring the performance of JAS-ANZ in accordance with the Deed;
- (c) advising JAS-ANZ of any relevant legislative changes (including changes to the Labelling Notice) which may affect JAS-ANZ in performing the Approving Body Function; and
- (d) undertaking a review of the Scheme (and making amendments as required) from time to time in consultation with JAS-ANZ.

2.2 JAS-ANZ roles and responsibilities

JAS-ANZ is responsible for decisions and actions relating to the making (and varying or repealing) of Certification Body Determinations, including:

- (a) receiving and assessing applications by persons or associations who wish to be determined as a Certification Body;
- (b) creating and maintaining records of the decision made upon an application and the reasons for decision; notifying the applicant of the decision and the reasons for the decision, and any rights of review; and dealing with any application for review;
- (c) monitoring and ensuring that Certification Bodies perform the Certification Body Function in accordance with the applicable legislation and having regard to the Scheme;
- (d) reviewing and investigating the decisions and actions of a Certification Body as necessary;
- (e) dealing with complaints about Certification Bodies;
- (f) publishing a list of all Certification Bodies on its website; and
- (g) advising the ACMA in writing of the making, varying or repeal of a Certification Body Determination.

Part 3 – Determination and monitoring of Certification Bodies

3.1 Assessment of applications for a Certification Body Determination

When performing the Approving Body Function, JAS-ANZ must assess each application for a Certification Body Determination on its merits and have regard to all relevant considerations, including the Scheme.

3.1.1 Application form

3.1.1.1 General requirements

The application form approved by JAS-ANZ for use by persons or associations who wish to apply for a Certification Body Determination must:

- (a) require sufficient information and supporting documentation to enable JAS-ANZ to properly assess whether a person or association is suitable to be determined as a Certification Body, including the required information and the required supporting documentation specified below;
- (b) require that the applicant enter into a Deed Poll in the form set out at Part 5; and
- (c) attach a copy of, or provide an electronic link (URL) to, the Scheme.

3.1.1.2 Required information

Required information is as follows:

- (a) the name and contact details of the person or association making the application;
- (b) the Applicable Technical Standards or parts thereof in relation to which the applicant will issue Certification Body Statements;
- (c) details of staff (including qualifications and experience) who will be involved in the assessment of the compliance of Items with the Applicable Technical Standards and the issuing of Certification Body Statements;
- (d) details of how the applicant will maintain currency regarding developments in the area of MRAs;
- (e) details of how the applicant will keep informed of changes to Applicable Technical Standards specified in the Labelling Notice and changes to Industry Standards referenced directly or indirectly in the Labelling Notice;
- (f) details of the applicant's in-house procedures for correctly interpreting a requirement in an Applicable Technical Standard.

3.1.1.3 Required supporting documentation

Required supporting documentation is as follows:

- (a) the applicant's certificate, registration or articles of association of business, company or association (e.g. Australian Securities and Investments Commission registration), as applicable;
- (b) an organisation chart showing the responsibility and reporting arrangements within the business, company or association and the relationship with other functions;
- (c) a copy of the applicant's quality assurance manual or any other document used for the purpose of ensuring quality assurance;
- (d) documents relating to the applicant's procedures for the assessment of the compliance of Items with Applicable Technical Standards and Industry Standards;
- (e) if applicable, documents relating to the applicant's accreditation by JAS-ANZ.

Note: Some documents may form part of another document listed above.

3.1.2 Assessment of application

3.1.2.1 Key steps

Once it receives a completed application form, JAS-ANZ must:

- (a) ensure that the application form has been completed correctly and contains all required information and supporting documentation;
- (b) conduct an assessment of the application by gathering, evaluating and weighing up the evidence relevant to deciding whether the applicant is suitable to be determined as a Certification Body;
- (c) complete the initial review of the application, by taking steps 1 to 9 of the application procedure contained in the Accreditation Manual, within 14 Business Days of receipt of the application;
- (d) if, following completion of the initial review, in JAS-ANZ's opinion the assessment of the application is likely to take longer than 28 Business Days, advise the ACMA of the likely timeframe for the assessment of the application;
- (e) notify the applicant and the ACMA, within 5 Business Days after completing its assessment, of the outcome of the application.

3.1.2.2 Relevant matters

In deciding whether to approve an application for a Certification Body Determination, JAS-ANZ must give proper consideration to all relevant matters and the merits of the case. Relevant matters may include (but are not limited to):

- (a) the information and supporting documentation provided by the applicant in the application form;
- (b) the organisational structure of the applicant, and whether the applicant:
 - i. is engaged in any activity that has the potential to create a perceived or actual conflict of interest with its function as a Certification Body;
 - ii. has employed sufficient personnel with the necessary education, training, technical knowledge and experience to perform the Certification Body Function;

- iii. has an awareness and understanding of the regulatory framework within which Certification Bodies operate (including the Act, Labelling Notice, MRAs, Applicable Technical Standards and Industry Standards);
 - iv. is operating in accordance with the requirements of ISO/IEC 17065;
- (c) whether the applicant has previously applied to be a Certification Body and the outcome of that application; and
- (d) if the applicant was previously a Certification Body and the Certification Body Determination was repealed, the reason for the repeal.

3.1.3 Making of a Certification Body Determination

If JAS-ANZ approves an application, JAS-ANZ must as soon as practicable after notifying the applicant in accordance with clause 3.1.2 (e):

- (a) make a Certification Body Determination specifying the applicant to be a Certification Body; and
- (b) provide a copy of the Certification Body Determination to the applicant and the ACMA.

3.1.4 Decision not to approve an application

If JAS-ANZ decides not to approve an application, the notification to the applicant under clause 3.1.2(e) must include reasons for the decision, and outline any review rights the applicant may have with JAS-ANZ. A copy of the notice and reasons for decision must be provided to the ACMA.

3.1.5 Review

If an applicant seeks a review of JAS-ANZ's decision not to approve an application, JAS-ANZ must deal with the application for a review in accordance with the procedures and timeframes specified in the Accreditation Manual.

3.1.6 Performance reviews of Certification Bodies

JAS-ANZ must:

- (a) at least once in each calendar year, conduct a review of each Certification Body's operations for the purposes of assessing its performance of the Certification Body Function and its obligations under the Deed Poll of the kind referred to at Part 5;
- (b) take appropriate action to address any issue identified as a result of the review; and
- (c) report the results of the review, including any issue identified and the action taken to address the issue, to the ACMA, within 10 Business Days of finalising the review.

The ACMA may require JAS-ANZ to conduct a further review of any Certification Body's operations for the purpose of ensuring that any issue identified has been satisfactorily addressed.

3.1.7 Charges

Any charges imposed by JAS-ANZ on a Certification Body for administrative expenses incurred in handling an application for a Certification Body Determination, or a review of a decision upon such application:

- (a) must be imposed lawfully and on a cost recovery basis;
- (b) must be imposed after the ACMA has advised that the charges are reasonable; and
- (c) will be reviewed by JAS-ANZ and audited by the ACMA periodically.

3.2 Complaint handling

JAS-ANZ must review any complaint (other than a type of complaint alleging some impropriety or illegality, or an interference with the privacy of an individual) about the performance of the Certification Body Function or the Approving Body Function, in accordance with the procedures and timeframes specified in the Accreditation Manual.

3.3 Matters of concern referred by the ACMA

If the ACMA receives a complaint or information about a Certification Body in relation to its performance of the Certification Body Function, the ACMA may refer the complaint or information to JAS-ANZ for further consideration.

On receipt of a referral from the ACMA, JAS-ANZ must investigate the complaint or information, or make inquiries about the complaint or information, in accordance with the procedures and timeframes specified in the Accreditation Manual.

3.4 Changes to the Scheme

If the ACMA, in consultation with JAS-ANZ, amends the Scheme, JAS-ANZ must notify the Certification Bodies of the changes, and publish an updated version of the Scheme on its website.⁴

⁴ See www.jas-anz.org.

Part 4 – Rules for the operation of Certification Bodies

4.1 Organisational and structural requirements

A Certification Body must:

- (a) be impartial and not engage in activities that have the potential to create a perceived or actual conflict of interest with its function as a Certification Body;
- (b) be responsible for its decisions and actions relating to the issue of Certification Body Statements;
- (c) employ a sufficient number of personnel having the necessary education, training, technical knowledge and experience for performing the Certification Body Function;
- (d) have policies and procedures that distinguish between the Certification Body Function and any other activities in which the Certification Body is engaged;
- (e) have policies and procedures for the resolution of complaints and disputes received from Suppliers or other parties about the issue of Certification Body Statements; and
- (f) advise JAS-ANZ in writing of any organisational or structural changes that may affect the operation of the Certification Body and the issuing of Certification Body Statements.

4.2 Issue of Certification Body Statements

A Certification Body may issue a Certification Body Statement to a person in relation to an Item containing information that indicates that the Item or (if the Item is Included in a Class of Items) an Item of the class complies with an Applicable Technical Standard.

4.2.1 Considerations for issuing a Certification Body Statement

A Certification Body must assess an application for a Certification Body Statement on its merits and have regard to all relevant considerations. Before issuing a Certification Body Statement (whether in relation to the compliance of an Item with a High Risk Applicable Technical Standard or an Applicable Technical Standard) the Certification Body must request the following information from the Supplier in relation to the Item:

- (a) any Endorsed Test Report demonstrating compliance with all or part of the Applicable Technical Standard;
- (b) any Test Report from a Testing Body demonstrating compliance with all or part of the Applicable Technical Standard;
- (c) any design analysis of the Item;
- (d) 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);
- (e) any IECEE CB Test Report that is accompanied by an IECEE CB Test Certificate, as well as any statement prepared by an Issuing

and Recognising NCB that operates in Australia or a Recognised Testing Authority;

- (f) any relevant statement or certificate of compliance issued by a body recognised under a MRA.

The Certification Body must give proper consideration to all such information given by the Supplier, any other relevant matter and the merits of the case.

If a Certification Body refuses to issue a Certification Body Statement in relation to an Item, the Certification Body must inform the Supplier of the reasons for the refusal and advise the Supplier of any rights of review that the Supplier may have.

4.3 Reporting and record-keeping

A Certification Body must create and keep written records relating to its performance of the Certification Body Function and its obligations under the Deed Poll of the kind referred to at Part 5. A record must be kept for at least seven years after the day it was created or received.

A Certification Body must, within one calendar month after the end of each financial year, provide JAS-ANZ with a report which includes the following information, in relation to the financial year (**reporting period**):

- (a) the number of applications for Certification Body Statements received before, and not finalised at the start of, the reporting period;
- (b) the number of applications of that kind received in the reporting period;
- (c) if an application was finalised during the reporting period, the outcome of the application;
- (d) the number of Certification Body Statements issued;
- (e) if a Certification Body Statement was not issued in relation to an Item, the reasons for not issuing the statement;
- (f) the number of Certification Body Statements mistakenly issued (if any) and the action taken to correct the error;
- (g) the number of complaints received before and not finalised at the start of the reporting period;
- (h) the number of complaints received in the reporting period and the nature of each of those complaints;
- (i) if a complaint was resolved, the action taken to resolve the complaint (if any); and
- (j) any other matter which the Certification Body reasonably considers must be brought to JAS-ANZ's attention.

Part 5 – Deed Poll

This Deed Poll (**the Deed Poll**) is made on the day of 20 by [*Name of person/association*], being an applicant for a determination as a Certification Body under subsection 410(2) of the *Telecommunications Act 1997*, for the benefit of the Joint Accreditation System of Australia and New Zealand (**JAS-ANZ**).

Definitions

Terms used in this Deed Poll which are defined in the Telecommunications Equipment Certification Scheme (**the Scheme**) have the same meaning as in the Scheme.

A reference to the **Applicant** in this Deed Poll is a reference to [*name of person/association*].

Obligations

The Applicant:

- (a) acknowledges that the Applicant has received a copy of, and read, the Scheme;
- (b) warrants that the Applicant meets the organisational and structural requirements specified in clause 4.1 of the Scheme;
- (c) agrees to make decisions as a Certification Body in accordance with the principles of administrative law and all other applicable legal requirements;
- (d) agrees to have regard to the information specified in clause 4.2 of the Scheme, and any other relevant matter, when deciding whether an Item complies with an Applicable Technical Standard in relation to the Item;
- (e) agrees to handle applications for a Certification Body Statement in accordance with Part 4 of the Scheme;
- (f) agrees to provide to JAS-ANZ, the Approving Body, within one calendar month after the end of each financial year, a performance report which includes the information specified in clause 4.3 of the Scheme;
- (g) agrees to create and keep records that fully document the Applicant's performance of the Certification Body Function and the Applicant's obligations under this Deed Poll, in accordance with the record-keeping requirements specified in clause 4.3 of the Scheme;
- (h) agrees to give JAS-ANZ all assistance reasonably requested, as part of a review of the Applicant's operations or at any other time, for any purpose associated with the Applicant's performance of the Certification Body Function or the Applicant's obligations under this Deed Poll, including but not limited to access to premises, records, material and personnel relevant to such matters;
- (i) agrees to take any action reasonably requested by JAS-ANZ to address any issue identified as a result of any review of the Applicant's operations;
- (j) agrees to notify JAS-ANZ immediately:
 - (A) on becoming aware of any matter that may have an adverse impact on the Applicant's ability to perform the Certification Body Function or the Applicant's obligations under the Deed Poll; or
 - (B) if the Applicant decides that the Applicant no longer wishes to be a Certification Body; and
- (k) acknowledges and agrees that, even if the Applicant decides or notifies JAS-ANZ that the Applicant no longer wishes to be a Certification Body, the Applicant must continue to perform the Certification Body Function while the Certification Body Determination relating to the Applicant remains in force.

Executed as a Deed Poll

Signed, sealed and delivered by [or on behalf of] [*name of person/association*]

.....

Name of signatory and position

On (Date)

in the presence of

.....

Name of witness

.....

Signature of witness

On (Date)