



National Information & Communication Technology Authority

CONSULTATION PAPER

**GUIDELINE FOR CONTROLLED
CUSTOMER EQUIPMENT**
(Draft)

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GUIDELINE FOR CUSTOMER EQUIPMENT & CUSTOMER CONTROLLED EQUIPMENT

1 EXECUTIVE SUMMARY

NICTA has developed this Instrument, in accordance **with PART X of the Act**, purposely to provide regulatory guidelines and requirements for the industry to comply with when importing, supplying, selling, installing and/or operating a Controlled Customer Equipment (CCE).

A CCE in the context of this Instrument refers to a customer equipment located at the subscriber premises that connects the subscriber network to the main service provider network.

Such equipment includes PABXs, routers, switches, residential gateways, set-top boxes, or any fixed mobile convergence equipment that can process voice and has access gateway functionalities.

In the last decade, there has been an increase in the importation, selling and use of CCE in PNG by business houses as well as private citizens. Some of the CCE imported are often not type-approved and/or manufactured for use in other countries making it incompatible with the existing network facilities in PNG.

The aim of the guidelines in this Instrument is to promote the import and use of standard compliant CCE so that users and licensed operator networks/facilities are safe guarded from potential harm or interference from these non-compliant CCE devices.

This Instrument shall be read in conjunction with Cabling and Type Approval Guideline Instruments.

Additional information or references can be found as attachment Schedules to this Instrument.

2 DEFINITIONS AND ABBREVIATIONS

2.1.1 ABBREVIATIONS

'CCE' Controlled Customer Equipment

'CE' Customer Equipment

'NICT ACT 2009' the National Information and Communications Technology Act 2009

'NICTA' National Information and Communications Technology Authority

2.1.2 DEFINITIONS

'Act' means NICT ACT 2009

'applicant' means a person or a business entity applying for a connection permit.

'cancellation notice' means a written document by NICTA to a Permit Holder or applicant advising the said person of his application cancelation.

'connectivity' means the ability of a CCE to interconnect with any products from other vendors and Network or facility of a licensed network Provider as intended.

'Conformity Declaration Certificates' means certificates granted by a NICTA recognised Test House(s) to a product that meets a set of regulatory standard, technical and safety requirements.

'customer equipment' means a general term for an equipment which could be either regulated or unregulated.

'Controlled Customer Equipment' means customer equipment defined in Part X, Section 191(1) of NICT ACT 2009, which is regulated and requires a connection Permit.

'Connection Permit' means a document, defined in Part X, Division 2, Section 191(1) of Act which is issued by NICTA. This document gives the authority for a CCE to be connected to a Network facility.

'Instrument' means a written regulatory guideline or document by NICTA.

'Interoperability' means the ability of the CE to interoperate with other equipment from other vendors.

'Network Provider' means a licensed operator as defined in NICT ACT 2009.

'Permit Holder' means a person who holds a valid CCE connection permit issued by NICTA.

'Person' means an individual, Permit holder or a business entity

'Test House' means NICTA recognised equipment test house or laboratory as listed on Schedule 5

'type approval' means Certificate of approval granted by NICTA to a product that meets a minimum set of NICTA regulatory, technical and safety requirements.

3 INTRODUCTION

3.1.1 NICTA has developed this Instrument in accordance with Section PART X of the NICT Act.

3.1.2 This Instrument shall provide guidelines on how a CCE shall be regulated in the country in terms of importation, classification, installation, maintenance and operation.

3.1.3 The guidelines in this Instrument shall apply to both new and existing CCE that has already been connected to a Network Facility prior to the enforcement date of this Instrument.

3.2 SCOPE

3.2.1 The guidelines in this instrument apply to all CCE that has one of more of these characteristics;

- i. has access gateway functionalities, which means it can connect to a service provider network or facility.
- ii. has the ability to process, route or transmit voice signals (analogue or digital) irrespective of the protocols use.
- iii. located at a demarcation point and connects a customer network to a service provider network

3.2.2 A CE is not excluded from the scope of this Instrument by reason only that it is capable of performing functions additional to those described in this Instrument.

3.3 OBJECTIVES

3.3.1 The objectives of this Instrument is to;

(a) protect the integrity of an ICT Network or Facility; and

(b) protect the health or safety of persons who;

- I. operate; or
- II. work on; or
- III. use services supplied by means of; or
- IV. are reasonably likely to be affected by the operation of the CCE; and

(c) provide regulatory guidelines and general requirements for CCE which applicants and/or Permit Holders can comply to.

(d) ensure compatibility and performance of a CCE to any new or existing ICT Network or facility that the CCE is connected to or intended to be connected to in future.

4 GENERAL REQUIREMENTS

4.1 APPLICATION FOR CONNECTION PERMIT (CCE)

- 4.1.1 A person intending to supply, install, maintain or operate a CCE shall apply to NICTA for a Connection Permit in order to connect the CCE to a network or facility.
- 4.1.2 A person with existing CCE connected to a licensed Provider network/facility prior to the enforcement date of this Instrument, of whom the said CCE has never been declared, shall apply to NICTA for CCE type-approval and Connection Permit.
- 4.1.3 This person when applying must provide the following;
- (a) a completed TA100 type-approval application form
 - (b) a completed the CP100 Connection Permit application form
 - (c) provide details of the customer equipment accompanied by a;
 - I. CE Declaration of Conformity Certificates from a NICTA recognized Test House.
 - II. Equipment Specifications Sheet and Brochure.
 - III. Other required information as requested by NICTA.
 - a. samples may be requested as and when necessary.
 - b. payment of applicable fees (*refer to Clause 4.2*)
- 4.1.4 A person who has a CCE that has already been approved by NICTA prior to the enforcement date of this Instrument shall only apply for a Connection Permit.
- 4.1.5 A person intending to connect his/her CCE to a licensed Provider network/facility must first seek approval from the Network Provider before connecting the CCE to the facility/network.

4.2 FEES & PERMIT DURATION

- 4.2.1 There are three types applicable of fees;
- I. Type Approval Fee: This fee which is payable to NICTA when registering a customer equipment. This fee applies only to a CCE that has not been type-approved by NICTA.
 - II. Connection Permit Fee: This fee is paid to NICTA for the issuance of the Connection Permit.
 - III. Processing Fee: This is a non-refundable administrative fee paid to NICTA for processing the application.
- 4.2.2 The duration of the permit will be determined by NICTA based on NICTA's assessment and judgment on the applicant's application and the intending purpose of the CCE and other reasons deemed fit by NICTA.

4.3 COMPATIBILITY & PERFORMANCE

- 4.3.1 A CCE must be compatible with all type-approved devices and/or network technologies irrespective of the vendor and/or operator as specified in the CCE technical specifications.
- 4.3.2 The CCE must perform in any typical network configuration and also be able to support both established and emerging applications as specified in the CCE technical specifications respectively.

4.4 CANCELLATION OF PERMITS

- 4.4.1 NICTA may cancel a Connection Permit on the following grounds;
- a) that the Permit Holder contravenes one or more of the conditions specified in the permit.
 - b) cancellation authorised by a Government Policy, in accordance with **Section 197(1b) of Act**.
- 4.4.2 NICTA may in writing inform the person whom NICTA considers as has an interest in the connection permit, of the reasons of the permit cancellation.
- 4.4.3 Upon receiving the Cancellation Notice, the Permit Holder shall write or reapply to NICTA within 21 days for a reconsideration of the cancellation. When making any representations for a cancelled Connection Permit, the Permit Holder shall provide all substantial evidence to prove that the said CCE is compliant to all applicable Standards and relevant regulatory requirements.
- 4.4.4 NICTA shall give proper consideration to any reapplication/submissions made under **subclause 4.4.3**. NICTA reserves the right to issue or not to issue a connection permit based on its own assessments and judgements. NICTA may inform the person of its final decision outcome through a form of written notice which shall include reasons of the cancellation if the application is unsuccessful.

4.5 VARIATION OF PERMITS

- 4.5.1 NICTA reserves the right to vary, add or revoke any conditions of a connection permit at any one time where NICTA sees fit. However, NICTA shall issue a written notice seven (7) days in advance, notifying Permit Holder of its intentions, before varying, adding or revoking any conditions of the permit.
- 4.5.2 A Permit holder may vary the conditions of the connection permit by first applying to NICTA for approval. NICTA shall only consider applications made under this **subclause 4.5.2** if it complies with the following requirement;
- I. that the connection of the CCE to the relevant facility in accordance to the conditions in the Permit is compliant to the applicable industry codes and standards;
 - II. that the issue of the Connection Permit or its variation is consistent with a Government Policy notified in accordance with **subclause 4.4.1, b.**
- 4.5.3 Where NICTA decides not to issue, impose/add or vary conditions of a permit, it shall give the Permit Holder a written notice of its decision together with reasons for its decision. A permit holder whose application has been cancelled may reapply for reconsideration, in accordance with **subclause 4.4.3** of this Instrument. Further actions by NICTA on the said reapplication shall be in accordance with **subclause 4.4.4**

4.6 OFFENCES RELATING TO CCE

- 4.6.1 A person or Permit Holder is guilty of an offence if found in breach of the following;
- a) connects a CCE to a licensed network provider or facility without a Connection Permit and/or approval from the said Network Provider or facility owner.
 - b) fails to inform clients or other interested persons that the CCE of concern, of whom the said person or business is selling, supplying or intends to sell is a regulated equipment,
 - c) contravenes any one of the conditions as outlined in his/her Connection Permit.
 - d) fails to comply with NICTA directions as outline in Section 196 (1), of the Act.
- 4.6.2 The said person or business who is guilty of the offences outlined in **subclause 4.6.1 a, b, c and d** shall be penalised in accordance with **Section 195(1, 2), Offences Relating to Customer Equipment, of Act.**

4.7 DISCONNECTION & CONFISCATION OF CCE

- 4.7.1 NICTA may disconnect or confiscate any CCE on the following grounds;
- a) the CCE fails to comply with NICTA applicable standards and Regulatory requirements.
 - b) the CCE fits the conditions and/or description as outline in **subclause 4.6.1 (a,b,c,d) Offences Relating to CCE.**
 - c) the operation of the CCE causing threat to the safety of persons working or using the equipment.
 - d) the operation of the CCE causing interferences or becomes a threat to the integrity of a licensed network provider or facility.
- 4.7.2 Prior to the enforcement of the **subclause 4.7.1**, NICTA shall issue a warning Notice to the person to disconnect the CCE from the network or facility within 7 days or such longer period as specified in the warning notice.
- 4.7.3 A person who fails or refuses to comply with the warning notice made under **subclause 4.7.2** is guilty of an offence and shall be penalised in accordance with **Section 196 (2) Disconnection of Customer Equipment for which there is no permit, of Act** along with the said CCE disconnected and/or confiscated.

4.8 TRANSFER OF PERMITS AND CCE RELOCATION

- 4.8.1 The Permit holder may at any one time transfer the Connection Permit to another person given that he/she shall first;
- a) give a written notice to NICTA explaining the reasons of the transfer.
 - b) provide the name and address of the person to whom the Connection Permit is transferred to.
- 4.8.2 A Permit Holder intending to relocate a CCE to another location shall reapply to NICTA for a new Connection Permit.

4.9 COMPLIANCE/ EQUIPMENT LABELLING

- 4.9.1 All CCE shall be labelled in a manner as specified by NICTA as outlined in the Type-Approval Guideline.

5 REGULATORY COMPLIANCE AND STANDARDS

5.1 REGULATORY COMPLIANCE

- 5.1.1 Pursuant to **Part XI** of Act, NICTA maintains the authority to issue, adopt, modify and/or authorise the use of technical Standards and/or regulatory guidelines on ICT services and equipment, written by NICTA or other international standards organisations.
- 5.1.2 Technical Standards, rules and guidelines shall be issued by NICTA to facilitate network connectivity, safe working practices and safety of life and equipment, and other general requirements as seen to be appropriate by NICTA.
- 5.1.3 All Service Providers or interested persons shall abide by those mandatory Instruments and requirements to ensure that the technical quality of ICT services and equipment that connect either directly or indirectly to the Network Provider are maintained.
- 5.1.4 Where there is disagreement between NICTA mandatory Instruments and Standards to those issued by the manufacturer, or others, NICTA mandatory Instruments and Standards will take precedence.

5.2 STANDARDS

- 5.2.1 In relevance to **subclause 5.1.1**, NICTA has recognised and approved a number of Standards, including recommendations from International standardizing organisations by which all Permit Holders, applicants and/or interest persons shall ensure a CCE is comply to, when, importing, supplying, selling, installing and/or operating any customer equipment. (**Refer to Schedule 2 for list of NICTA recognised Standards**).

6 DOCUMENT ADMINISTRATION

6.1 REVISIONS

- 6.1.1 NICTA shall review the guidelines in this Instrument from time to time in accordance with changes in ITU recommendations, International Standards and the trends in the ICT industry.
- 6.1.2 NICTA shall inform its Permit Holders and other interested persons of any revisions to this Instrument through written notices published on our website and media outlets.

6.2 CONTACT DETAILS

6.2.1 Where individuals or groups have comments regarding the contents of this document and or complaints regarding the use of Customer Equipment may forward the same in writing to the following address;

The Director Engineering and Resource Planning

NICTA, P.O. Box 8227, BOROKO, NCD.

Papua New Guinea.

Tel: (675) 325 8633

Facsimile: (675) 300 4829

E-mail: esd@NICTA.gov.pg

Website: www.nicta.gov.pg

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SCHEDULE 1 – REFERENCE DOCUMENTS

STANDARDS

Australian Standards

[1] AS ISO 1000-1998 The international System of Unit (SI) and its application.

AS/ACIF and AS/CA Standards

[2] AS/ACIF S002:2005 Analogue interworking and non-interference requirements for Customer Equipment for connection to the Public Switched Telephone Network

[3] AS/CA S003:2010 Customer Access Equipment for connection to a Telecommunications Network

Part 1: General

Part 2: Analogue and TDM based technologies

Part 3: Packet and cell based technologies

[4] AS/ACIF S004:2008 Voice frequency performance requirements for Customer Equipment

ITU-T Recommendations

[5] G.122 (03/93) Influence of national systems on stability and talker echo in international connections

[6] G.223 (11/88) Assumptions for the calculations of noise on hypothetical reference circuits for telephony

ETSI Standards

[7] ES 201 168 V1.2.1 (2000-10) Speech Processing, Transmission and Quality Aspects (STQ); Transmission characteristics of digital Private Branch eXchanges (PBXs) for interconnection to private networks, to the public switched network or to IP gateways

[8] ES 202 020 V1.4.2 (2007-06) Speech Processing, Transmission and Quality Aspects (STQ); Harmonized Pan- European/North-American approach to loss and level planning for voice gateways to IP based networks

ANNEXES

(Additional information will be inserted as attachment in this Annex section in the final document)

SCHEDULE 2 - FEES

<Insert Fees Table>

SCHEDULE 3 – LIST OF CCE

<Insert List of CCE>

SCHEDULE 5 – TEST HOUSES

<Insert list of accredited test houses>

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