

## **Criteria and Procedures for the Designation of Hong Kong Testing Laboratories and Certification Bodies by OFCA as Conformity Assessment Bodies**

### **General**

1. The Asia-Pacific Economic Cooperation Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (APEC TEL MRA)<sup>1</sup> was endorsed by the APEC Telecommunications and Information Industry Ministers in June 1998 and commenced in July 1999. APEC TEL MRA is a voluntary arrangement intended to streamline the conformity assessment procedures for a wide range of telecommunications and telecommunications-related equipment and thereby facilitate trade among the APEC economies<sup>2</sup>. It provides for mutual recognition by the importing economies of conformity assessment bodies and mutual acceptance of the results of testing and equipment certification procedures undertaken by those bodies in assessing the conformity of equipment to the technical regulations of importing economies.
2. The Office of the Communications Authority (OFCA)<sup>3</sup> is authorised to designate local testing laboratory or certification body for recognition by APEC economies as Conformity Assessment Body (CAB) in accordance with the requirements of APEC TEL MRA.
3. Upon designation by OFCA and subsequent recognition by an APEC economy, a CAB may undertake testing or certification of telecommunications equipment and telecommunications-related equipment to the technical regulations of the APEC economy that voluntarily participates in the APEC TEL MRA.
4. This document sets out the criteria to be met and procedures to be followed by testing laboratory or certification body for seeking designation as CAB by OFCA.

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<sup>1</sup> For details, please refer to the [Official TEXT on APEC TEL MRA](#).

<sup>2</sup> As of December 2020, there are 21 APEC Member Economies including Australia; Brunei Darrussalam; Chile; Canada; People's Republic of China; Hong Kong, China; Chinese Taipei; Indonesia; Japan; Republic of Korea; Malaysia; Mexico; New Zealand; Papua New Guinea; Peru; The Philippines; Russia; Singapore; Thailand; The United States and Vietnam.

<sup>3</sup> Pursuant to the Communications Authority Ordinance (Cap. 616), with effect from 1 April 2012, all duties and powers of the Telecommunications Authority (TA) are conferred on the Communications Authority (CA), and all duties and powers of the Office of the Telecommunications Authority (OFTA) are conferred on the Office of the Communications Authority (OFCA), the executive arm of the CA.

## Criteria for Designation

5. The testing laboratory or certification body seeking designation of CAB shall demonstrate to OFCA that it understands, and can continue to apply, the conformity assessment procedures to the technical regulations of the importing economy<sup>4</sup> for which it is applying for designation.
6. Designation will be made only when the MRA relationship with the importing economy is maintained.
7. The testing laboratory or certification body seeking designation must be a legally identifiable entity located in Hong Kong.
8. Testing laboratory must be accredited to ISO/IEC 17025 and certification body must be accredited to ISO/IEC 17065 by Hong Kong Accreditation Service (HKAS). In addition, a certification body must have the technical competence to perform testing of equipment to the technical regulations of importing economy. As such it must have in-house testing laboratory accredited to ISO/IEC 17025 or have contractual arrangement with a testing laboratory which is accredited to ISO/IEC 17025.
9. The testing laboratory or certification body must be accredited for equipment testing or certification to the technical requirements of the importing economy's technical regulations. The scope of designation is limited to the scope of accreditation.

## Procedure for Designation

10. The testing laboratory or certification body seeking designation as CAB should complete the application form [OFCA A 424 “Application for Designation of Testing Laboratory or Certification Body for Recognition as Conformity Assessment Body by APEC Economies”](#) and submit it to OFCA together with the necessary documents as specified in the form.
11. In its application, the testing laboratory or certification body shall include a statement describing how it complies with the condition of paragraph 4 of this document.
12. The testing laboratory or certification body shall nominate an officer as the formal point of contact, which shall represent the laboratory in all matters relating to the activities of the APEC TEL MRA.
13. If the testing laboratory or certification body meets all the conditions and requirements for designation as CAB under this document, OFCA will request the importing economy to recognise the designation.

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<sup>4</sup> The APEC economy to which the telecommunications equipment from Hong Kong is imported.

14. Upon the request, the importing economy will evaluate and determine whether or not to recognise the testing laboratory or certification body designated by OFCA.

15. If the importing economy does not recognise the testing laboratory or certification body, in whole or in part, the importing economy will provide a written explanation including the basis for that decision to OFCA. The testing laboratory or certification body seeking designation is required to take action to supply the additional information required or correct the deficiencies identified by the importing economy within 50 days from receipt of the importing economy's written explanation.

16. If the importing economy recognises the designation, OFCA will issue a notification letter to the testing laboratory or certification body confirming its recognition by the importing economy as CAB and assign a unique six-character identifier to it. The notification letter will also specify the scope of recognition. Besides, OFCA will add the recognised testing laboratory or certification body to the list of CABs and publish it on OFCA's website.

### **Change of Designation**

17. CAB shall immediately advise OFCA in writing of any changes which may affect continuing compliance with any of the designation requirements or conditions contained in this document.

18. CAB shall provide OFCA with documents issued by the HKAS for reaffirming its accreditation status after reassessments or updating changes to its scope of accreditation, if any.

19. Whenever necessary, OFCA will inform the relevant importing economy of the change in the scope of accreditation. The scope of designation and recognition will be revised based on the most up-to-date scope of accreditation of the CAB

### **Verification of Conformity Assessment Bodies**

20. The importing economy has the right to contest the technical competence of a CAB and its conformity with the designation requirements in accordance with the verification procedure specified in the official text of APEC TEL MRA.

21. In case the verification of a CAB is carried out by an importing economy, the testing laboratory or certification body designated as CAB shall provide assistance in verification and resolution of any issues arising from the verification.

## **Suspension and Withdrawal of Designation**

22. Whenever a CAB is found incompliant with the designation requirements and conditions, OFCA has the right to suspend or withdraw the designation.

23. During the suspension period, the CAB has to carry out corrective actions to rectify any non-conformity areas. Designation will be resumed only when full conformity can be demonstrated to the satisfaction of OFCA. If the remedial action taken by the CAB is still not satisfactory, OFCA may withdraw the designation eventually.

24. The designation may also be withdrawn if the importing economy concerned determines to terminate its participation in the APEC TEL MRA.

## **Communications**

25. For submission of application, enquires or clarifications on issues relating to APEC TEL MRA, please address it to the following contact point :

Senior Telecommunications Engineer  
Standards Section  
Office of the Communications Authority  
29/F Wu Chung House  
213 Queen's Road East  
Wanchai  
Hong Kong

Tel: 2961 6388  
Fax: 2838 5004  
E-mail: [standards@ofca.gov.hk](mailto:standards@ofca.gov.hk)