



*Living more safely with
electromagnetic radiation*

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Manager
Technical Regulation Development Section
The Australian Communications and Media Authority
PO Box 13112
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Dear Manager

Automatic sunseting of legislative instruments

Thank you for the opportunity to provide comment on the ACMA's proposal to remake the following legislative instruments:

- Radiocommunications (Electromagnetic Radiation — Human Exposure) Standard 2003 (Human Exposure Standard); and
- Radiocommunications (Compliance Labelling — Electromagnetic Radiation) Notice 2003 (EME Labelling Notice).

EMR Australia does not support the remaking of the above legislation in their present forms and submits a number of recommendations.

Radiocommunications (Electromagnetic Radiation — Human Exposure) Standard 2003 (Human Exposure Standard)

This document requires emissions from devices covered in this standard to comply with the exposure limits in the 'Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3 kHz to 300 GHz (2002)' – the ARPANSA standard. However, this standard is not adequate to protect human health for a number of reasons.

1. Emissions from mobile phones that comply with the ARPANSA standard have nevertheless been classified as a Class 2B carcinogen by the International

- Agency for Research on Cancer based on evidence that heavy and long-term exposure is associated with increased rates of some brain tumours.¹
2. The standard is predicated on the assumption that adverse effects from radiation are the result of radiation absorption and temperature changes. It does not take into account the large and growing body of evidence linking adverse effects with non-heating exposures.
 3. Many studies report adverse effects in populations exposed to levels of radiation well within the ARPANSA standard.²
 4. A legal judgment – McDonald and Comcare – by the Administrative Appeals Tribunal (Melbourne, 2013) resulted in Dr McDonald being awarded compensation for problems experienced from exposures to levels of radiofrequency radiation that were far below those allowed by the ARPANSA standard.³

Secondly, EMR Australia is concerned about the risk to policemen and Defence Force personnel by allowing them to be exposed to levels of radiation that exceed those in the ARPANSA standard.

Radiocommunications (Compliance Labelling — Electromagnetic Radiation) Notice 2003 (EME Labelling Notice)

This standard specifies the labeling of portable radiotransmitters – such as mobile phones – to indicate that they comply with the ARPANSA standard.

Because the ARPANSA standard is inadequate to protect human health – for reasons listed previously – information about compliance is irrelevant to users.

The Radiocommunications (Compliance Labelling) standard should require that compliance labels also contain measurements of Specific Absorption Rate (SAR levels). This information should be available on all packaging and on the front page of all user manuals to enable consumers to make informed decisions when purchasing mobile phones.

I look forward to hearing how the ACMA has considered these recommendations.

Yours faithfully

Lyn McLean
Director

¹ International Agency for Research on Cancer, 'IARC Classifies Radiofrequency Electromagnetic Fields as Possibly Carcinogenic to Humans, PRESS RELEASE N° 208, 31 May 2011, http://www.iarc.fr/en/media-centre/pr/2011/pdfs/pr208_E.pdf

² For summary, see 'The Force' by Lyn McLean, Melbourne, Scribe, 2011.

³ McDonald and Comcare, AATA 105 (28 February 2013), <http://www.austlii.edu.au/au/cases/cth/aat/2013/105.html#sthash.SDFN79iu.dpuf>