

PRODUCT TELECOMMUNICATIONS CERTIFICATION MOST FREQUENTLY ASKED QUESTIONS

(FREE ENGLISH VERSION, NON BINDING OR LEGAL DOCUMENT)

1. ¿What does NYCE mean?

R= Normalización y Certificación Electrónica (NYCE) is a non profit civil association. It is a Mexican body involved in standardization and conformity assessment activities in the fields of electronics and communications and information technologies.

In according with the Federal Metrology and Standardization Law and their regulation, NYCE is a telecommunications product certification body accredited by the Mexican Accreditation Entity (EMA) and authorized by the Federal Telecommunications Commission (COFETEL), respectively.

COFETEL is part of the Ministry of Communication and Transports.

2. ¿What are conformity assessment procedures?

R= They are written procedures and requirements utilized to determine if a product, process, service, person, etc...is in compliance with requirements established in standards, NMX, technical regulations, NOM, specifications, etc...

3. ¿What does product certification mean?

R= Is the conformity assessment procedure by mean of which a product certification body assures by written that a product is in compliance with technical requirements and specifications and other requirements, such as product testing.

4. ¿What does NOM mean?

R= They are the initials of “mexican official standard” and means the “official mark” in México; each product in compliance with all the applicable NOM, to be sold in México must exhibit on it such initials. The characteristics and use of the official Mark can be found on NOM-106-SCFI.

5. ¿What does homologation mean?

R= Is the authorization granted by The Ministry of Telecommunications and Transports through COFETEL to permit a telecommunication product to be connected to a public telecommunications networks or utilize the radio spectrum.

NYCE does not grant homologations, NYCE grants conformity certificates.

6. ¿What is the relationship between certification and homologation?

R= In the case that a telecommunications product has to be in compliance only with NOM, the applicants must submit to COFETEL only two requirements: the conformity certificate (granted by NYCE) and the homologation application form.

On those cases it should not be any charge.

7. ¿Which is the reason now I have to homologate my products by mean of a conformity certificate, which is granted taking as a base laboratory testing and other requirements?

R= Following international trade practices, established by the World Trade Organization, our country as a member, took in 1992 the decision of doing deep changes to the Federal Metrology and Standardization Law and their regulation; the main intention was to adopt international recognized conformity assessment and standardization practices; on those practices it is recognized that testing is the key element to confirm that products are in compliance with the regulations of the countries where they pretend to be sold.

On august 11, 2005, they were published in the mexican "Official Gazette" the COFETEL conformity assessment procedures (PEC – COFETEL); on those days COFETEL was looking to be in compliance with Federal Metrology and Standardization Law and their Regulation; and of course, with the international trade and conformity assessment practices.

8. ¿Does México accepts test reports from other countries in order to obtain the conformity certificate?

R= Nevertheless Federal Metrology and Standardization Law and their Regulation and the PEC – COFETEL allow the acceptance of test reports from foreign countries; at the moment no Mutual recognition Agreement has been implemented for acceptance of testing reports from foreign countries.

9. ¿How many options do I have to certificate my products?

R= Accordingly with PEC – COFETEL you have 3 options:

- Batch (without surveillance)
- Type testing plus surveillance
- Type testing plus surveillance for a family of products.

10. ¿What does type testing mean?

R= NYCE personnel takes one product sample, takes some actions to avoid replacement and send the product to a testing laboratory in order to determine if the product is in compliance with the applicable NOM technical requirements and specification

11. ¿What does surveillance mean accordingly with the PEC – COFETEL?

R= Is a procedure used by the NYCE personnel in order to determine if products previously certified are still in compliance with the applicable NOM; NYCE personnel takes one product sample and takes some actions to avoid product replacement, then the product is sent to a testing laboratory in order to determine if it is still in compliance with the applicable NOM technical requirements or specifications.

Accordingly with the PEC – COFETEL, the surveillance applies to a portion not great than half of the total certificates granted by NYCE, selected randomly and for a given period. The number of surveillance must no be great to one per year, per granted certificate.

12. ¿To whom do I have to submit the test report derived from the surveillance?

R= Test reports derived from a surveillance visit must be submitted to the certification body personnel for analysis, such analysis has a cost.

Do not forget tell the telecommunications certification body personnel the certificate code for which product testing was made.

13. ¿What happen after NYCE personnel analyzes the test report?

R= Derived from the test report analysis, in turn derived from a surveillance visit, they can happen 3 situations to the certificate: suspension, withdraw or still in force. Whatever result NYCE will notify it by written to the certificate holder and electronically to COFETEL. For the case that the certificate is still

in force it is not necessary submit such a document to COFETEL, but NYCE recommends retain it in case that COFETEL applies market surveillance.

14. ¿Which is the conformity certificate in force time?

R= Definitive, but products in the scope of the conformity certificate will be always candidates for surveillance accordingly with the above rules.

15. ¿Can I attend the surveillance showing only documents?

R= Federal Metrology and Standardization Law and their Regulation, PEC – COFETEL and NMX-EC-065-IMNC, establish that the product certification body must apply surveillance to the products it certifies; for such purpose NYCE has already in place a surveillance procedure accredited by EMA and authorized by COFETEL; on it NYCE has establish that for surveillance purposes their personnel takes one sample of the previous certified product, takes some actions to avoid replacement and sends it to a testing laboratory in order to confirm their compliance with the applicable NOM.

16. ¿Can I submit part or all the information or requirements in english or any other language?

R= PEC – COFETEL article 3 establish that all the information must be submitted in spanish.

17. ¿What kind of products are in the PEC – COFETEL scope?

R= All those in the SCT/COFETEL NOM scope.

18. ¿What kind of telecommunications products must have a conformity certificate granted by NYCE?

R= All those in the SCT/COFETEL NOM scope, that are: manufactured, imported, commercialized, distributed or rented for the mexican market.

19. ¿Does NYCE own testing laboratories?

R= One of the NYCE policies is not to be owner of testing laboratories, their Council took such resolution to allow development of broad and solid testing facilities.

20. ¿Can one applicant by himself define a product family?

R= PEC – COFETEL article 13, establish that for obtaining one product family certificate or to extend the number of products in a previous granted

certificate, they are necessary two steps: first one is called “family definition” and second one is the procedure to obtain the product family certificate both of them can be done only for the product certification body; on the other side, when an applicant requests for a family product certificate, he needs to submit as a requirement a document called “family definition”, accordingly with the PEC – COFETEL such a document can be only granted for the product certification body.

21. ¿Is it possible define family products without general certification criteria?

R= Federal Metrology and Standardization Law and their regulation and PEC - COFETEL establish that they must exist general certification criteria if an applicant wishes to request for family product certification, the general certification criteria must be developed in the NYCE technical certification committee.

22. ¿What are the causes which by mean of which a certificate is cancelled or suspended; i.e. when a certificate loses their in force?

R= The causes are listed on PEC – COFETEL articles 22 or 23.

23. ¿Which is the procedure to be followed to have in place general certification criteria?

R= In general is as follows: Any interested person can submit general certification criteria proposals to the NYCE Technical Telecommunications Certification Subcommittee (branch of NYCE Technical Certification Committee); those proposals are discussed between all persons in concern with a specific product (academy, consumers, regulators, technicians, manufacturers, etc...); once all the persons agree with the proposal contents, it is sent to COFETEL in a officially manner. COFETEL has 30 labor days to response to the proposal, in case COFETEL does not give an answer we must understand that the proposal was accepted; COFETEL also can ask for clarifications.

24. ¿What can I do if a NYCE resolution is unfavorable to me and I have feasible elements to determine that NYCE resolution is not correct?

R= The PEC – COFETEL chapter V presents the procedure to be followed.

25. ¿Can an alien with address in other country be the holder of one conformity certificate in México?

R= Requirement 2 on annexes 3, 4, 5, 6 and 7 of PEC - COFETEL, establish that any applicant must submit to the certification body, certified copy by a notary public of the constituent act where it is accredited that the

applicant is a physical or moral person with commercial activities and formally established in México; on the other hand requirement 3 on the same annexes, establish that any applicant must submit to the same certification body, certified copy by a notary public where it is accredited that the person who signs the certification application form is the representative of the applicant, such a person must have an address in México. This representative will be the person responsible to answer any enquire made by the certification body or by COFETEL and will also be responsible to present samples of the previous certified product for surveillance purposes

26. ¿What can I do if I have more doubts or questions?

R= You can read our website (only in spanish) or sent your doubts or questions via e-mail to: davila@nyce.org.mx; lsotelo@nyce.org.mx or cvega@nyce.org.mx, we will be glad to attend you.