



Spectrum Management and Telecommunications

Radio Standards Procedure

Special Authorization Procedure for Terminal, Radio, Broadcasting and Interference-Causing Equipment to be Certified, Registered or Deemed in Compliance with Technical Equipment Standard(s)

Preface

This document outlines *Innovation, Science and Economic Development Canada's* (ISED) procedure for assessing a special authorization request to allow terminal, radio, broadcasting or interference-causing equipment to deviate from specific requirement(s) of ISED's technical equipment standard(s).

This procedure will be in force upon its publication on ISED's website.

Inquiries pertaining to this procedure may be submitted by one of the following methods:

- 1) Online, using the [General Inquiry form](#) by selecting the Regulatory Standards Branch radio button and specifying "XXX" in the General Inquiry field.

- 2) By mail to the following address:

Innovation, Science and Economic Development Canada
Engineering, Planning and Standards Branch
235 Queen Street
Ottawa, Ontario, K1A 0H5 Canada
Attention: Regulatory Standards Directorate

- 3) By e-mail to ic.consultationradiostandards-consultationnormesradio.ic@canada.ca

ISED documents are available in the [Official publications](#) section of the Spectrum Management and Telecommunications website.

Issued under the authority of
the Minister of Innovation, Science and Economic Development

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1. Scope

This document outlines the procedure used by Innovation, Science and Economic Development Canada (ISED) for granting a special authorization request for a specific product (i.e. specific model number) allowing a deviation from the requirements set out in the ISED technical equipment standard(s):

- Compliance Specification for Terminal Equipment (CS-03),
- Radio Standards Specification (RSS),
- Broadcasting Equipment Technical Standards (BETS) and
- Interference-Causing Equipment Standards (ICES).

For instance, a manufacturer cannot import, distribute, lease, offer for sale or sell equipment that does not meet all the requirements set forth in the applicable technical equipment standard(s) unless a special authorization has been granted for the product to be certified, registered or deemed in compliance with the applicable technical equipment standard(s).

2. Definitions

Special authorization: An authorization issued by the Minister under paragraph 5(1)(a)(v) of the [Radiocommunication Act](#)¹ or paragraph 69.3(1)(i) of the [Telecommunication Act](#)², to authorize the use of spectrum or equipment that the Minister considers appropriate and which is not otherwise specified by these Acts. For the purpose of this document, this definition will apply to equipment authorized where a standard has not been established or deviated from a given requirement of a technical equipment standard.

¹ The Minister has the power to issue any authorization, which is not otherwise specified by the *Radiocommunication Act*, that he considers appropriate. Such authorizations are generally called “Special Authorizations”.

This power is under subparagraph 5(1)(a)(v) of the *Radiocommunication Act*:

“... the Minister may, taking into account all matters that the Minister considers relevant for ensuring the orderly establishment or modification of radio stations and the orderly development and efficient operation of radiocommunication in Canada, issue any other authorization relating to radiocommunication that the Minister considers appropriate, and may fix the terms and conditions ...”

² The Minister has the power to do any other thing, which is not otherwise specified by the *Telecommunication Act*, that he considers relevant to further the Canadian telecommunications policy objectives.

This power is under subparagraph 69.3(1)(i) of the *Telecommunication Act*:

“... The Minister may, taking into account all matters that the Minister considers relevant to further the Canadian telecommunications policy objectives, do any other thing necessary for the effective administration of this Part [Telecommunications Apparatus] ”

Notice of application: A public notice prepared and posted by ISED on its website soliciting comments and feedback following the reception of an application for a special authorization.

3. Related Documents

ISED documents are available in the [Official publications](#) section of the Spectrum Management and Telecommunications website. Refer to the following documents as applicable.

- CTFA, [Canadian Table of Frequency Allocation](#)
- CS-03, [Compliance Specification for Terminal Equipment, Terminal Systems, Network Protection Devices, Connection Arrangements and Hearing Aids Compatibility](#)
- DC-01, [Procedure for Declaration of Conformity and Registration of Terminal Equipment](#)
- RSP-100, [Certification of Radio Apparatus and Broadcasting Equipment](#)
- RSS-Gen, [General Requirements for Compliance of Radio Apparatus](#)
- ICES-Gen, [General Requirements for Compliance of Interference-Causing Equipment](#)

4. Application and Process

This section describes the procedure that should be followed by applicants seeking a special authorization by ISED to have equipment:

- a. deviated from specific requirements of a technical equipment standard, or
- b. authorized where a technical equipment standard has not been established. It should be noted that special authorizations under this category are granted infrequently, and are done under special circumstances when no other authorization is possible.

4.1 Application for a Special Authorization

4.1.1 General

Application for a special authorization along with the required information described below may be submitted online using the Special Authorization Application Form, by [email](#), or by mail to the following address:

Innovation, Science and Economic Development Canada
Engineering, Planning and Standards Branch
235 Queen Street
Ottawa, Ontario K1A 0H5
Canada

Attention: Regulatory Standards Directorate

4.1.2 Required Information

The application shall contain a cover letter that describes the special authorization being requested and the intended use of the product as well as all of the necessary information described below, as applicable:

- a. name of the applicant, mailing address and contact information (e.g. name and email address);
- b. the make, brand name, model number, product version [Product Marketing Name (PMN), Hardware Version Identification Number (HVIN), Firmware Version Identification Number (FVIN), Host Marketing Name (HMN)];
- c. a detailed description of the equipment or system including, but not limited to, the technical specifications (e.g. transmitted power levels (channel power and power spectral density), antenna characteristics, frequency bands of operation, occupied bandwidth, out-of-band emission masks, duty cycle, etc.), and operational specifications (e.g. intended end-user, typical locations of use, frequency of use, etc.);
- d. the original submission for equipment authorization with all associated correspondence, including explanation as to why the equipment was rejected or not considered;
- e. where a technical equipment standard exists, a detailed rationale as to why the equipment does not comply with the technical equipment standard;
- f. a detailed rationale explaining why a special authorization would benefit Canadians
- g. a comprehensive study of potential interference and impact on existing and upcoming services;
- h. the estimated number of users or number of units to be in use; and
- i. a detailed description of data rates and protocol, where applicable, including, but not limited to:
 - the manufacturer-specified raw data rate and throughput;
 - a description of which information is carried between equipment;
 - the amount of time required to transmit and receive information between equipment; and
 - the type of modulation technique used and the bandwidth required for each channel.

4.1.3 Supporting Documents

In addition to the above-listed requirements, submission of the following documentation should, as applicable, be provided when applying for a special authorization:

- a. test report issued by an [ISED-Recognized Testing Laboratory](#);

- b. any special authorization/waiver granted by other regulators; and
- c. any additional information that may help in the evaluation (e.g. other recognised standards, etc.).

ISED may request a sample of the equipment, including CAD files, from an applicant. In such instances, the application will be put on hold until the sample is received. If the equipment is not provided as per the Department's instruction, or within the timeframe established at the time of the request, the application may be denied.

4.2 Assessment of application by ISED

Upon receipt of the application and ensuring its completeness, ISED will perform a review of the technical compatibility assessment of the device with the spectrum environment.

Provided that special circumstances warrant a deviation from ISED's technical equipment standards and that a special authorization will serve the public interest, ISED may issue a special authorization or launch a public consultation process for interested parties to voice their concerns or bring new information to ISED's attention.

4.3 Public Consultation

Where ISED determines a consultation is needed, a notice of application will be posted on ISED's Spectrum management and telecommunication webpage. Public or affected parties will be invited to comment.

The notice of application, which will be prepared and posted by ISED on its website will include relevant information from the applicants' *Special Authorization Application*, as well as other key information. This will include:

1. the applicant's information (e.g. company name)
2. a description of the proposed device (e.g. device name, its purpose, the frequency bands of operation, power levels, etc.);
3. a description of the requested deviation from ISED technical equipment standard;
4. a description of the need for deviation from current regulatory requirements and how a special authorization would benefit Canadians;
5. the identification of significant dates, such as dates by which comments must be filed;
6. the contact information within ISED who can provide further information concerning the special authorization process and related matter.

ISED will provide the applicant with a copy of the notice of application prior to its publication on its website.

Unless otherwise specified, the deadline for filing comments will be 30 calendar days from the publication date of the public notice of application.

ISED will also provide the applicant, as well as interested parties with the opportunity to reply to comments from other parties. Reply comments will be accepted for 15 calendar days unless otherwise specified, following the publication of the comments.

All comments and reply comments will be posted on ISED's Spectrum Management and Telecommunication [website](#).

5. Disclosure of Information

The applicant shall clearly indicate which information and documents provided in support of an application for special authorization are confidential. The provisions of the *Access to Information Act* apply to all applicants.

Information provided to ISED in the following exhibit types qualify for confidential treatment:

- block diagrams;
- CAD files;
- operational descriptions;
- parts lists and tune-up information;
- schematic diagrams; and
- SDR software and security information.

For other types of information, ISED may consider allowing confidential treatment if the applicant submits an inquiry (using one of the three modes specified in the Preface) with the appropriate justification before the application for a special authorization is submitted to the Department. Should ISED determine that the confidential business information identified and provided by the applicant is a necessary component of the public consultation, ISED will ask the applicant to sign a consent to disclosure of such information, and only proceed after obtaining a signed consent.

6. Decision

ISED will consider all comments received during consultation, where applicable, along with other relevant information, including its own internal analysis, in determining whether or not a special authorization should be granted.

When granting a special authorization, ISED may incorporate conditions designed to eliminate or mitigate the risks associated with the authorized deviation(s) to the applicable technical equipment standard(s). Conditions such as, but not limited to, indoor only use, a maximum number of devices to be sold in Canada, etc., may be imposed at the discretion of ISED, as appropriate.

Once approved, applicants will be notified and be issued a special authorization in the form of a letter which will include any specific conditions. Moreover, special authorizations issued by ISED under this procedure will be posted online under the [Special Authorization List](#).

7. Retention and Audits of Equipment Authorized Under a Special Authorization.

If a special authorization letter is issued by ISED, the letter must be submitted with the equipment certification and/or registration application.

The section on *Certification retention and audits* of [RSP-100—Certification of Radio Apparatus and Broadcasting Equipment](#) and the section on *Registration retention and audits* of [DC-01—Procedure for Declaration of Conformity and Registration of Terminal Equipment](#) apply to certification and registration of equipment authorized under a special authorization.

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