

EXPLANATORY STATEMENT

STATUTORY RULES 1984 No. 223 ISSUED BY THE

AUTHORITY OF THE MINISTER FOR COMMUNICATIONS

A comprehensive list of licences available under the Act is contained in a schedule to the Wireless Telegraphy Regulations. In the context of the fee increases, it is wished to update the schedule and also the definitions contained in regulation 3 of the Wireless Telegraphy Regulations in order to provide a complete, technically-accurate list of mutually-exclusive definitions of radiocommunications services for which licences can be obtained.

Details of the proposed regulations are as follows:

Regulation 1 provides that the Regulations shall come into operation on 1 September 1984.

Regulation 2 amends regulation 3 of the Wireless Telegraphy Regulations as follows:

The current definition of "aircraft station" is deleted and replaced by definitions of "aeronautical mobile service" and of stations that can be licenced to participate in that service. The definitions provide that the aeronautical mobile service" is a radiocommunications service used primarily for air-to-air, ground-to-air and air-to-ground communication. An "aeronautical station" is a station in the aeronautical mobile service which is established at a fixed location on the ground and an "aircraft station" is a station installed on an aircraft. There are two categories of aircraft station, designated Class A and B, which are distinguished by the size and capacity of the aircraft on which they are installed. A definition of "aircraft" is also provided, to cover all machines or other vehicles that fly.

A definition of "amateur station" is inserted which provides that it is a station employing a frequency or frequencies designated for use by the amateur service in the Australian Table of Frequency Allocations, and which is used purely for investigation, research or instruction into radiocommunications without financial gain.

A definition of "ambulatory station" is inserted which provides that it is a station intended for use while in motion or during short halts, whether on land, water or in the air. The definition is inserted as a drafting device and is used elsewhere in the definitions to describe mobile equipment.

Definitions of "base station, Class A" and "base station, Class B" are inserted which provide that a Class B station is a base station used for one or more of the purposes specified in the definition, and a Class A station is any base station other than a Class B. "Low duty cycle speech" is a form of speech communication, "telecommand" is the remote control of equipment by means of radiocommunications signals and "telemetry" is defined elsewhere in the regulations.

2.

A definition of "citizen band radio station" is inserted which provides that it is a station using the frequencies designated in the Australian Table of Frequency Allocations for use by such stations.

The current definition of "disaster station" is amended to specify that its function is exclusive.

A definition of "experimental station" is inserted which provides that it is a station used exclusively for investigation, research or instruction in radiocommunications, or for the testing or demonstration of certain types of radiocommunications equipment, which is other than an amateur station.

A definition of "fixed outpost station" is inserted which provides that it is a station established at a fixed site on land and which is intended for use in the outpost service, as defined elsewhere in the regulation.

A definition of "fixed receiving station" is inserted which provides that it is a station intended solely to receive transmissions from fixed stations, which are defined elsewhere in the regulation. It must be situated on land but can be either mobile or established at a fixed site. The definition also states that it must be other than a multipoint distribution station receiver, which is defined elsewhere in the regulation.

The current definitions of "fixed station, Class B" and "fixed station, Class C" have been deleted. New definitions of fixed stations, Class B, C, D1, D2, E1 and E2 are inserted. The definitions provide that Class B and C stations transmit on a single frequency greater than or equal to 30 megahertz and less than or equal to 10.5 gigahertz. The Class B station is used for one or more of low duty cycle speech, telemetry or telecommand, and the Class C station is any other station using those frequencies. Class D1 and D2 stations transmit on a single frequency greater than 10.5 gigahertz and not exceeding 15.35 gigahertz, and Class E1 and E2 stations transmit on a single frequency which is higher than 15.35 gigahertz. Class E1 stations are distinguished from Class E2, and D1 from D2, by the size of the bandwidth occupied by their transmissions.

A definition of "frequency table" is inserted which provides that it means the Australian Table of Frequency Allocations, October 1982 edition. This is a document prepared by the Department and is widely available in printed form.

The definitions of all categories of "general licence" have been deleted and replaced with definitions of "general station, Class A" through to "general station, Class E". A general station is defined as a station not otherwise referred to in the definitions. The fees for the various classes of general station increase with the transmitter power and the bandwidth used. Where a station uses a high transmitting power and a low bandwidth, or vice versa, the appropriate class of general station licence is the one attracting the lowest fee. Thus, each class of general station is defined in terms of the maximum transmitting power and maximum occupied bandwidth, given as alternatives.

3.

A definition of "handphone station" is inserted which provides that it is a station which is suited to be carried by hand and which employs one or more of a list of frequencies specified in the regulation.

The current definitions of "land mobile service" and "land station" are deleted.

A definition of "interior paging service" is inserted which provides that it is a system of radiocommunications equipment consisting of a single transmitter and one or more small receivers suitable to be carried by hand, for use solely within restricted areas such as a building or hospital.

A definition of "internal television service" is inserted which provides that it is a system of radiocommunications links operating as part of a closed-circuit television installation.

A definition of "land mobile paging receiver station" is inserted which provides that it is a small receive-only station suitable to be carried by hand and intended for the reception of paging signals. Unlike the interior paging service, it is intended to operate as part of the land mobile service, as defined in the regulation.

A definition of "land mobile service" is inserted which provides that it is a radiocommunications service used primarily for communication with or between stations on land which are intended for use while in motion or during short halts. It excludes an exterior paging service, an interior paging service or a part of such a service. These terms are defined elsewhere in the regulation.

A definition of a land station is inserted which provides that it is a station installed at a fixed location on land. The definition is for the purposes of interpreting other definitions only.

A definition of "low density location" is inserted which provides that it means any location other than a high density location.

A definition of "marine rescue station" is inserted which provides that it is a station primarily for communication between ships or between ships and the shore.

It may be operated by any organisation which the Minister is satisfied is prepared to offer a bona fide emergency rescue service to ships at sea. In the case of a marine rescue station aboard a ship, it may be operated by a person acting on behalf of such a body.

In the case of a marine rescue station established on land, it is required to maintain a listening watch on specified frequencies and to transmit on other specified frequencies. Operating frequencies are also specified for a marine rescue station established aboard a ship.

4.

A definition of "mobile (disaster plan) station" is inserted which provides that it is a station authorised to participate in an emergency radiocommunications service. These services are created by agreement between the Commonwealth and the government of a State or Territory, and must be notified in the Government Gazette. Mobile (disaster plan) stations are also authorised to participate in one or more other services defined in the regulation. Thus, they may also be used as aircraft stations, Class A or B, marine rescue stations, mobile stations or ship stations. They must be intended for use while in motion or during halts at unspecified points.

The definition of "mobile service" and "mobile station" has been deleted and replaced with the following definitions. A "mobile service" between stations intended for use while in motion or during halts at unspecified points, or between such stations and stations established at a fixed point. A mobile station is defined as a station intended for use while in motion or during halts at unspecified points, on land, on water or in the air, which is a station not defined elsewhere in the regulation.

A definition of "multipoint distribution repeater station" is inserted which provides that it is a station intended to receive the transmissions of a multipoint distribution station (as defined) and retransmit them over a coverage area that does not extend beyond the range of the parent station. It is intended to transmit a signal into "pockets" where reception of the parent signal is deficient, and its power is limited specifically by the definition.

A definition of "radiodetermination station" is inserted which provides that it is a station which uses radio waves to measure the position, speed or other characteristics of objects.

A definition of "Secretary" is inserted which provides that it means the Secretary of the Department, in accordance with the Public Service Act 1922.

The existing definition of "ship station" has been omitted and replaced with a definition of "ship station" which provides that it is a radiocommunications station installed on a ship for the purpose of communication with other ships or with stations on land.

A definition of "telemetry service" is inserted which provides that it is a system of stations used for telemetry, as defined and also in some situations for the remote control of equipment by radio signals. It must use a single frequency and occupied bandwidth with the parameters specified in the definition.

The existing definitions of "the Department" and "the Director-General" have been deleted.

Sub-regulation (3) is deleted and replaced with a new sub-regulation (3) containing a definition of "private station". In the case of a natural person, it provides that a private station is used solely without pecuniary motivation or pursuant to the operation of a business. In the case of an organisation, it

provides that a private station is used solely for recreation or charity, without profit or gain to members of the organisation. The definition also specifies that reference to a business station shall be read as reference to a station other than a private station.

Regulation 3 amends Regulation 10 of the Wireless Telegraphy Regulations to delete references to obsolete categories of licence, and to update a reference to "radiodetermination station licence" to conform with the current usage.

Regulation 4 amends Regulation 12 of the Wireless Telegraphy Regulations to insert the work "or service" after "station" in subregulation (1). The amendment is necessary because licences can be obtained for radiocommunications services as well as stations.

Regulation 5 and 6 amend Regulations 41 and 45 of the Wireless Telegraphy Regulations to substitute "Secretary" for the now-obsolete "Director-General".