



Commonwealth of Australia

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Notice under section 136 of the *Radiocommunications Act 1992*

NOTIFICATION OF PROPOSAL TO VARY THE *RADIOCOMMUNICATIONS (OVERSEAS AMATEURS VISITING AUSTRALIA) CLASS LICENCE 2015* BY MAKING THE DRAFT *RADIOCOMMUNICATIONS LICENCE CONDITIONS (AMATEUR LICENCE) OMNIBUS AMENDMENT INSTRUMENT 2023 (NO.1)*

Notice is given under section 136 of the *Radiocommunications Act 1992* (the Act) that the Australian Communications and Media Authority (ACMA) proposes to vary the *Radiocommunications (Overseas Amateurs Visiting Australia) Class Licence 2015* by making the draft *Radiocommunications Licence Conditions (Amateur Licence) Omnibus Amendment Instrument 2023 (No.1)* (the draft Instrument) under subsection 110A(2) and subsection 132(1) of the Act. The draft Instrument proposes to amend existing arrangements for amateur licensees by amending the *Radiocommunications Licence Conditions (Amateur Licence) Determination 2015* (the Amateur Licence LCD) and varying the *Radiocommunications (Overseas Amateurs Visiting Australia) Class Licence 2015* (the Overseas Amateurs Class Licence).

**Proposed changes**

The Overseas Amateurs Class Licence authorises certain persons visiting Australia to operate amateur stations while in Australia, provided they meet the conditions set out in the Overseas Amateurs Class Licence. The conditions that apply to overseas amateurs are similar to those set out in the Amateur Licence LCD that apply to licenced amateurs operating in Australia. This notice discusses the changes that will be made to both the Overseas Amateurs Class Licence and the Amateur Licence LCD.

Currently, the Amateur Licence LCD and the Overseas Amateurs Class Licence authorise licensees of an amateur advanced station and overseas amateurs holding an equivalent qualification or licence, to use specified frequency bands in accordance with the licence conditions. The permitted frequency bands include access to the 50–52 MHz frequency band (50–52 MHz band) and the 3400–3600 MHz frequency band (3400–3600 MHz band) in certain geographic areas on a ‘no interference and no protection’ basis, subject to certain limitations.

*50-52 MHz frequency band changes*

During September to November 2022 the ACMA conducted public consultation on a proposal to authorise licensees of an amateur standard station and overseas amateurs holding an equivalent qualification or licence to also use the 50–52 MHz band. That consultation also proposed that, subject to feedback, the proposed changes would be made to the Amateur Licence LCD and Overseas Amateurs Class Licence. Submitters to that consultation process supported our [proposals](#).

The draft Instrument proposes to amend the Amateur Licence LCD and the Overseas Amateur Class Licence to authorise a licensee operating an amateur standard station and overseas amateurs holding an equivalent qualification or licence to use the 50–52 MHz band.

### *3.4–3.6 GHz frequency band changes*

On 14 July 2022, the ACMA made the *Radiocommunications (Spectrum Re-allocation – 3.4 GHz and 3.7 GHz Bands) Declaration 2022* (the re-allocation declaration). The effect of the re-allocation declaration is that spectrum in parts of the 3400–3600 MHz band in metropolitan areas and specified regional areas is subject to re-allocation by issuing spectrum licences under Part 3.6 of the Act. The 3400–3600 MHz band will be included as part of the 3.4 GHz and 3.7 GHz frequency bands auction in the fourth quarter of 2023.

As part of the consultation on the proposed re-allocation declaration that occurred from 2 March to 4 May 2022, the ACMA consulted with amateurs to notify of the possible removal of Advanced amateur licensee access to parts of the 3400–3600 MHz band. We received one submission to this consultation that raised concern about the erosion of the amateur service spectrum and future amateur access in the 3.3–3.4 GHz frequency band, with reference to the global amateur satellite segment in the 3400–3410 MHz frequency band.

The draft Instrument proposes to amend the Amateur Licence LCD and the Overseas Amateur Class Licence to remove access to the 3400–3600 MHz band, within areas that have been designated for spectrum licensing under the re-allocation declaration, for amateur licensees operating an amateur advanced station and overseas amateurs holding an equivalent qualification or licence.

### **Further information**

Copies of the Amateur Licence LCD, the Overseas Amateur Class Licence, the draft Instrument, and the Consultation Paper explaining these proposed amendments in more detail are available on the ACMA’s website ([www.acma.gov.au](http://www.acma.gov.au)). Hardcopies may be obtained from the ACMA by contacting:

The Manager  
Spectrum Licensing Policy  
Australian Communications and Media Authority  
PO Box 13112  
Law Courts  
Melbourne VIC 8010

Telephone: (03) 9963 6785  
Email: [SLPSConsultations@acma.gov.au](mailto:SLPSConsultations@acma.gov.au)

### **Comments**

Under section 136 of the Act, the ACMA is seeking representations about the proposal to make the draft Instrument, varying the Overseas Class Licence. While not required under section 136, the ACMA also welcomes any comments on the amendments to the Amateur LCD proposed to be made by the same draft Instrument.

Interested persons are invited to make representations about the proposed variation no later than 1 June 2023. Representations should be in writing and should be addressed to:

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Spectrum Licensing Policy  
Australian Communications and Media Authority  
PO Box 13112  
Law Courts  
Melbourne VIC 8010

or by email to:  
[SLPSConsultations@acma.gov.au](mailto:SLPSConsultations@acma.gov.au)