Radiocommunications (Communication with AUSSAT C 156E GOV Satellite Network) Class Licence 2005

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Class Licence under subsection 132 (1) of the Radiocommunications Act 1992.

Dated 13th October 2005

C. CHEAH
Acting Chair

J.J. PLANTE
Member

Australian Communications and Media Authority

Part 1 Introductory

1 Name of Class Licence
This Class Licence is the Radiocommunications (Communication with AUSSAT C 156E GOV Satellite Network) Class Licence 2005.

2 Commencement
This Class Licence commences on the day after it is registered.
3 Definitions

(1) In this Class Licence:


* interference management processes means processes that include a frequency coordination process that accords with the requirements of Australian Communications Authority Radiocommunications Assignment and Licensing Instruction FX3 — Microwave Fixed Services Frequency Coordination, as in force from time to time.

* licensed apparatus means a station authorised to operate by an apparatus licence.

* Spectrum Plan means the Australian Radiofrequency Spectrum Plan prepared under subsection 30 (1) of the Radiocommunications Act 1992, as amended or altered from time to time.

Note For definitions of other expressions used in this class licence, see the Act, the Radiocommunications Regulations 1993, the Radiocommunications (Interpretation) Determination 2000 and the Spectrum Plan. In particular, the following words or phrases are defined in the Act:

* apparatus licence has the meaning given by Part 3.3

* device — see subsection 9 (1)

* radiocommunications device — see subsection 7 (1).

(2) In this Class Licence, the range of numbers that identifies a frequency band is taken to include the higher, but not the lower, number.
Part 2 Issue of licence

4 Authorisation of operation of radiocommunications devices

For subsection 132 (2) of the Act, this class licence authorises the operation of the radiocommunications devices mentioned in section 5, for the purposes mentioned in section 6, subject to the conditions mentioned in Part 3.

5 Radiocommunications devices affected

(1) Subject to subsection (2), a radiocommunications device is authorised by this class licence if the device is not located on a space object.

(2) A radiocommunications device is not authorised by this class licence if an apparatus licence authorises the operation of the device for a specified purpose that is substantially the same as the purpose for which, except for this subsection, its operation would be authorised by this class licence.

6 Authorised use of device

(1) A radiocommunications device authorised by this class licence may be used only for communications with:

(a) licensed apparatus located on the AUSSAT C 156E GOV space object; or

(b) another device through licensed apparatus located on the AUSSAT C 156E GOV space object.

(2) This class licence authorises transmission and reception of radio emissions by a device only if the transmission or reception is principally for the purposes of defence.
Part 3  Conditions of issue of class licence

Section 7

Authorised frequencies
The transmission and reception of radio emissions by a radiocommunications device mentioned in section 4 must be within the following frequency bands:
(a) for transmission — 7900 to 8400 MHz;
(b) for reception — 7250 to 7750 MHz.

Frequency coordination process to be used
If a transmission is made by a radiocommunications device authorised under this class licence:
(a) on a frequency band mentioned in section 7; and
(b) operating within a service that is subject to a condition or restriction imposed in the Spectrum Plan by Australian footnote reference AUS 11;
the person making the transmission:
(c) must use a process that includes interference management processes to ensure that the transmission does not cause interference to a licensed device in a service that has a primary service allocation in the Spectrum Plan; or
(d) may make the transmission only with the agreement of the person authorised to operate the licensed device in the service that has the primary service allocation in the Spectrum Plan.

Legislative and other formal requirements
A radiocommunications device authorised under this class licence must comply with:
(a) the Spectrum Plan; and
(b) the Radio Regulations published by the International Telecommunication Union; and
(c) operating parameters published by the International Telecommunication Union Radiocommunication Bureau Special Section No. CR/C/394 annexed to International Frequency Information Circular No. 2480 dated 12 October 2002 and Special Section No. CR/C/394 MOD-1 annexed to International Frequency Information Circular No. 2494 dated 20 May 2003; and
(d) any relevant agreements reached as a result of the International Telecommunication Union frequency coordination process.
10 Protection from interference not guaranteed

A radiocommunications device authorised under this class licence receiving radio emissions within a service mentioned in paragraph 8 (b), is not guaranteed protection, by reason of the issue of the licence, from interference from a licensed radiocommunications device operating in a service that has a primary service allocation in the Spectrum Plan.