Commonwealth of Australia

Radiocommunications Act 1992

Radiocommunications (Labelling) Determination 1997

I, CHRISTINE MARY GOODE, Spectrum Manager, on behalf of the Spectrum Management Agency, under section 300 of the Radiocommunications Act 1992 make the following determination relating to the labelling of radiocommunications transmitters.

Dated 4 March 1997.

CHRISTINE M. GOODE
Spectrum Manager

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Title
1. This determination is called the Radiocommunications (Labelling) Determination 1997.

Commencement
2. This determination commences on 25 March 1997.
Purpose

3. This determination sets out the requirements for the labelling of radiocommunications transmitters operated under apparatus licences or spectrum licences.

[NOTE: A person required by a determination to affix a label to a radiocommunications transmitter must comply with the determination or be liable to a penalty of $10,000 - see s.300(4) of the Radiocommunications Act 1992.]

Interpretation

4. (1) In this determination, unless the contrary intention appears:

assigned frequency, in the case of a transmitter operated under an apparatus licence, means the frequency or frequency channel specified in the licence.

effective occupied bandwidth, in relation to a transmitter, means the minimum width of a frequency band having fixed upper and lower limits that is necessary to contain 99% of the true mean power of the transmitter’s emission at any time.

emission centre frequency, in the case of a transmitter operated under a spectrum licence, means the frequency midway between the lower and upper frequency limits of the transmitter’s effective occupied bandwidth.

true mean power means:

(a) if an unmodulated carrier is present - the mean power measured while the unmodulated carrier is present; and

(b) if an unmodulated carrier is not present - the mean power measured while transmitted information is present.

(2) In this determination, a term defined in the Radiocommunications (Definitions) Determination has the meaning given by that determination.

Labelling of transmitters operated at a communal site under apparatus licences and spectrum licences

5. (1) A person who operates a fixed radiocommunications transmitter under an apparatus licence or a spectrum licence must affix a label to the transmitter if:

(a) the transmitter operates with an equivalent isotropically radiated power greater than 2 Watts (the high power transmitter); and

(b) the high power transmitter is located within 200 metres of 2 or more fixed high power transmitters; and

(c) the assigned frequencies (if the high power transmitters operate under an apparatus licence) and the emission centre frequencies (if the high power transmitters operate under a spectrum licence) of at least 3 of those high power transmitters are within:

(i) the 30 to 300 MHz band; or

(ii) the 300 to 3,000 MHz band; or

(iii) the 3 to 30 GHz band; or

(iv) the 30 to 300 GHz band.
(2) The label must contain:
(a) for a transmitter operated under an apparatus licence—the number
    assigned by the SMA to identify the spectrum used by the transmitter; and
(b) for a transmitter operated under a spectrum licence—the registration
    number of the transmitter; and
(c) the statement “Do not remove”.

(3) The information on the label must be in print of a contrasting colour to the
    background of the label.

Exemptions
6. In spite of clause 5, the following transmitters do not have to be labelled:
   (a) a transmitter operated under a Public Telecommunications Service licence;
   (b) a transmitter that is a broadcasting station.

Revocation and transitional
7. (1) The Radiocommunications (Labelling) Determination No. 2 of 1993
   and the Radiocommunications (Labelling) Determination No. 2 of 1993 (Amendment)
   (the previous determinations) are revoked.

   (2) In spite of the revocation of the previous determinations, a label affixed to
       a transmitter in accordance with the previous determinations is taken to be a label
       affixed in accordance with this determination.