Radiocommunications (Cordless Telecommunications Devices) Class Licence Variation 2008 (No. 1)

Radiocommunications Act 1992

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Variation under section 134 of the Radiocommunications Act 1992.

Dated 2nd October 2008

Chris Chapman  
[signed]  
Member

Chris Chea  
[signed]  
Member

Australian Communications and Media Authority
1 Name of Variation
This Variation is the Radiocommunications (Cordless Telecommunications Devices) Class Licence Variation 2008 (No. 1).

2 Commencement
This Variation commences on the day after it is registered.

3 Variation of Radiocommunications (Cordless Telecommunications Devices) Class Licence 2001
Schedule 1 varies the Radiocommunications (Cordless Telecommunications Devices) Class Licence 2001.

Schedule 1 Variations
(section 3)

[1] Section 1
substitute

1 Name of class licence
This class licence is the Radiocommunications (Cordless Communications Devices) Class Licence 2001.

[2] Section 4, before definition of device compliance day
insert

cordless communications device means any of the following:
(a) a land station or handset that uses:
   (i) a frequency greater than 1.7175 MHz and not greater than 1.7925 MHz; or
   (ii) a frequency greater than 30.0625 MHz and not greater than 30.3125 MHz; or
   (iii) a frequency greater than 39.7625 MHz and not greater than 40.250 MHz; or
   (iv) a frequency greater than 857 MHz and not greater than 861 MHz; or
   (v) a frequency greater than 861 MHz and not greater than 865 MHz; or

Federal Register of Legislative Instruments F2008L03751
(vi) Personal Handy Phone System (PHS) technology on a frequency greater than 1895 MHz and not greater than 1899.8 MHz;

(b) a radiocommunications device that uses Digitally Enhanced Cordless Telecommunications (DECT) technology on a frequency greater than 1880 MHz and not greater than 1900 MHz.

**Note** Land stations for subparagraph (a) (iv) are individually licensed under the Land Mobile PABX cordless telephone service licensing option — see the Radiocommunications Licence Conditions (Land Mobile Licence) Determination (No. 1) of 1997.

[3] **Section 4, definition of device compliance day**

*omit each mention of handset or land station*

*insert cordless communications device*

[4] **Section 4, note**

*substitute*

**Note** For the definitions of other expressions used in this class licence, see the Radiocommunications Act 1992, the Radiocommunications Regulations 1993 and the Radiocommunications (Interpretation) Determination 2000. These expressions include the following:

* • cordless telephone service.*

[5] **Section 5**

*substitute*

5 **Class licence — cordless communications devices**

(1) This class licence authorises any person to operate a cordless communications device.

(2) The operation of the cordless communications device is subject to the conditions imposed by this class licence that are applicable to the device.

(3) The class of radiocommunications devices authorised by this class licence does not include licensed apparatus authorised to operate for a purpose that is substantially the same as the purpose that, except for this subsection, would be authorised by this class licence.
7 Conditions — general

(1) For subsection 5 (2), it is a condition of the operation of a cordless communications device that the device:
   (a) must be used only for private purposes; and
   (b) must not be used for the provision of commercial cordless telecommunications services to the public; and
   (c) must not be used for the provision of a connection under a wireless local loop arrangement.

(2) If the device is a land station, the device must also comply with the Equivalent Isotropically Radiated Power limits mentioned for a land station in Schedule 1.

8 Conditions — technical requirements for 1.9 GHz band operation

(1) For subsection 5 (2), this section applies to a land station or handset:
   (a) that operates at a frequency greater than 1880 MHz and not greater than 1900 MHz; and
   (b) for which the compliance day is before 1 September 2007.

(2) The land station or handset must comply with the technical standard mentioned in an item in Schedule 2 that:
   (a) was in effect immediately before the device compliance day for the land station or handset; and
   (b) applies to the land station or handset.

(3) If the land station or handset is described in subsection 9 (1), it must also comply with section 9.

8A Conditions — technical requirements for 861-865 MHz operation

(1) For subsection 5 (2), this section applies to a cordless communications device that operates at a frequency greater than 861 MHz and not greater than 865 MHz.

(2) The cordless communications device must comply with the technical standard mentioned in an item in Schedule 2 that:
   (a) was in effect immediately before the device compliance day for the device; and
   (b) applies to the device.
9 Conditions — PHS cordless communications devices

(1) For subsection 5 (2), this section applies to a cordless communications device:
   (a) that employs the technology used in Personal Handy Phone Systems cordless telecommunications equipment; and
   (b) for which the device compliance day is:
      (i) on or after 1 July 2001; and
      (ii) before 1 September 2007.

(2) The cordless communications device must be operated at 1896.650 MHz or 1898.450 MHz for control purposes.

9A Conditions — cordless telephone service

(1) For subsection 5 (2), this section applies to a land station or handset used in a cordless telephone service that operates in any of the following frequency bands:
   (a) greater than 1.7175 MHz and not greater than 1.7925 MHz;
   (b) greater than 30.0625 MHz and not greater than 30.3125 MHz;
   (c) greater than 39.7625 MHz and not greater than 40.250 MHz.

(2) A land station or handset used in a cordless telephone service that has a device compliance day on or after 5 March 1997 and before 1 July 2001 must comply with the Radiocommunications Standard (Cordless Telephone) No. 1 of 1997 as in force on that day.

   Note Subsection 10 (2) applies standards to devices with a device compliance day on or after 1 July 2001.

(3) A land station or handset used in a cordless telephone service that has a device compliance day on or after 17 September 1991 and before 5 March 1997 must comply with the Radiocommunications Standard 302 (Cordless Telephones) (Revised 1991) (Statutory Rules 1991 No. 293) as in force on 17 September 1991.

   Note The Radiocommunications Standard 302 (Cordless Telephones) (Revised 1991) (Statutory Rules 1991 No. 293) was revoked by the Radiocommunications Standards Revocation 1999.

(4) A land station or handset used in a cordless telephone service that has a device compliance day before 17 September 1991 must comply with the Ministerial Standard 302 as in force on 1 December 1987.

10 Conditions — compliance with standards

(1) A handset or land station must comply with the Radiocommunications (Electromagnetic Radiation — Human Exposure) Standard 1999, as in force on the device compliance day for the device, if:

(a) the device compliance day for the handset is on or after 15 December 1999 and before 1 July 2001; or

(b) the device compliance day for the land station is on or after 1 February 1999 and before 1 July 2001.

(2) If the device compliance day for a cordless communications device is on or after 1 July 2001, the device must comply with any other standard applicable to the device on its compliance day, as in force on that day.

Note 1 ACMA wishes to make it clear that if a standard mentioned in subsection 10 (1) or (2) is amended or replaced by another standard after the device compliance day for the device, the device need not comply with the new or amended standard.

Note 2 Section 5 of the Radiocommunications Act 1992 provides that standard means a standard made under section 162 of that Act.

Note 3 A cordless communications device operating in the bands mentioned in this class licence will not be afforded protection from interference from radiocommunications services operating within the same band in accordance with their licences. The shared spectrum arrangements and uncoordinated nature of cordless device usage in the band may lead to interaction between different cordless devices and between cordless services and mobile services operating in adjacent bands, which could reduce system performance. The probability of such interaction is low because of the dynamic channel allocation techniques inherent in cordless device technology.

Schedule 2 Technical standards

(see 8)

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<td>1</td>
<td>Radio Equipment and Systems Cordless Telephones — CT2 CAI — number TS 019</td>
<td>1 July 1991</td>
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<td>Radio Equipment and Systems Cordless Telecommunications — CT2 CAI — number TS 019 — 1993</td>
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