Radiocommunications Licence Conditions (PTS Licence) Determination 1997

as amended

made under paragraph 107 (1) (f) of the

Radiocommunications Act 1992

This compilation was prepared on 1 May 2010
taking into account amendments up to Radiocommunications Licence Conditions (PTS Licence) Amendment Determination 2010 (No. 1)

Prepared by the Office of Legislative Drafting and Publishing,
Attorney-General’s Department, Canberra
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Part 1 Preliminary

1 Name of Determination [see Note 1]

This Determination is the Radiocommunications Licence Conditions (PTS Licence) Determination 1997.

2 Scope

(1) This Determination sets out conditions to which a PTS licence is subject in the following manner:
   (a) every PTS licence is subject to the conditions in Part 2;
   (b) every PTS licence (PMTS B) is also subject to the conditions in Part 3.

(2) However, if a condition in this Determination is inconsistent with a condition specified in the licence, the condition specified in the licence applies.

3 Interpretation

(1) In this Determination, unless the contrary intention appears:

   licence means a PTS licence (PMTS B).

   licensee means the holder of a licence and includes any person authorised by the licensee to operate a station under the licence.

   PTS licence (PMTS B) means a PTS licence that authorises the holder to operate a land station in a PMTS Class B.

   repeater station means a station that is used for the reception and automatic retransmission of radio signals.

   Note For the definitions of other expressions used in this Determination, see the Radiocommunications Act 1992, the Radiocommunications (Interpretation) Determination 2000 and the Radiocommunications Regulations 1993.

(2) For this Determination, a frequency band described using 2 frequencies starts immediately above the lower frequency and ends at the higher frequency.
Part 2 Conditions for every PTS licence

4 Conditions
For paragraph 107(1)(f) of the Act, every PTS licence is subject to the conditions in this Part relating to the operation of a station under the licence by the licensee.

5 Record keeping
(1) The licensee must keep a record of the location, frequency and technical parameters of each station.

(2) If the ACMA asks the licensee for a copy of the record, the licensee must, as soon as practicable, give the ACMA:
   (a) a copy of the record; and
   (b) if the record is not in English — an English translation of the record.
Part 3  Conditions for PTS licence (PMTS B)

6  Conditions
For paragraph 107 (1) (f) of the Act, every PTS licence (PMTS B) is subject to the additional conditions in this Part relating to the operation of any land station under the licence by the licensee.

7  Location of land stations
The licensee must not operate a land station unless:
(a)  the location of the station is specified in the licence; or
(b)  the licensee notifies the ACMA of the location of the station before the licensee first operates it.

8  Repeater stations
If the licensee operates a repeater station under a PTS licence, the licensee:
(a)  must not operate the station if its operation causes harmful interference to a service provided by another station; and
(b)  must operate the station to transmit using only the receive or transmit frequencies that are authorised by the PTS licence.
Notes to the *Radiocommunications Licence Conditions (PTS Licence) Determination 1997*

**Table of Instruments**

**Notes to the *Radiocommunications Licence Conditions (PTS Licence) Determination 1997***

**Note 1**

The *Radiocommunications Licence Conditions (PTS Licence) Determination 1997* (in force under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*) as shown in this compilation is amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions see Table A.

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## Table of Amendments

ad. = added or inserted      am. = amended      rep. = repealed      rs. = repealed and substituted

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### Table A

**Application, saving or transitional provisions**

#### 4 Application

The amendments made by Schedule 1 do not apply in relation to a PTS licence that:

(a) authorises the holder to operate a land station in a PMTS Class A; and

(b) was in force immediately before the commencement of this Determination.

*Note*  As a result of legislative amendments to which this Determination is related, the ACMA will not be able to issue or renew a PTS licence that authorises the holder to operate a land station in a PMTS Class A after the commencement of this Determination. Current PTS licences of that kind will be replaced by other PTS licences if the holder wishes to seek a new licence when the holder’s current PTS licence expires.