



# Radiocommunications (Analogue Speech (Angle Modulated) Equipment) Standard 2014

*Radiocommunications Act 1992*

---

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Standard under subsection 162(1) of the *Radiocommunications Act 1992*.

Dated 9<sup>th</sup> September 2014

*Chris Chapman*  
[signed]  
Member

*Richard Bean*  
[signed]  
Member/~~General Manager~~

Australian Communications and Media Authority

---

## **1 Name of Standard**

This Standard is the *Radiocommunications (Analogue Speech (Angle Modulated) Equipment) Standard 2014*.

## **2 Commencement**

This Standard commences on the day after it is registered.

*Note:* All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See [www.comlaw.gov.au](http://www.comlaw.gov.au)

### 3 Revocation

The *Radiocommunications (Analogue Speech (Angle Modulated) Equipment) Standard 2005* [F2005L01401] is revoked.

### 4 Definitions

In this Standard:

*Act* means the *Radiocommunications Act 1992*.

*ambulatory station* has the meaning given by the *Radiocommunications (Interpretation) Determination 2000*.

*applicable device* means a radiocommunications device to which this Standard applies, as provided by subsection 5(1).

*AS/NZS 4295* means:

- (a) *AS/NZS 4295:2004 Analogue speech (angle modulated) equipment operating in land mobile and fixed services bands in the frequency range 29.7 MHz to 1 GHz* published by Standards Australia, as in force or existing from time to time; or
- (b) if a later standard published by Standards Australia is expressed to replace the standard mentioned in paragraph (a) – the later standard, as in force or existing from time to time.

*Chair* means the Chair of the ACMA.

*commencement day* means the day on which this Standard commences.

*included in a class of radiocommunications devices* has the meaning given by :

- (a) in relation to an applicable device other than a modified device – paragraph 6(1)(a); and
- (b) in relation to a modified device – paragraph 6(2)(a).

*land mobile frequency* has the meaning given by the *Radiocommunications (Interpretation) Determination 2000*.

*land mobile service* has the meaning given by the *Radiocommunications (Interpretation) Determination 2000*.

*land mobile system station* has the meaning given by the *Radiocommunications (Interpretation) Determination 2000*.

*manufactured*, in relation to an applicable device, means manufactured in Australia.

*modified*, in relation to a radiocommunications device, means modified or altered in a material respect in Australia (after the device was manufactured or imported) by or on behalf of, the manufacturer or importer of the device.

*modified device* means:

- (a) an applicable device that has been modified; and
- (b) a radiocommunications device that has been modified in such a way that it becomes an applicable device.

*nominated station* means:

- (a) an ambulatory station; or

- (b) a land mobile system station; or
- (c) a point to multipoint station; or
- (d) a point to point station; or
- (e) a station on board a ship for the purpose of on-board communications.

**original modified device** has the meaning given by paragraph 6(2)(b).

**original radiocommunications device** has the meaning given by paragraph 6(1)(b).

**point to multipoint station** has the meaning given by the *Radiocommunications (Interpretation) Determination 2000*.

**point to point station** has the meaning given by the *Radiocommunications (Interpretation) Determination 2000*.

**relevant date**, for an applicable device, means the date specified in section 7 in relation to the device.

**significant event** means an event at a location or locations specified in a notice approved by the Chair and published on the ACMA's website at <http://www.acma.gov.au>.

*Note:* Several other words and expressions used in this Standard have the meaning given by the Act, including:

- ACMA (section 5)
- radiocommunications device (subsection 7(1)).

## 5 Application

- (1) This Standard applies to a radiocommunications device (an **applicable device**) that:
  - (a) is a nominated station;
  - (b) operates on a land mobile frequency within the frequency range:
    - (i) for a device that is a station on board a ship for the purpose of on-board communications – 450 MHz to 479 MHz (inclusive); or
    - (ii) in any other case – 29.7 MHz to 520 MHz (inclusive);
  - (c) operates on a frequency channel with a bandwidth of 12.5 kHz, 20 kHz or 25 kHz; and
  - (d) is a device to which the requirements of AS/NZS 4295 apply;
  - (e) is used to provide a land mobile radio service; and
  - (f) is not a device mentioned in subsection (2).

### **Exception — device imported for significant event**

- (2) This subsection applies to a radiocommunications device that:
  - (a) is imported into Australia solely for use in connection with a significant event;
  - (b) if there is a requirement that the device is tested or inspected before it may be used in Australia — meets the requirement;
  - (c) if there is a condition or requirement imposed on the use of the device in Australia — is used in compliance with that condition or requirement;
  - (d) is used in Australia only at the location of the significant event; and
  - (e) is used in Australia only for the duration of the significant event.

## 6 When is a device included in a class of radiocommunications devices?

- (1) In this Standard:
  - (a) an applicable device, other than a modified device, is *included in a class of radiocommunications devices* if the device:
    - (i) is identical to each other device of the class (irrespective of when the devices were manufactured or imported); and
    - (ii) has the same manufacturer or importer as each other device of the class; and
  - (b) the *original radiocommunications device*, in relation to the class of radiocommunications devices, is the device of the class that was the first to be manufactured or imported.
- (2) In this Standard:
  - (a) a modified device is *included in a class of radiocommunications devices* if:
    - (i) the modification made to create the device is identical to the modification made to create each other device of the class (irrespective of when the devices were so modified);
    - (ii) the device is, in all other respects, identical to each other device of the class (irrespective of when the devices were manufactured or imported); and
    - (iii) the device has the same manufacturer or importer as each other device of the class; and
  - (b) the *original modified device*, in relation to the class, is the device of the class that was the first to be created by being so modified.

## 7 Relevant date for an applicable device

For the purposes of this Standard, the relevant date for an applicable device is:

- (a) in the case of an applicable device (other than a modified device) that is included in a class of radiocommunications devices – the date the original radiocommunications device was manufactured or imported;
- (b) in the case of a modified device that is included in a class of radiocommunications devices – the date the modification was made to create the original modified device of the class; or
- (c) otherwise – the date the device was manufactured or imported.

## 8 Standard for performance

- (1) For paragraph 162(1)(a) of the Act, the standard for performance of an applicable device is as set out in AS/NZS 4295 as in force or existing at the relevant date for the device.
- (2) If the relevant date for the device occurs during a transition period, the standard for performance with which the device must comply is either:
  - (a) AS/NZS 4295 as in existence immediately before the transition period commenced; or

- (b) AS/NZS 4295 as in existence during the transition period.
- (3) If:
- (a) AS/NZS 4295 is amended or replaced during a transition period (the *first transition period*) so that there is a further transition period (the *second transition period*); and
  - (b) the relevant date for the device occurs at a time when the first transition period and the second transition period overlap,
- the standard for performance with which the device must comply is one of the following:
- (c) AS/NZS 4295 as in existence immediately before the first transition period commenced;
  - (d) AS/NZS 4295 as in existence during the first transition period; or
  - (e) AS/NZS 4295 as in existence during the second transition period.
- (4) If AS/NZS 4295 is:
- (a) amended; or
  - (b) replaced,
- then, for the purposes of this section, the *transition period* is the 1 year period commencing on the day AS/NZS 4295 was:
- (c) amended; or
  - (d) replaced,
- as the case may be.

**9 Transitional arrangements – devices manufactured, imported or modified before commencement day**

If:

- (a) the relevant date for an applicable device occurred before the commencement day; and
- (b) at the relevant date the device complied with the *Radiocommunications (Analogue Speech (Angle Modulated) Equipment) Standard 2005*,

then the device is taken to comply with this Standard.