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Radiocommunications Amendment Regulations 1998 (No. /)

Statutory Rules 1998 No. h

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I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations under the *Radiocommunications Act 1992*.

Dated **9 DEC 1998** 1998.

WILLIAM DEANE

Governor-General

By His Excellency's Command,

RICHARD ALSTON

Minister for Communications, Information Technology
and the Arts



Radiocommunications Amendment Regulations 1998 (No. 1)¹

Statutory Rules 1998 No. 1²

made under the

Radiocommunications Act 1992

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Regulation 1

1 Name of regulations

These regulations are the *Radiocommunications Amendment Regulations 1998* (No. ^h).

1

2 Commencement

These regulations commence on gazettal.

3 Amendment of Radiocommunications Regulations

Schedule 1 amends the Radiocommunications Regulations.

2

Radiocommunications Amendment Regulations
1998 (No. ^h)

1998, ^h

330
1

Schedule 1 Amendments of Radiocommunications Regulations

[1] Regulation 1

substitute

1 Name of regulations

These regulations are the *Radiocommunications Regulations 1993*.

[2] Regulation 3, definition of *carriage service*

omit

[3] Regulation 3, definition of *Distress, Urgency, Alarm and Safety Signals*

substitute

Distress, Urgency, Alarm and Safety Signals means the Distress Signal, Urgency Signal, Alarm Signal and Safety Signal, within the meaning of the Articles in which the respective Signals are mentioned, of the Radio Regulations published by the International Telecommunication Union, Geneva, as in force from time to time under the Telecommunication Convention.

[4] Regulation 3, definition of *limited coast marine rescue station*

substitute

limited coast marine rescue station means a maritime coast station that:

- (a) is operated by a body that is prepared to provide a maritime emergency radiocommunications service to vessels at sea without discrimination; and
- (b) is used primarily for ship-to-shore and shore-to-ship communications; and
- (c) is used to provide a listening watch, and to transmit, on frequencies specified in:
 - (i) a licence conditions determination; or
 - (ii) the licence issued for the maritime coast station.

[5] Regulation 3, definition of *outpost station*, paragraph (b)

omit

a carriage service

insert

a telecommunications network operated by a carrier or carriage service provider

[6] Regulation 3, definition of *outpost station*, paragraph (c)

omit

a carriage service supplied to the public

insert

a telecommunications network operated by a carrier or carriage service provider

[7] Regulation 3, definition of *penalty*

omit

or subsection 301 (3)

insert

or subsection 300 (4) or 301 (3)

[8] Regulation 3, definition of *Spectrum Manager*

omit

[9] Regulation 3

insert

carriage service provider has the meaning given in section 87 of the *Telecommunications Act 1997*.

carrier has the meaning given in section 7 of the *Telecommunications Act 1997*.

Chairman has the meaning given in section 7 of the *Telecommunications Act 1997*.

connection has the meaning given to ***connected*** in section 7 of the *Telecommunications Act 1997*.

telecommunications network has the meaning given in section 7 of the *Telecommunications Act 1997*.

[10] Paragraph 4 (1) (a)

omit

communications

insert

radiocommunication

[11] Paragraph 4 (1) (b)*omit*

mobile satellite

insert

radiocommunication

[12] Paragraphs 4 (1) (c) and (d)*omit*

communications

insert

radiocommunication

[13] Paragraph 4 (1) (e)*omit*

mobile communications

insert

radiocommunication

[14] Paragraph 4 (1) (e)*omit*

Australia.

insert

Australia;

[15] After paragraph 4 (1) (e)

insert

- (f) space satellites operated by Teledcsic LLC to provide radiocommunication services to Australia.

[16] Subregulation 4 (2)

omit

[17] Regulation 20

substitute

20 When ACA must give notice of examinations

If, under this Part, the ACA is required to give notice in the *Gazette* about an examination, the ACA must give the notice at least 14 days before the day when the examination is to be held.

[18] Paragraph 21 (1) (b)

omit

section 293 of the Act

insert

section 53 of the *Australian Communications Authority Act 1997*

[19] Regulation 35

omit

[20] Regulation 37

omit

[21] Regulation 42

substitute

42 Authorised persons

The Chairman may, by signed instrument, appoint a member of the staff of the ACA as an authorised person for these regulations.

[22] Regulation 43

omit

[23] Additional amendments

The following provisions are amended by omitting 'SMA' and inserting 'ACA':

- regulation 3, definition of *fixed receive station*, paragraph (c)
- regulation 3, definition of *licence conditions determination*
- regulation 3, definition of *major coast receive station*, paragraph (d)
- subregulations 13 (1) and (2)
- paragraph 21 (1) (b)
- regulation 41.

[24] Additional amendments

The following provisions are amended by omitting 'Spectrum Manager' and inserting 'ACA':

- paragraph 14 (2) (a)
- paragraph 14 (3) (a)
- paragraphs 18 (b), (c) and (j)
- paragraphs 19 (a) and (d)
- subregulation 21 (1) (opening words)
- paragraph 22 (1) (b)
- subregulation 22 (2)
- subregulation 22 (3) (opening words) (twice occurring)
- subregulation 25 (2).

[25] Additional amendments

The following provisions are amended by omitting 'Spectrum Manager' and inserting 'Chairman':

- regulation 3, definition of *authorised person*, paragraph (a)
- paragraph 25 (1) (f) (opening words)
- subregulation 26 (1)
- subregulation 26 (2) (closing words)
- paragraph 27 (1) (a).

Notes

1. These regulations amend Statutory Rules 1993 No. 177, as amended by 1995 Nos. 62 and 259; 1996 No. 158; 1997 Nos. 121 and 283.
2. Made by the Governor-General on h 1998, and notified in the *Commonwealth of Australia Gazette* on h 1998. Administered by the Minister for Communications, Information Technology and the Arts.

9 December
16 December