



# Radiocommunications (Accreditation — Prescribed Certificates) Amendment Principles 2005 (No. 1)

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The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes these Principles under section 266 of the *Radiocommunications Act 1992*.

Dated 13<sup>th</sup> October 2005

C. CHEAH  
Acting Chair

J.J. PLANTE  
Member

Australian Communications and Media Authority

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## 1 Name of Principles

These Principles are the *Radiocommunications (Accreditation — Prescribed Certificates) Amendment Principles 2005 (No. 1)*.

## 2 Commencement

These Principles commence on 1 January 2006.

## 3 Amendment of *Radiocommunications (Accreditation — Prescribed Certificates) Principles 2003*

Schedule 1 amends the *Radiocommunications (Accreditation — Prescribed Certificates) Principles 2003*.

## Schedule 1 Amendments

(section 3)

### [1] After subparagraph 11 (3) (b) (ii)

*insert*

(ia) whether, for prescribed certificates issued under subsection 145 (3) of the Act, on or after 1 January 2006:

- (A) an unacceptable level of interference, as determined under subsection 145 (4) of the Act, to the operation of radiocommunications has been caused by the operation of devices for which those certificates have been issued and the nature and extent, and the likely cause, of the interference; or
- (B) sufficient internal guard space was allocated for devices for which those certificates have been issued in accordance with the *Radiocommunications Advisory Guidelines (Registration of Devices under Spectrum Licences without an Interference Impact Certificate) 1998*; or
- (C) consent in writing to interference from devices for which those certificates have been issued was given by all licensees who, in the opinion of the accredited person, may be affected by the interference; and

### [2] Subparagraph 11 (3) (b) (iii)

*omit*

whether

*insert*

whether, for prescribed certificates issued under subsection 145 (3) of the Act before 1 January 2006,

### [3] Paragraph 12 (3) (a)

*omit*

the ACA

*insert*

for certificates issued before 1 January 2006 the ACMA

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**[4] After paragraph 12 (3) (a)**

*insert*

- (ab) for certificates issued on or after 1 January 2006 the ACMA must examine whether the accredited person has failed to:
- (i) correctly estimate the parameters that show whether an unacceptable level of interference exists according to a determination made under subsection 145 (4) of the Act; or
  - (ii) ensure that sufficient internal guard space has been allocated, in accordance with the *Radiocommunications Advisory Guidelines (Registration of Devices under Spectrum Licences without an Interference Impact Certificate) 1998*; or
  - (iii) ensure that all licensees who, in the opinion of the accredited person may be affected by interference, have consented to that interference in writing; or