



# **Radiocommunications Amendment Regulations 2011 (No. 1)<sup>1</sup>**

## **Select Legislative Instrument 2011 No. 208**

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I, QUENTIN BRYCE, 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 23 November 2011

QUENTIN BRYCE  
Governor-General

By Her Excellency's Command

STEPHEN CONROY  
Minister for Broadband, Communications and the Digital  
Economy

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**1 Name of Regulations**

These Regulations are the *Radiocommunications Amendment Regulations 2011 (No. 1)*.

**2 Commencement**

These Regulations commence on the day after they are registered.

**3 Amendment of *Radiocommunications Regulations 1993***

Schedule 1 amends the *Radiocommunications Regulations 1993*.

**Schedule 1 Amendments**

(regulation 3)

**[1] Regulation 3**

*substitute*

**3 Definitions**

(1) In these Regulations:

*Act* means the *Radiocommunications Act 1992*.

*authorised person* means:

(a) the Chair; or

(b) a person appointed under regulation 42 for the purposes of the provision in which that expression appears.

*Chair* has the meaning given by section 3 of the *Australian Communications and Media Authority Act 2005*.

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***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.

***examination*** means an examination conducted under Part 4.

***facsimile*** includes any form of communication that is automatically reproduced onto paper.

***Interpretation Determination*** means the *Radiocommunications (Interpretation) Determination 2000*.

***penalty***, in relation to an offence of a kind mentioned in section 315 of the Act, means a penalty of an amount worked out in accordance with that section.

***SOLAS*** means the International Convention for the Safety of Life at Sea, done at London on 1 November 1974 and its Protocol of 1978, done at London on 17 February 1978, both as in force on the day on which this definition takes effect.

***Telecommunication Convention*** means the International Telecommunication Convention done at Nairobi on 6 November 1982.

*Note* The following terms used in these Regulations are defined in section 5 of the Act: ACMA, aircraft, certificate, device, inspector, interference, licence, licensee, radiocommunication, transmitter and transmitter licence.

- (2) Unless the contrary intention appears, an expression used in these Regulations and in the Interpretation Determination has the same meaning in these Regulations as it has in the Interpretation Determination.

*Note* Several terms used in these Regulations are defined in the Interpretation Determination. Those terms include the following:

- maritime coast station
- message
- ship
- ship station Class B
- ship station Class C
- station.

**[2] Regulation 20**

*substitute*

**20 When ACMA must give notice of examinations**

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

**[3] Paragraph 21 (1) (b)**

*omit*

section 53 of the *Australian Communications Authority Act 1997*

*insert*

section 60 of the *Australian Communications and Media Authority Act 2005*

**[4] Paragraph 25 (1) (f)**

*omit*

the Chairman or

**[5] Regulation 26**

*omit each mention of*

the Chairman, or an authorised person,

*insert*

an authorised person

**[6] Paragraph 27 (1) (a)**

*omit*

the Chairman or

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**[7] Further amendments**

The following provisions are amended by omitting each mentioned of 'ACA' and inserting 'ACMA':

- subregulations 13 (1) and (2)
- paragraphs 14 (2) (a) and (3) (a)
- paragraphs 18 (b), (c) and (j)
- paragraphs 19 (a) and (d)
- subregulation 21 (1)
- paragraph 22 (1) (b)
- subregulations 22 (2) and (3)
- subregulation 25 (2)
- regulations 41 and 42.

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.