



Radiocommunications (Interpretation) Amendment Determination 2011 (No. 1)¹

Australian Communications and Media Authority Act 2005

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under subsection 64 (1) of the *Australian Communications and Media Authority Act 2005*.

Dated 17 October 2011

RICHARD BEAN
Member

BRENDAN BYRNE
~~Member~~/General Manager

Australian Communications and Media Authority

1 Name of Determination

This Determination is the *Radiocommunications (Interpretation) Amendment Determination 2011 (No. 1)*.

2 Commencement

This Determination commences on the day after it is registered.

3 Amendment of *Radiocommunications (Interpretation) Determination 2000*

Schedule 1 amends the *Radiocommunications (Interpretation) Determination 2000*.

Schedule 1 Amendments

(section 3)

[1] Subparagraph 3 (2) (a) (i) and regulation 5

omit

subsection 53 (1) of the *Australian Communications Authority Act 1997*

insert

subsection 60 (1) of the *Australian Communications and Media Authority Act 2005*

[2] Schedule 1, before definition of *900 MHz studio to transmitter link station*

insert

27 MHz maritime frequencies means any of the following frequencies:

- (a) 27,680 kHz;
- (b) 27,720 kHz;
- (c) 27,820 kHz;
- (d) 27,860 kHz;
- (e) 27,880 kHz;
- (f) 27,900 kHz;
- (g) 27,910 kHz;
- (h) 27,940 kHz;
- (i) 27,960 kHz;
- (j) 27,980 kHz.

[3] Schedule 1, definition of *aeronautical frequencies*

substitute

aeronautical frequencies means frequencies specified in the spectrum plan that may be used for the purposes of aeronautical mobile services.

[4] Schedule 1, definitions of *aeronautical mobile-satellite frequencies, aeronautical mobile-satellite service and aeronautical mobile service*

substitute

aeronautical mobile-satellite frequencies means frequencies specified in the spectrum plan that may be used for the purposes of aeronautical mobile-satellite services.

aeronautical mobile-satellite service means a mobile-satellite service in which:

- (a) mobile earth stations are located on board aircraft; and
- (b) survival craft stations and emergency position indicating radio beacon stations may participate.

aeronautical mobile service means a radiocommunications service that is used principally for the purpose of the transmission of messages to and from aircraft.

[5] Schedule 1, definition of *aeronautical station*

substitute

aeronautical station means a station operating in the aeronautical mobile service:

- (a) other than an aircraft station or an earth station; and
- (b) whether or not the station is located on an aircraft.

[6] Schedule 1, definition of *aircraft station*

substitute

aircraft station means a station that:

- (a) is fixed on board an aircraft; and
- (b) is operated on aeronautical frequencies; and
- (c) may be operated on aeronautical mobile-satellite frequencies or radiodetermination frequencies.

[7] Schedule 1, definitions of *amateur frequencies* and *amateur intermediate station*

substitute

amateur frequencies means frequencies specified in the spectrum plan that may be used for the purposes of amateur services.

[8] Schedule 1, definitions of *amateur limited station*, *amateur novice limited station* and *amateur novice station*

omit

[9] Schedule 1, definitions of *amateur-satellite service* and *amateur service*

substitute

amateur-satellite service means a radiocommunications service using space stations on Earth satellites for an amateur service.

amateur service means a radiocommunications service for self-training in radiocommunications, intercommunication using radiocommunications, and technical investigation into radiocommunications, by persons:

- (a) who are licensed under the Act to do so; and

- (b) who do so solely with a personal aim; and
- (c) who have no pecuniary interest in the outcome of the operation of the service.

[10] Schedule 1, definitions of *amateur station* and *amateur unrestricted station*

substitute

amateur station means a station that:

- (a) is operated for the purposes of self-training in radiocommunications, intercommunication using radiocommunications, and technical investigation into radiocommunications, by persons:
 - (i) who do so solely with a personal aim; and
 - (ii) who have no pecuniary interest in the outcome of the operation of the station; and
- (b) is operated on amateur frequencies or frequency bands; and
- (c) may participate in the amateur-satellite service.

[11] Schedule 1, definition of *ambulatory station*

substitute

ambulatory station means a land mobile station that:

- (a) is operated principally for communications with other land mobile stations; and
- (b) if permitted by the transmitter licence that relates to the land mobile station — may communicate with:
 - (i) an aircraft station, but not on an aeronautical frequency; or
 - (ii) a maritime ship station, but not on a maritime frequency.

[12] Schedule 1, definition of *CBRS repeater station*

substitute

CB repeater station has the meaning it has in the *Radiocommunications (Citizen Band Radio Stations) Class Licence 2002*.

[13] Schedule 1, after definition of *connected*

insert

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

[14] Schedule 1, definition of *emergency position indicating radio beacon*

substitute

emergency position indicating radio beacon station, and *EPIRB*, have the same meaning as the definition of *emergency position-indicating radiobeacon station* in the spectrum plan.

[15] Schedule 1, definition of *fixed licence*, subparagraph (b) (i)

omit

licence;

insert

transmitter licence;

[16] Schedule 1, definition of *fixed licence*, subparagraph (c) (ii)

omit

ship

insert

maritime ship

[17] Schedule 1, definition of *fixed receive station*

substitute

fixed receive station means a fixed station:

- (a) that is used only for receiving messages; and
- (b) that is not capable of transmitting messages of any kind; and
- (c) for which the ACMA, or a person accredited under section 263 of the Act, undertakes coordination procedures for the purpose of minimising interference to reception.

[18] Schedule 1, definition of *fixed station*

substitute

fixed station means a station that:

- (a) is located principally:
 - (i) at fixed points specified in the transmitter licence that relates to the station; or
 - (ii) in an area specified in the transmitter licence; and
- (b) is operated principally for communications with stations located:
 - (i) at one or more other fixed points specified in the transmitter licence; or
 - (ii) in an area specified in the transmitter licence; and

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- (c) if permitted by the transmitter licence that relates to the fixed station — may communicate with:
- (i) an aircraft station; and
 - (ii) a maritime ship station; and
 - (iii) a land mobile station.

[19] Schedule 1, after definition of *FM*

insert

former regulations means the Radiocommunications (Licensing and General) Regulations as in force:

- (a) at a particular time; or
- (b) if no particular time is specified in the provision in which the term appears — immediately before the commencement of the Regulations.

geostationary satellite means a geosynchronous satellite whose circular and direct orbit lies in the plane of the Earth's equator and which thus remains fixed relative to the Earth; by extension, a geosynchronous satellite which remains approximately fixed relative to the Earth.

[20] Schedule 1, after definition of *high frequency*

insert

intercommunication means two-way communication between stations in the amateur service in Australia and:

- (a) other stations in the amateur service in Australia; or
- (b) amateur stations overseas;

but does not include communication with stations of other radiocommunications services.

[21] Schedule 1, definition of *land mobile frequency*

substitute

land mobile frequency means a frequency specified in the spectrum plan that may be used for the purposes of land mobile services.

[22] Schedule 1, definitions of *land mobile service* and *land mobile station*

substitute

land mobile service means a radiocommunications service that:

- (a) comprises one or more land stations or land mobile stations; and
- (b) is used for communications between:
 - (i) land stations and land mobile stations; or
 - (ii) land mobile stations; or

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- (iii) land mobile stations through another land station; or
 - (iv) land stations through another land station; and
 - (c) may communicate with:
 - (i) an aircraft station; or
 - (ii) a maritime ship station.

land mobile station means a station that is established for use:

- (a) while the station is in motion on land; or
- (b) during halts at unspecified points on land.

[23] Schedule 1, definition of *land station*

substitute

land station means a station that is established at a fixed point on land.

licence conditions determination, in relation to a licence, means licence conditions as determined by the ACMA under paragraph 107 (1) (f) of the Act.

[24] Schedule 1, 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.

[25] Schedule 1, definition of *maritime frequencies*

substitute

maritime frequencies means frequencies specified in the spectrum plan that may be used for the purposes of maritime mobile services.

[26] Schedule 1, definition of *maritime mobile service*

substitute

maritime mobile service means a mobile service:

- (a) between:
 - (i) maritime coast stations and maritime ship stations; or
 - (ii) maritime ship stations; or
 - (iii) on-board communications stations associated with a maritime ship station, whether or not those stations are operated on board ships; and

- (b) in which survival craft stations and emergency position indicating radio beacon stations may participate.

[27] Schedule 1, definition of *maritime ship station*

substitute

maritime ship station means a station that:

- (a) is operated on board a ship for communication with:
 - (i) maritime coast stations; or
 - (ii) on-board communication stations associated with the maritime ship station, whether or not those stations are operated on board ships; and
- (b) may include equipment that is in a survival craft of the ship; and
- (c) may include a mobile earth station on board the ship; and
- (d) operates on maritime frequencies; and
- (e) operates on maritime mobile-satellite frequencies or radiodetermination frequencies.

[28] Schedule 1, definition of *message*

substitute

message includes all or part of any correspondence, communication, conversation, information or signal transmitted or received by a station.

[29] Schedule 1, definition of *mobile station*

substitute

mobile station means a station that is established for use:

- (a) while the station is in motion on land, on water or in the air; or
- (b) during halts at unspecified points on land, on water or in the air.

[30] Schedule 1, after definition of *point to multipoint station*

insert

point to multipoint system means a system:

- (a) comprising an unlimited number of point to multipoint stations that are:
 - (i) operated under a fixed licence; and
 - (ii) located anywhere within the areas specified in the licence; and
- (b) where a spectrum access exists for each authorisation of the operation of a group of point to multipoint stations that involves a unique combination of:
 - (i) a particular transmit frequency; and
 - (ii) a particular bandwidth; and
 - (iii) a particular geographical area (a circle with a radius of a specified number of kilometres from a specified site).

[31] Schedule 1, definition of *public correspondence*

substitute

public correspondence means a telecommunication:

- (a) that is accepted for transmission by a station because the station is available for use by the public; or
- (b) that is accepted for transmission by a person or body because the person or body is required, under a licence, to accept the telecommunication from the public for transmission.

[32] Schedule 1, definition of *radiodetermination frequencies*

substitute

radiodetermination means:

- (a) determination, on the basis of propagation properties of radio waves, of:
 - (i) the position of an object; or
 - (ii) the velocity of an object; or
 - (iii) other characteristics of an object; and
- (b) the obtaining of information about characteristics mentioned in paragraph (a).

radiodetermination frequencies means frequencies specified in the spectrum plan that may be used for the purposes of radiodetermination.

[33] Schedule 1, after definition of *radiodetermination station*

insert

radionavigation means the use of radiocommunications (including radiodetermination) for the purpose of navigation, obstruction or warning.

[34] Schedule 1, after definition of *scientific non assigned station*

insert

scientific station means:

- (a) a scientific assigned station; or
- (b) a scientific non assigned station.

[35] Schedule 1, definitions of *ship*, *ship station Class A*, *ship station Class A group licences* and *ship station Class B*

substitute

ship includes every kind of vessel or floating craft of any size, not being a vessel or floating craft that is permanently moored.

ship station Class B means a maritime ship station, other than a ship station Class C.

[36] Schedule 1, definition of *ship station Class C*

substitute

ship station Class C means a maritime ship station that is equipped in accordance with the *Navigation Act 1912*.

[37] Schedule 1, definition of *space station*

substitute

space station has the meaning it has in the spectrum plan.

[38] Schedule 1, definition of *station*

substitute

station means an installation or thing that is, or includes, either or both of the following:

- (a) one or more radiocommunications transmitters;
- (b) one or more radiocommunications receivers;

and includes an installation or thing, whether artificial or naturally occurring, that is intentionally used to reflect or receive radio emissions.

[39] Schedule 1, after definition of *subscription narrowcasting service*

insert

survival craft station has the meaning it has in the spectrum plan.

[40] Schedule 1, after definition of *ultra high frequency*

insert

ultra wideband station means a station with an emission bandwidth (measured at the furthest -10 dB points either side of the peak emission level) at any time that is:

- (a) greater than or equal to 500 MHz; or
- (b) greater than or equal to 20% of the value of the centre frequency of the emission bandwidth measurement points.

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>.