



Legislative Instruments (Deferral of Sunsetting—Radiocommunications Instruments) Certificate 2013

I, George Brandis QC, Attorney-General, issue the following certificate under paragraph 51(1)(c) of the *Legislative Instruments Act 2003*.

Dated: 15 January 2014

George Brandis QC
Attorney-General

Contents

Part 1—Preliminary	1
1 Name of certificate.....	1
2 Commencement	1
3 Authority.....	1
4 Definitions	1
Part 2—Deferral of sunseting of legislative instruments	2
5 Statement of reasons for issue of certificate.....	2
6 Deferral of sunseting of legislative instruments.....	2
Schedule 1—Legislative instruments for which sunseting is deferred to 1 April 2016	3
1 Legislative instruments with the sunseting day 1 April 2015.....	3
2 Legislative instruments with the sunseting day 1 October 2015	3

Part 1—Preliminary

1 Name of certificate

This certificate is the *Legislative Instruments (Deferral of Sunsetting—Radiocommunications Instruments) Certificate 2013*.

2 Commencement

This certificate commences on the day after it is registered.

3 Authority

This certificate is made under paragraph 51(1)(c) of the *Legislative Instruments Act 2003*.

4 Definitions

In this certificate:

Act means the *Legislative Instruments Act 2003*.

Part 2—Deferral of sunseting of legislative instruments

5 Statement of reasons for issue of certificate

For paragraph 51(2)(a) of the Act, this section sets out the statement of the reasons for the issue of this certificate.

Statement of reasons

I am satisfied, on written application by the Australian Communications and Media Authority, that each of the legislative instruments specified in Schedule 1 would (apart from the operation of Part 6 of the Act) be likely to cease to be in force within 12 months after the sunseting day for the instrument.

The instruments are made under the *Radiocommunications Act 1992*. The instruments support the spectrum licensing arrangements in the 3.4 GHz band and the 27 GHz band. The spectrum licences in these bands will expire on 13 December 2015 and 17 January 2016 respectively.

The sunseting days for the instruments are 1 April 2015 and 1 October 2015. On the expiry of the spectrum licences, the instruments will no longer be required. The deferral of the sunseting days for these instruments will avoid the need to remake the instruments for the short periods of time for which the instruments will still be required.

6 Deferral of sunseting of legislative instruments

The legislative instruments specified in Schedule 1 are taken to cease to be in force under section 51 of the Act on 1 April 2016.

Schedule 1—Legislative instruments for which sunseting is deferred to 1 April 2016

Note: See section 6.

1 Legislative instruments with the sunseting day 1 April 2015

The following table specifies legislative instruments with the sunseting day 1 April 2015, for which sunseting is deferred to 1 April 2016.

Legislative instruments for which sunseting is deferred to 1 April 2016		
Item	Legislative instrument	FRLI identifier
1	<i>Radiocommunications Spectrum Marketing Plan (3.4 GHz Bands) 2002</i>	F2005B00251
2	<i>Radiocommunications (Unacceptable Levels of Interference—27 GHz Band) Determination 2000</i>	F2005B00149

2 Legislative instruments with the sunseting day 1 October 2015

The following table specifies legislative instruments with the sunseting day 1 October 2015, for which sunseting is deferred to 1 April 2016.

Legislative instruments for which sunseting is deferred to 1 April 2016		
Item	Legislative instrument	FRLI identifier
1	<i>Radiocommunications Advisory Guidelines (Managing Interference from Non-Spectrum-Licensed Transmitters—27 GHz Band) 2000</i>	F2005B00150
2	<i>Radiocommunications Advisory Guidelines (Managing Interference to Apparatus Licensed Receivers—3.4 GHz Band) 2000</i>	F2005B00344
3	<i>Radiocommunications Advisory Guidelines (Managing Out-of-band Interference in Receivers Operating in Spectrum Licensed Space—3.4 GHz Band) 2000</i>	F2005B00345
4	<i>Radiocommunications Advisory Guidelines (Protection of Non-Spectrum-Licensed Receivers—27 GHz Band) 2000</i>	F2005B00151
5	<i>Radiocommunications Spectrum Marketing Plan (3.4 GHz Band) 2004</i>	F2005B00224
6	<i>Radiocommunications Spectrum Marketing Plan (3.4 GHz Bands) 2000</i>	F2005B00335
7	<i>Radiocommunications Spectrum Marketing Plan (27 GHz Band) 2000</i>	F2005B01317
8	<i>Radiocommunications (Unacceptable Levels of Interference—3.4 GHz Band) Determination 2000</i>	F2005B00340