



# **Radiocommunications (Short Range Devices) Standard 2014**

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made under subsection 162(1) of the

*Radiocommunications Act 1992*

## **Compilation No. 3**

**Compilation date:** 29 April 2021

**Includes amendments up to:** F2021L00502

Prepared by the Australian Communications and Media Authority, Melbourne

## 1 Name of Standard

This Standard is the *Radiocommunications (Short Range Devices) Standard 2014*.

## 4 Definitions

In this Standard:

**Act** means the *Radiocommunications Act 1992*.

**applicable device** means a radiocommunications device to which this Standard applies, as provided by subsection 5(1).

**AS/NZS 4268** means:

- (a) *AS/NZS 4268:2017 Radio equipment and systems – Short range devices – Limits and methods of measurement*, published by Standards Australia; or
- (b) if a later standard published by Standards Australia is expressed to replace the standard mentioned in paragraph (a) – the later standard.

*Note:* AS/NZS 4268 can be obtained, for a fee, from Standards Australia: <http://www.standards.org.au>, or can otherwise be made available for viewing on prior request at an ACMA office, subject to licensing conditions.

**Chair** means the Chair of the ACMA.

**commencement day** means the day on which this Standard commences.

**EIRP**, in relation to a radiocommunications device, means the Equivalent Isotropically Radiated Power of the device.

**ETSI** means the European Telecommunications Standards Institute.

**FCC** means the United States of America Federal Communications Commission.

**included in a class of radiocommunications devices** has the meaning given by:

- (a) in relation to an applicable device other than a modified device – paragraph 6(1)(a); and
- (b) in relation to a modified device – paragraph 6(2)(a).

**LIPD Class Licence** means the *Radiocommunications (Low Interference Potential Devices) Class Licence 2015*.

**low interference potential device** means a transmitter that is of a kind mentioned in column 1 of an item in Schedule 1 to the LIPD Class Licence.

**manufactured**, in relation to an applicable device, means manufactured in Australia.

**modified**, in relation to a radiocommunications device, means modified or altered in a material respect in Australia (after the device was manufactured or imported) by or on behalf of, the manufacturer or importer of the device.

**modified device** means:

- (a) an applicable device that has been modified; and
- (b) a radiocommunications device that has been modified in such a way that it becomes an applicable device.

**original modified device** has the meaning given by paragraph 6(2)(b).

**original radiocommunications device** has the meaning given by paragraph 6(1)(b).

**Radio-controlled Class Licence** means the *Radiocommunications (Radio-controlled Models) Class Licence 2015*.

*Note:* The Radio-controlled Class Licence can be accessed, free of charge, from the Federal Register of Legislation: <http://www.legislation.gov.au>.

**radio controlled model** means a model aircraft, model landcraft or model watercraft that:

- (a) operates on a carrier frequency greater than 29.72 MHz and not exceeding 30 MHz; or
- (b) operates on a carrier frequency greater than 36 MHz and not exceeding 36.6 MHz.

**relevant date**, for an applicable device, means the date specified in section 7 in relation to the device.

**short range device** means a radiocommunications device that:

- (a) is manufactured in, or imported into, Australia after the commencement of this Standard; and
- (b) is either:
  - (i) a low interference potential device; or
  - (ii) a radio controlled model; and
- (c) is capable of being operated on:
  - (i) if the device is a low interference potential device mentioned in column 1 of an item in Schedule 1 to the LIPD Class Licence – a frequency, or within a range of frequencies, within the frequency band mentioned in column 2 of that item; or
  - (ii) if the device is a wireless audio transmitter and subparagraph (i) does not apply – a frequency, or within a range of frequencies, within the 694 MHz–820 MHz frequency range; or
  - (iii) if the device is a radio controlled model – on a frequency within the frequency bands mentioned in the Radio-controlled Class Licence.

**significant event** means an event at a location or locations specified in a notice approved by the Chair and published on the ACMA's website at <http://www.acma.gov.au>.

**spurious emission** has the meaning given by the Radio Regulations published by the International Telecommunication Union.

*Note:* The Radio Regulations can be accessed, free of charge, from the website of the International Telecommunication Union: <http://www.itu.int>.

**wireless audio transmitter** means a radiocommunications device that is of a kind mentioned in column 1 of items 24 to 31 (inclusive) in Schedule 1 to the LIPD Class Licence.

## Section 4A

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*Note 1:* Examples of wireless audio transmitters include, but are not limited to, wireless microphones, in-ear monitoring devices, wireless musical instrument pickups and similar short range devices.

*Note 2:* Several other words and expressions used in this Standard have the meaning given by the Act, including:

- ACMA (section 5)
- radiocommunications device (subsection 7(1)).

### 4A References to other instruments

In this Standard, unless the contrary intention appears:

- (a) a reference to another legislative instrument is a reference to that other legislative instrument as in force from time to time; and
- (b) a reference to any other kind of instrument or writing is a reference to that other instrument or writing as in force or existing from time to time.

*Note 1:* For references to Commonwealth Acts, see section 10 of the *Acts Interpretation Act 1901*, and see also subsection 13(1) of the *Legislation Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

*Note 2:* All Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation and are accessible free of charge.

*Note 3:* See section 314A of the Act.

### 5 Application

- (1) This Standard applies to a radiocommunications device (an *applicable device*) that:
  - (a) is a short range device; and
  - (b) is not a device mentioned in subsection (2).

*Exception — device imported for significant event*

- (2) This subsection applies to a radiocommunications device that:
  - (a) is imported into Australia solely for use in connection with a significant event;
  - (b) if there is a requirement that the device is tested or inspected before it may be used in Australia — meets the requirement;
  - (c) if there is a condition or requirement imposed on the use of the device in Australia — is used in compliance with that condition or requirement;
  - (d) is used in Australia only at the location of the significant event; and
  - (e) is used in Australia only for the duration of the significant event.

### 6 What is a device included in a class of radiocommunications devices?

- (1) In this Standard:
  - (a) an applicable device, other than a modified device, is *included in a class of radiocommunications devices* if the device:
    - (i) is identical to each other device of the class (irrespective of when the devices were manufactured or imported); and

- (ii) has the same manufacturer or importer as each other device of the class; and
  - (b) the **original radiocommunications device**, in relation to the class of radiocommunications devices, is the device of the class that was the first to be manufactured or imported.
- (2) In this Standard:
- (a) a modified device is **included in a class of radiocommunications devices** if:
    - (i) the modification made to create the device is identical to the modification made to create each other device of the class (irrespective of when the devices were so modified);
    - (ii) the device is, in all other respects, identical to each other device of the class (irrespective of when the devices were manufactured or imported); and
    - (iii) the device has the same manufacturer or importer as each other device of the class; and
  - (b) the **original modified device**, in relation to the class, is the device of the class that was the first to be created by being so modified.

## 7 Relevant date for an applicable device

For the purposes of this Standard, the **relevant date** for an applicable device is:

- (a) in the case of an applicable device (other than a modified device) that is included in a class of radiocommunications devices – the date the original radiocommunications device was manufactured or imported;
- (b) in the case of a modified device that is included in a class of radiocommunications devices – the date the modification was made to create the original modified device of the class; or
- (c) otherwise – the date the device was manufactured or imported.

## 8 Standard for performance – generally

- (1) For paragraph 162(1)(a) of the Act the standard for performance of an applicable device is:
  - (a) if the applicable device is a low interference potential device that is mentioned in an item in column 1 of Schedule 1 to the LIPD Class Licence:
    - (i) the device must only operate within the permitted operating frequency band specified in column 2 of that item, as in force on the relevant date for the device; and
    - (ii) the upper and lower frequency limits of 99% of the emission power bandwidth of the device must be within the permitted operating frequency band specified in column 2 of that item, as in force on the relevant date for the device; and
    - (iii) the device must not exceed the maximum EIRP specified in column 3 of that item, as in force on the relevant date for the device; and
    - (iv) the device must comply with any limitation specified in column 4 of that item, as in force on the relevant date for the device; and

- (v) subject to subsection (4), the device must comply with any instrument specified in column 4 of that item (**relevant instrument**), as in force on the relevant date for the device;
- (vi) the device must comply with subsection (3);
- (b) if the applicable device is a radio controlled model – the device:
  - (i) must only operate on a frequency band mentioned in section 7 of the Radio-controlled Class Licence, as in force on the relevant date for the device; and
  - (ii) must only operate on a carrier frequency worked out in accordance with paragraph 7(b) or 7(d) of the Radio-controlled Class Licence, as in force on the relevant date for the device; and
  - (iii) must not exceed the maximum EIRP specified in paragraph 7(a) of the Radio-controlled Class Licence, as in force on the relevant date for the device; and
  - (iv) must not exceed an emission bandwidth of 10 kHz; and
  - (v) must not cause spurious emissions greater than 50 µW.
- (2) The testing methods to determine whether an applicable device meets the standard for performance in subsection 8(1) are the testing methods identified for the device (if any) in any of the following:
  - (a) AS/NZS 4268; or
  - (b) EN 300 220-1 – *Short Range Devices (SRD) operating in the frequency range 25 MHz to 1 000 MHz; Part 1: Technical characteristics and methods of measurements*, published by ETSI; or
  - (c) EN 300 330 – *Short Range Devices (SRD); Radio equipment in the frequency range 9 kHz to 25 MHz and inductive loop systems in the frequency range 9 kHz to 30 MHz; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU*, published by ETSI; or
  - (d) EN 300 440 – *Short Range Devices (SRD); Radio equipment to be used in the 1 GHz to 40 GHz frequency range; Harmonised Standard for access to radio spectrum*, published by ETSI; or
  - (e) EN 305 550-1 – *Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Radio equipment to be used in the 40 GHz to 246 GHz frequency range; Part 1: Technical characteristics and test methods*, published by ETSI; or
  - (f) FCC Rules Title 47 (Telecommunications) Part 15–Radio Frequency Devices.

*Note:* Copies of instruments produced by ETSI are available, free of charge, from the ETSI website: <http://www.etsi.org>. Copies of the FCC rules are available, free of charge, from the following website: <http://www.ecfr.gov>. AS/NZS 4268 can be obtained, for a fee, from Standards Australia: <http://www.standards.org.au>, or can otherwise be made available for viewing on prior request at an ACMA office, subject to licensing conditions.

- (3) If, for an applicable device that is a low interference potential device:
  - (a) a testing method is identified for the device in a document specified in subsection (2) (**relevant document**); and
  - (b) that testing method is used by, or on behalf of, the manufacturer or importer of the device to determine whether the device meets the standard for performance in subsection 8(1); and

- (c) the relevant document specifies a spurious emission limit for the device; the device must comply with that spurious emission limit.
- (4) If, for an applicable device that is a low interference potential device, the relevant instrument:
- (a) specifies an operating frequency band that is different from the permitted operating frequency band specified for that device in column 2 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device; or
  - (b) specifies a maximum EIRP that is different from the maximum EIRP specified for that device in column 3 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device; or
  - (c) specifies a limitation that is inconsistent with any limitation specified for that device in column 4 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device; or
  - (d) does not specify a limitation that is specified for the device in column 4 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device;
- then the relevant instrument is taken to be modified in the following manner:
- (e) if paragraph (a) applies – the operating frequency band in the relevant instrument is replaced with the permitted operating frequency band specified for the device in column 2 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device;
  - (f) if paragraph (b) applies – the maximum EIRP in the relevant instrument is replaced with the maximum EIRP specified for the device in column 3 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device;
  - (g) if paragraph (c) applies – the limitation in the relevant instrument is replaced with the limitation specified for the device in column 4 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device;
  - (h) if paragraph (d) applies – the relevant instrument includes the limitation specified for the device in column 4 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device.

**9 Transitional arrangements – devices manufactured, imported or modified before commencement day**

If:

- (a) the relevant date for an applicable device occurred before the commencement day; and
- (b) at the relevant date the device complied with the *Radiocommunications (Short Range Devices) Standard 2004*;

then the device is taken to comply with this Standard.

**9A Transitional arrangements – low interference potential devices manufactured, imported or modified before commencement of amendments**

If:

- (a) the relevant date for an applicable device that is a low interference potential device occurred before the commencement of the *Radiocommunications (Short Range Devices) Amendment Standard 2018 (No. 1)*; and
- (b) at the relevant date the device complied with this Standard, as in force on that date;

then the device is taken to comply with this Standard.



## **Notes to the Radiocommunications (Short Range Devices) Standard 2014**

### **Endnotes**

#### **Endnote 1 – About the endnotes**

The endnotes provide information about this compilation and the compiled law.

Endnote 2 (Abbreviation key) sets out abbreviations that may be used in the endnotes.

Endnote 3 (Legislation history) provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

Endnote 4 (Amendment history) provides information about the amendments at the provision (generally section or equivalent) level and includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

It also includes information about any misdescribed amendment (that is, an amendment that does not accurately describe the amendment to be made). If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history. If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

#### **Endnote 2—Abbreviation key**

ad. = added or inserted

am. = amended

LA = *Legislation Act 2003*

rep. = repealed

rs. = repealed and substituted

## Section Endnotes

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### Endnote 3 – Legislation history

Title	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
<i>Radiocommunications (Short Range Devices Standard 2014</i>	19 September 2014 (see F2014L01253)	20 September 2014	
<i>Radiocommunications (Short Range Devices) Amendment Standard 2015 (No.1)</i>	15 September 2015 (see F2015L01439)	16 September 2015	–
<i>Radiocommunications Legislation (2018 Measures No. 1) Instrument 2018</i>	4 December 2018 (see F2018L01659)	5 December 2018	–
<i>Radiocommunications (Short Range Devices) Amendment Standard 2021 (No.1)</i>	28 April 2021 (see F2021L00502)	29 April 2021	

### Endnote 4 – Amendment history

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
s.2.....	rep. LA, s48C
s.3.....	rep. LA, s48C
s.4.....	am. No. 1, 2015; am. No. 1, 2018, am. No.1, 2021
s.4A.....	ad. No.1, 2021
s.5.....	am. No. 1, 2018
s.7.....	am. No.1 2021
s.8.....	am. No. 1, 2018, rs. No.1, 2021
s.8A.....	ad. No. 1, 2018, rep. No.1, 2021
s.9A.....	ad. No. 1, 2018, am. No.1, 2021