EXPLANATORY STATEMENT

Issued by the Australian Communications and Media Authority

Radiocommunications (Low Interference Potential Devices) Class Licence 2015

Radiocommunications (Short Range Devices) Amendment Standard 2015 (No. 1)

Radiocommunications Act 1992

Purpose

The purpose of the *Radiocommunications (Low Interference Potential Devices) Class Licence 2015* (the LIPD Class Licence) is to authorise the use of a broad range of radiocommunications transmitters by the general public in an economically efficient manner.

The making of the LIPD Class Licence is necessary because:

a) it is a requirement under the *Radiocommunications Act 1992* (the Act) that radiocommunications transmitters must only be operated under authorisation of a licence (with some exceptions, such as including operation of some devices by Defence and situations where there are immediate safety of life issues);

b) the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000* would otherwise have ceased after 1 October 2015 due to the operation of Part 6 of the *Legislative Instruments Act 2003* (LIA).

The *Radiocommunications (Short Range Devices) Amendment Standard 2015 (No. 1)* (Amendment Standard) makes a consequential change to the *Radiocommunications (Short Range Devices) Standard 2014* (the Standard).

Legislative Provisions

Section 132 of the Act allows the Australian Communications and Media Authority (the ACMA), by notice published in the *Gazette*[1], to issue class licences. Under subsection 33(3) of the *Acts Interpretation Act 1901*, where an Act confers a power to make, grant or issue an instrument of a legislative or administrative character (including rules, regulations or by-laws), the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend or vary any such instrument.

Subsections 136(2) and (2A) require the ACMA to publish a written notice on the ACMA's website and in one or more other forms readily accessible to the public, for the purpose of consulting on the proposed revocation of a class licence.

Paragraph 138(2)(a) requires the ACMA, before issuing a class licence in parts of the spectrum for the allocation of spectrum licences, to be satisfied that:

- issuing the class licence would not result in unacceptable levels of interference to the operation of radiocommunications devices operated, or likely to be operated, under spectrum licences; and
- issuing the class licence would be in the public interest.

Paragraph 138(2)(b) requires the ACMA, before issuing a class licence in parts of the spectrum to be allocated by spectrum licences, to consult with spectrum licensees who may be affected by the class licence.

[1] The registration of a legislative instrument on the Federal Register of Legislative Instruments will satisfy any existing requirement in the instrument's enabling legislation in force before 1 January 2005 to publish the instrument in the *Gazette* (see subsection 56(1) of the LIA). However, if the enabling legislation is enacted or amended at any time on or after 1 January 2005 and requires publication of the instrument in the *Gazette*, that requirement is in addition to the requirement to register the instrument (see subsection 56(2) of the LIA). Subsection 132(1) of the Act was amended on 1 July 2005, and so the requirement to publish the instrument in the *Gazette* is in addition to the requirement to register the instrument.

Section 162 of the Act allows the ACMA, by legislative instrument, to make standards for the performance of specified devices. Section 163 requires the ACMA, before making a standard, so far as is practicable to try to ensure that interested persons have had adequate opportunity to make representations about the proposed standard, and give due consideration to any representations so made.

Background

A class licence is one type of licence available to authorise the operation of radiocommunications devices. It is an effective and efficient means of spectrum management for services where a limited set of common frequencies is employed, and equipment is operated under a common set of conditions. A class licence is not issued to an individual user, and does not involve the payment of licence fees. A class licence is issued by the ACMA as a legislative instrument registered on the Federal Register of Legislative Instruments (FRLI).

The LIPD Class Licence authorises the operation of a wide range of low interference radiocommunications transmitters in various segments of the radiofrequency spectrum. The LIPD Class Licence sets out the conditions under which these transmitters may be operated. These transmitters do not require individual frequency coordination because of their low interference potential characteristics. Examples of transmitters covered by the LIPD Class Licence include garage door openers, RFID transmitters, WiFi equipment and personal alarms.

Some transmitters whose operation is covered by the LIPD Class Licence are also subject to additional physical or technical requirements or approvals by other bodies such as the Therapeutic Goods Administration or State and Territory government authorities.

Variations to the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000* were made periodically to incorporate new classes of transmitters or other changes as a result of inquiries from industry, ongoing changes in technology and the desire for international harmonisation. Similarly, some changes have been incorporated into the new LIPD Class Licence that replaces the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000.*

As mentioned, paragraph 138(2)(a) requires the ACMA, before issuing a class licence in parts of the spectrum for the allocation of spectrum licences, to be satisfied that:

- issuing the class licence would not result in unacceptable levels of interference to the operation of radiocommunications devices operated, or likely to be operated, under spectrum licences; and
- issuing the class licence would be in the public interest.

The LIPD Class Licence authorises the use of ultra-wideband (UWB) devices in the band 3.4GHz-4.8GHz. Spectrum licences have been allocated in part of this band. The ACMA is satisfied that the issuing of the class licence would not result in unacceptable levels of interference to the operation of radiocommunications devices operated or likely to be operated under spectrum licences.

The radiated power levels of UWB devices are significantly below the level of unwanted emissions from other spectrum licensees operating in the band. Studies undertaken by the ACMA and overseas, backed by a number of years of practical experience in a range of countries, including the United States of America, the United Kingdom, other European countries, Japan, Korea and New Zealand, have shown that unacceptable interference will not result from the introduction of UWB devices in the band operated under the conditions of the class licence.

The ACMA is satisfied that issuing the LIPD Class Licence is in the public interest. The LIPD Class Licence authorises the use of a broad range of radiocommunications transmitters by the general public in an economically efficient manner. It maximises the overall public benefit derived from using the radiofrequency spectrum by allowing the use of a wide range of devices for industrial, commercial, medical, household and recreational purposes without the need for an individual licence, where those devices are unlikely to cause interference to other devices.

The combination of spectrum licences and the LIPD Class Licence effectively provide access to the same spectrum by two different groups: commercial spectrum licensees and the general public under the class

licence. Access to this spectrum will provide opportunities for low power extremely broad bandwidth UWB transmitters, such as medical sensors, to be utilised in Australia.

As a result of making the LIPD Class Licence, a reference in the Standard to the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000* was no longer accurate, and needed to be updated.

Operation

This legislative instrument will continue the authorisation of the general public to operate a broad range of low power radiocommunications transmitters in everyday use without the need to obtain individual licences. The LIPD Class Licence sets out the provisions and conditions of the licence for the use of these transmitters and applies to devices as diverse as wireless microphones and industrial radar sensors.

The authorisation given by the LIPD Class Licence to operate a transmitter is dependent on:

- the transmitter meeting requirements for that class of transmitter as set out in Schedule 1 to the LIPD Class Licence;
- the operation of the transmitter not causing interference to other radiocommunications services;
- the transmitter not being operated within a designated frequency range in the vicinity of the Murchison Radioastronomy Observatory in such a way as might cause interference to observations; and
- the transmitter meeting the applicable equipment standards and its operation meeting the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) electromagnetic emission standard when used in areas accessible to the general public.

Details of the classes of the transmitters and the conditions under which they may be operated under the authority of the LIPD Class Licence are set out in Schedule 1 to the Class Licence.

Documents incorporated by reference

As permitted by section 314A of the Act, the LIPD Class Licence incorporates a number of standards or instruments by reference, as in force at the commencement of the LIPD Class Licence. Compliance with these standards and instruments may be a condition of using a device under the LIPD Class Licence.

A list of applicable instruments (international equipment standards) that are referenced in the conditions in Schedule 1 to the LIPD Class Licence, together with details as to where copies of these instruments can be obtained, is included in Schedule 2. In addition, the LIPD Class Licence requires transmitters to comply with the *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3 kHz to 300 GHz* produced by ARPANSA (available from http://www.arpansa.gov.au) and with any standards, made under section 162 of the Act, that may apply to the transmitter (available from http://www.comlaw.gov.au).

The Amendment Standard amends the Standard to refer to devices that comply with the conditions set out in the LIPD Class Licence. The LIPD Class Licence is available from ComLaw (http://www.comlaw.gov.au).

Further notes on individual sections of the two instruments and a list of the international equipment standards that are incorporated by reference are provided in Attachment A.

Updates

A number of changes were made to the text of the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000 to* clarify requirements and update references. The more important of these changes are as follows:

1. Schedule 1 – Items 3 to 7 – Transmitters for non-specific applications

The permitted operating frequency bands and maximum equivalent isotropically radiated power (maximum EIRP) limits for Items 3, 4, 5, 6, and 7 have been updated to more closely align them with arrangements in the Federal Communications Commission (FCC) rules and regulations. The maximum EIRP has been increased in the frequency range 0.02005-0.04800 MHz from 7.5 uW to 43 uW. The maximum EIRP has been increased in the frequency range 0.160-0.205 MHz from 500nW to 1 uW. A note has been added at the end of Schedule 1 stating that for these items compliance with the requirements of USA FCC rules and regulations section 15.209 will meet the maximum EIRP requirement. This may assist users and suppliers to avoid uncertainties arising from measurement methods.

2. Schedule 1 – Item 27 – Wireless audio transmitters

A previous requirement for transmitters to use frequency modulation has been removed to allow the use of digital transmitters. The maximum EIRP limit has been increased from 3 mW to 50 mW. This change has been made possible by the change to digital television transmission, which is less susceptible to interference from these devices than analog television.

3. Schedule 1 – Item 28 – Wireless audio transmitters

The permitted operating frequency band and limitations have been updated to remove requirements that were applicable only before 31 December 2014.

4. Schedule 1 – Item 30 – Wireless audio transmitters

The permitted operating frequency band has been increased, with the lower limit moving from 1790 MHz down to 1785 MHz on the conditions that operation in the band below 1790 MHz must be indoors and transmitters must not use carrier frequencies within 1 MHz of 1785 MHz. The list of standards from the limitations has been updated as ETSI EN 301 840 standard has been withdrawn.

5. Schedule 1 – Item 33 – Medical implant communications systems transmitters

Changes have been made to add a reference to FCC rules and regulations so as to allow FCC compliant transmitters to be used in Australia.

6. Schedule 1 – New Item 39 – Telecommand or telemetry transmitters

This class of transmitters has been added to the LIPD Class Licence to provide for telecommand or telemetry from wireless charging systems conforming to FCC rules and regulations.

7. Schedule 1 – Item 48 – Transmitters used for underground communications

Limitation 2 has been updated to clarify that use of the permitted operating frequency band covering the broadcasting services bands in tunnels is “primarily” for the augmentation of above ground broadcasting services. This is to clarify that tunnel safety announcements may temporarily replace the program material of above ground broadcasting services being augmented by the underground transmitter.

8. Schedule 1 – Item 51 – Alarm transmitters (including security and personal safety transmitters)

The maximum EIRP limit has been raised for these transmitters on conditions that the average power does not exceed 100uW in any 10 second period and that activation of the transmission is limited to manual activation with a maximum activation period of 10 seconds.

9. Schedule 1 – Item 55 – Frequency hopping transmitters

This item dealing with Bluetooth devices has been updated to the relevant ETSI standard.

10. Schedule 1 – Item 78 – Ultra-wideband transmitters

The change to this item adds the permitted operating frequency bands 3400-4800 MHz and 8400-8500 MHz. Additional limitations for this item require that a transmitter operating in the band 8400-

8500 MHz must not be operated within a nominated distance of a specified Space Research Service (SRS) earth station.

11. Schedule 1 – Item 79 – In ground ultra-wideband transmitters

The insertion of this new item into the LIPD Class Licence will enable the operation of in-ground ultra-wideband transmitters in the band 4200-4800 MHz with a maximum EIRP of -62 dBm/MHz. There are two limitations on the use of this class of transmitter.

The first is that the equipment used must conform to requirements of Part 2 of the international standard, ETSI Standard EN 302 065. The second limitation is that these transmitters must not be operated within the nominated distances of specified Australian radio-astronomy sites, as set out in the LIPD Class Licence.

Consultation

Section 17 of the LIA requires the ACMA to be satisfied that any consultation it considers to be appropriate and reasonably practicable to undertake has been undertaken before making a legislative instrument. Subsection 136 (2) of the Act also requires that a notice in relation to a proposed revocation of a class licence be published on the ACMA website and in one or more other forms readily accessible to the public and a period of at least one month be provided for public comment. In addition, paragraph 138 (2)(b) requires the ACMA to consult all licensees of spectrum licences who may be affected by the proposed class licence.

Notice of the proposed revocation and an invitation for public submissions were published on the ACMA website from 17 December 2014 until 6 March 2015. On 2 January 2015, the ACMA published a notice in the *Gazette* inviting public comment on the revocation until 6 March 2015. Submissions were also sought directly from 3.4 GHz spectrum licensees regarding the use of UWB transmitters in the band after 14 December 2015.

Twenty one submissions were received in response and the ACMA has taken these submissions into account. As a result of the submissions, the ACMA has made a number of minor changes to the proposed text of the LIPD Class Licence to provide additional clarification.

The ACMA also directly consulted with current spectrum licensees whose licenses fall into the 3.4 GHz-4.8 GHz band and other interested parties, where the LIPD Class Licence allows the use of ultra-wideband devices, through its Technical Liaison Group which is working to update the technical framework for new spectrum licences in the 3.4 GHz-4.8 GHz band to come into effect after the expiry of the existing licences on 14 December 2015.

The ACMA has also consulted with Commercial Radio Australia in regard to the change to Schedule 1 item 48 (Transmitters used for underground communications), to clarify that the re-transmission of above ground broadcasting in tunnels can be temporarily interrupted to include material such as safety announcements.

Statement of compatibility with human rights

Subsection 9 (1) of the *Human Rights (Parliamentary Scrutiny) Act 2011* requires the rule maker in relation to a legislative instrument to which section 42 (disallowance) of the LIA applies to cause a statement of compatibility to be prepared in respect of that legislative instrument. Statements of compatibility are at Attachment B for the LIPD Class Licence and the Amendment Standard.

Regulation impact

The Office of Best Practice Regulation (OBPR) applies streamlined administrative processes to sunsetting legislative instruments. A preliminary regulatory impact analysis assessment has been carried out and based on this assessment the ACMA has determined that the *Radiocommunications (Low Interference*

Potential Devices) Class Licence 2000 was fit for purpose, was operating effectively and efficiently, and should be remade. The ACMA has certified those matters to OBPR (OBPR reference number 17138).

NOTES ON SECTIONS – LIPD Class Licence

Section 1 Name of Class Licence

Section 1 provides for the citation of the LIPD Class Licence.

Section 2 Commencement

This section provides that the LIPD Class Licence commences on the later of the day after it has been both registered on the FRLI as required under the LIA and the day it is published in the Gazette as required by the Act. Both events must occur for the LIPD Class Licence to commence.

Section 3 Revocation

This section revokes the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000.*

Section 3A Interpretation

This section provides definitions and other interpretative information applicable to the LIPD Class Licence and its Schedules. It contains the following definitions among others:

- "ARPANSA Standard" means the *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3 kHz to 300 GHz*, which is published by ARPANSA;
- "EIRP" means equivalent isotropically radiated power;
- "ERP" means effective radiated power; and
- "international instrument" means an international technical standard or performance indicator.

Terms used in the LIPD Class Licence may also be defined in the Act or in the *Radiocommunications (Interpretation) Determination 2015*.

Section 4 Class Licence

This section sets out the basic provisions of the LIPD Class Licence. It authorises the use of a radiocommunications transmitter mentioned in column 1 of an item in Schedule 1. However, the authorisation of the licence to operate a radiocommunications transmitter is dependent on several conditions:

- the transmitter meeting requirements set out in Schedule1, including the permitted frequency range within which the transmitter must operate, the maximum EIRP of the transmitter, and other limitations imposed by the Schedule;
- the operation of the transmitter not causing interference to other radiocommunications services;
- the transmitter not being operated on a frequency within a specific frequency range in the vicinity of the Murchison Radioastronomy Observatory in such a way as might cause interference to observations; and
- the conditions set out in section 5.

Section 4 also provides that, where a standard or international instrument is mentioned in column 4 of an item in Schedule 1, as part of a limitation, and that standard or instrument contains interpretative provisions (which might limit the use of any particular frequency or further limit the maximum EIRP within a frequency range including provisions about taking measurements), then any frequency or range of frequencies mentioned in a limitation in column 4, and the maximum EIRP mentioned in column 3, are to be assessed by reference to those interpretative provisions.

However, the permitted frequency ranges for operation of a transmitter, set out in column 2, or the maximum EIRP, set out in column 3, are not to be construed in accordance with those interpretative provisions.

Section 5 Standards and international instruments

Section 5 provides that a person must operate a transmitter authorised by the LIPD Class Licence in accordance with every:

- standard that applies to the transmitter; and
- international instrument that applies to the transmitter, where the standard or instrument is mentioned in Schedule 2 for the transmitter.

There are two exceptions to this condition:

- where a person has a permit under the Act to operate the transmitter; or
- where the transmitter is imported into Australia solely for use in connection with a significant event (notified on the ACMA website), meets any requirements for testing, inspection or use that are imposed on the transmitter (whether those requirements are imposed by the ACMA or by another entity), and is only used at and during the significant event.

Section 5 also provides that a person must not operate a transmitter, or a group of transmitters, if the electromagnetic radiation emitted by the transmitter, or the group, exceeds the general public exposure limits set out in the ARPANSA Standard in a place accessible by the public.

Schedule 1 Transmitters

This Schedule lists and describes the transmitters the use of which is authorised by the LIPD Class Licence. The Schedule lists classes of transmitters that are grouped by 'application' (i.e., the purpose for which the transmitter is generally used). Within the groupings the classes of transmitters are typically listed in frequency band order. This Schedule has 4 columns.

Column 1 contains a descriptive name of the class of transmitter.

Column 2 contains the permitted operating frequency band identified by a lower frequency limit and an upper frequency limit specified in MHz (with one exception). The band includes all frequencies greater than the lower frequency limit (but not the lower frequency limit itself) and includes the upper frequency limit.

Column 3 contains the maximum equivalent isotropically radiated power (EIRP) that may be radiated from the transmitter and attached antenna.

Column 4 contains any additional limitations on the operation of the transmitter for the purposes of minimising the risk of interference to radiocommunications services. Not all transmitters in all frequencies are subject to additional limitations. Many of the additional limitations relate to the following matters:

- permitted emission bandwidths;
- the modulation of any emissions;
- permitted carrier frequencies;
- the site of transmission, where transmission occurs within a channel used by a broadcasting service within the broadcasting services bands (in many cases, transmitters must not be operated within a licence area of a broadcasting service, or within a part of that licence area where operation of the transmitter may cause interference);
- the location of the transmitter (for example, in some cases a transmitter must be inside a building);
- compliance with international instruments;
- the minimum distance the transmitter must be operated from a radio-astronomy site or a SRS earth station;
- in some cases, the EIRP (for example, the maximum EIRP for some medical implant communications systems transmitters is to be assessed outside the body in which the transmitter has been implanted).

Schedule 2 International instruments that apply to a transmitter

This Schedule lists the instruments (international equipment standards) that apply to classes of transmitters listed in Schedule 1 and where copies can be obtained. This Schedule contains a table that has 4 columns.

Column 1 contains the item number of the class of transmitter in Schedule 1.

Column 2 contains the document or reference number of the instrument that is applicable to the class of transmitters.

Column 3 contains the full title, description or specific section reference of the instrument applicable to the class of transmitters.

Column 4 contains the name of the entity that produced the instrument.

Notes at the end of this Schedule provide details of where copies of these documents are obtainable.

The table below sets out the international instruments incorporated by reference, in Schedule 2 of the LIPD Class Licence and where the instrument may be obtained.

Instrument reference number (if any)	**Instrument name**	**Entity that produced the instrument**	**Where the instrument can be obtained**
EN 300 422	*Electromagnetic compatibility and radio spectrum Matters (ERM); Wireless microphones operating in the 25MHz to 3GHz frequency range*	ETSI	http://www.etsi.org
EN 301 357	*Electromagnetic compatibility and radio spectrum Matters (ERM); Cordless audio devices in the range 25 MHz to 2 000 MHz*	ETSI	http://www.etsi.org
EN 301 839	*Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Ultra Low Power Active Medical Implants (ULP-AMI) and Peripherals (ULP-AMI-P) operating in the frequency range 402 MHz to 405 MHz*	ETSI	http://www.etsi.org
EN 302 537	*Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Ultra Low Power Medical Data Service Systems operating in the frequency range 401 MHz to 402 MHz and*	ETSI	http://www.etsi.org

Instrument reference number (if any)	Instrument name	Entity that produced the instrument	Where the instrument can be obtained
	405 MHz to 406 MHz		
EN 300 328	*Electromagnetic compatibility and radio spectrum Matters (ERM); Wideband transmission systems; Data transmission equipment operating in the 2,4 GHz ISM band and using wide band modulation techniques*	ETSI	http://www.etsi.org
EN302 372	*Electromagnetic compatibility and radio spectrum matters (ERM); Short Range Devices (SRD); Equipment for Detection and Movement; Tanks Level Probing Radar (TLPR) operating in the frequency bands 5,8 GHz, 10 GHz, 25 GHz, 61 GHz and 77 GHz*	ETSI	http://www.etsi.org
EN 302 264	*Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Road Transport and Traffic Telematics (RTTT); Short Range Radar equipment operating in the 77 GHz to 81 GHz band*	ETSI	http://www.etsi.org
EN 302 729	*Electromagnetic compatibility and radio spectrum Matters (ERM); Short Range Devices (SRD); Level Probing Radar (LPR) equipment operating in the frequency ranges 6 GHz to 8,5 GHz, 24,05 GHz to 26,5 GHz, 57 GHz to 64 GHz, 75 GHz to 85 GHz*	ETSI	http://www.etsi.org
EN 302 288	*Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD);Road Transport and Traffic Telematics (RTTT); Short range radar equipment operating in the 24 GHz range*	ETSI	http://www.etsi.org

Instrument reference number (if any)	Instrument name	Entity that produced the instrument	Where the instrument can be obtained
EN 302 065	*Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD) using Ultra Wide Band technology (UWB)*	ETSI	http://www.etsi.org
EN 302 500	*Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD) using Ultra WideBand (UWB) technology; Location Tracking equipment operating in the frequency range from 6 GHz to 9 GHz*	ETSI	http://www.etsi.org
ISO/IEC 18000-6c:2013	*Information Technology – Radio frequency identification for item management – Part 6: Parameters for air interface communications at 860 MHz to 960 MHz General*	International Organization for Standardisation (ISO)	http://www.saiglobal.com
Code of Federal Regulations Title 47 §15.217	*Part 15, Section 217 Operation in the band 160-190 kHz*	United States Federal Communications Commission (FCC)	http://www.ecfr.gov
Code of Federal Regulations Title 47 §95.627	*Part 95, Section 627 MedRadio transmitters in the 401-406 MHz band*	FCC	http://www.ecfr.gov
Code of Federal Regulations Title 47 §95.635	*Part 95, Section 635 Unwanted radiation*	FCC	http://www.ecfr.gov

In addition, the LIPD Class Licence requires transmitters to comply with any standards that apply to them, made under section 162 of the Act. These standards are available from http://www.comlaw.gov.au.

NOTES ON SECTIONS – Amendment Standard

Section 1 Name of Amendment Standard

Section 1 provides for the citation of the Amendment Standard.

Section 2 Commencement

This section provides that the Amendment Standard commences on the same day as the LIPD Class Licence. The LIPD Class Licence commences on the later of the day after it has been registered on the FRLI as required under the LIA and the day it is published in the Gazette as required by the Act. Both events must occur for the LIPD Class Licence to commence.

Section 3 Amendment

This section amends the Standard, by substituting the definition of *low interference potential device*. The old definition referred to the revoked class licence, the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000.*

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Radiocommunications (Low Interference Potential Devices) Class Licence 2015

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Legislative Instrument

The *Radiocommunications (Low Interference Potential Devices) Class Licence 2015* (the LIPD Class Licence) is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The LIPD Class Licence is made under section 132 of the *Radiocommunications Act 1992*. The LIPD Class Licence revokes the existing *Radiocommunications (Low Interference Potential Devices) Class Licence 2000* made under section 132 of the *Radiocommunications Act 1992*.

The LIPD Class Licence authorises the use of radio transmitters in specific frequency bands using common set of limitations by the general public. The LIPD Class Licence updates and clarifies definitions and equipment standards that were set out in the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000* and introduces new or updated arrangements to support the use of wireless power charging systems, alarm transmitters, medical implant communications systems and wireless microphones as well as introducing arrangements supporting ultra-wideband technology operating in the bands 3800-4800 MHz and 8400-8500 MHz that will allow greater access and utility than was available under the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000.*

Human rights implications

The LIPD Class Licence does not engage any of the applicable rights or freedoms.

Conclusion

The LIPD Class Licence is compatible with human rights as it does not raise any human rights issues.

The Australian Communication and Media Authority

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Radiocommunications (Short Range Devices) Amendment Standard 2015 (No. 1)

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Legislative Instrument

The *Radiocommunications (Short Range Devices) Amendment Standard 2015 (No. 1)* (the Amendment Standard) is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The Amendment Standard is made under section 162 of the *Radiocommunications Act 1992*. The Amendment Standard amends the *Radiocommunications (Short Range Devices) Standard 2014* (the Standard) also made under section 162 of the *Radiocommunications Act 1992*.

The Amendment Standard replaces a reference to the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000* with a reference to the instrument that replaced it, the *Radiocommunications (Low Interference Potential Devices) Class Licence 2015*. The Amendment Standard does not otherwise affect the operation of the Standard.

Human rights implications

The Amendment Standard does not engage any of the applicable rights or freedoms.

Conclusion

The Amendment Standard is compatible with human rights as it does not raise any human rights issues.

The Australian Communication and Media Authority