



Radiocommunications (Communication with Space Object) Class Licence 2015

made under subsection 132(1) of the

Radiocommunications Act 1992

Compilation No. 3

Compilation date: 17 June 2021

Includes amendments up to: F2021L00734

Prepared by the Australian Communications and Media Authority, Melbourne.

About this compilation

This compilation

This is a compilation of the *Radiocommunications (Communication with Space Object) Class Licence 2015* that shows the text of the law as amended and in force on 17 June 2021 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Federal Register of Legislation (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Federal Register of Legislation for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Federal Register of Legislation for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

1 Name of class licence

This class licence is the *Radiocommunications (Communication with Space Object) Class Licence 2015*.

4 Interpretation

(1) In this class licence:

Act means the *Radiocommunications Act 1992*.

AMSA means the Australian Maritime Safety Authority.

ARPANSA Standard means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at www.arpansa.gov.au.

device compliance day for a station means the most recent of the following days:

- (a) if the station was manufactured in Australia – the day the station was manufactured;
- (b) if the station was manufactured overseas and imported – the day it was imported;
- (c) if the station was altered or modified in a material respect – the day it was altered or modified.

Global Maritime Distress and Safety System (GMDSS) means the systems of requirements for ships contained in Chapter IV of SOLAS (the International Convention for the Safety of Life At Sea) and implemented in Australia through Marine Orders made under the *Navigation Act 2012*, as in force from time to time.

Note For the current text of Chapter IV of SOLAS, see *SOLAS, 1974, as amended*, published by the IMO, available at www.imo.org. Marine Orders are legislative instruments available on ComLaw at <http://www.comlaw.gov.au>.

IMO means the International Maritime Organisation.

qualified operator means a person who:

- (a) holds a certificate of proficiency issued under section 121 of the Act; or
- (b) holds a qualification issued by AMSA; or
- (c) holds an overseas qualification recognised by the ACMA or [AMSA](http://www.amsa.gov.au) as an equivalent qualification.

Note For further information on the qualifications recognised by the ACMA or AMSA refer to www.acma.gov.au and www.amsa.gov.au.

Note For definitions of other expressions used in this class licence, see the Act and the *Radiocommunications (Interpretation) Determination 2015*. These include the following terms which are defined and have the meaning given to them by the *Radiocommunications (Interpretation) Determination 2015*:

- apparatus licence
- maritime ship station
- space object
- spectrum plan
- station

- (3) In this class licence, the range of numbers that identifies a frequency band is taken to include the higher, but not the lower, number.

Example The 148 to 150.05 MHz frequency band is made up of radio frequencies that exceed 148 MHz but do not exceed 150.05 MHz.

4A References to other instruments

In this class licence, unless the contrary intention appears:

- (a) a reference to any other 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 in existence 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.

Note 3: See section 314A of the Act.

5 Class licence

- (1) This class licence authorises a person to operate a station to which this class licence applies for the purpose of communications with:
 - (a) a station on a space object which is authorised by a space or space receive apparatus licence; or
 - (b) another station through a station on a space object which is authorised by a space or space receive apparatus licence;subject to the conditions set out in sections 6, 7 and 8.
- (2) This class licence applies to all stations except:
 - (a) stations located on a space object; and
 - (b) stations authorised by an apparatus licence to operate for a purpose that is substantially the same as the purpose authorised by this class licence.

6 Authorised frequencies

This class licence authorises transmission or reception of radio emissions by a station operating under this class licence in the following frequency ranges only:

- (a) for transmission:
 - (i) 148 to 150.05 MHz; or
 - (ia) 399.9 to 400.05 MHz; or
 - (ii) 1610 to 1660.5 MHz; or
 - (iii) 14 to 14.5 GHz; or
 - (iv) 28.3 to 30 GHz.
- (b) for reception:
 - (i) 137 to 138 MHz; or
 - (ii) 400.05 to 400.15 MHz; or

- (iii) 400.15 to 401 MHz; or
- (iv) 1525 to 1559 MHz; or
- (v) 1613.8 to 1626.5 MHz; or
- (vi) 2483.5 to 2500 MHz; or
- (vii) 10.7 to 12.75 GHz; or
- (viii) 17.7 to 20.2 GHz.

7 Equipment rules and Resolutions

- (1) A person must not operate a station under this class licence unless the station complies with:
 - (a) if the device compliance day for the station occurs before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;
 - (b) if the device compliance day for the station occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.
- (2) A person must not operate a maritime ship station in the GMDSS under this class licence unless:
 - (a) the person is a qualified operator; and
 - (b) the station complies with the Resolutions of the IMO relating to such maritime ship stations;

Note: The *Maritime Design and Installation Guidelines* as published by Inmarsat from time to time define the Resolutions of the IMO applicable to Inmarsat equipment operating within the GMDSS. These guidelines are available at www.inmarsat.com. Resolutions of the IMO are available at www.imo.org.

- (3) A person must not operate a station, or a group of stations, to which this class licence applies if the electromagnetic energy emitted by the station, or group of stations, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.
- (4) In paragraph (1)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

8 Interference with other stations

- (1) This class licence authorises operation of a station only when its operation does not interfere with the operation of a radiocommunications receiver.
- (2) This class licence authorises operation of a station in the frequency range of 1610 to 1626.5 MHz within 20 kilometres of a radio astronomy observatory mentioned in footnote AUS87 of the spectrum plan, only if:
 - (a) the operator of the station has sought advice from the operator of the radio astronomy observatory about when it may operate the station; and
 - (b) the station is operated during periods consistently with the advice from the radio astronomy observatory.
- (3) This class licence does not authorise operation of a station in the frequency range of 1660 to 1660.5 MHz when the station:
 - (a) is within 500 kilometres of a radio astronomy observatory mentioned in footnote AUS87 of the spectrum plan; or
 - (b) is in an airborne aircraft.

Note 1: A station to which this class licence applies will not be afforded protection from interference caused by a radiocommunications transmitter of other radiocommunications services.

Note 2: In accordance with section 137 of the Act, this class licence does not authorise the operation of any station in a way that is inconsistent with the terms of the *Radiocommunications (Mid-West Radio Quiet Zone) Frequency Band Plan 2011*, as in force from time to time, accessible for free at www.legislation.gov.au.

Note 3: Section 197 of the Act makes it an offence for a person to engage in conduct where they are reckless as to whether that conduct will result in substantial interference with, or substantial disruption or disturbance of, radiocommunications. In administering that provision with respect to the operation of a station for transmission on land under this class licence within the RQZ (inner) zone described in item 1 of the Schedule to the *Radiocommunications (Mid-West Radio Quiet Zone) Frequency Band Plan 2011*, as in force from time to time, the ACMA will take into account whether or not the entity responsible for operating the Murchison Radioastronomy Observatory objects to the operation of the station.

9 Interference to certain receiving stations

The operation of a station for reception in the following frequency ranges is authorised on the basis of no protection from interference caused by a point to point station:

- (a) 10.7 to 11.7 GHz;
- (b) 18.2 to 18.8 GHz;
- (c) 19.3 to 19.7 GHz.

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

amdt = amendment

LA = *Legislation Act 2003*

rep = repealed

rs = repealed and substituted

s = section(s)/subsection(s)

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
<i>Radiocommunications (Communication with Space Object) Class Licence 2015</i>	23 September 2015 F2015L01486	24 September 2015	
<i>Radiocommunications (Communication with Space Object) Class Licence Variation 2018 (No. 1)</i>	27 September 2018 F2018L01364	28 September 2018	
<i>Radiocommunications (Communication with Space Object) Class Licence Variation 2020 (No. 1)</i>	28 February 2020 F2020L00181	29 February 2020	
<i>Radiocommunications (Class Licence) Amendment Instrument 2021 (No.1)</i>	11 June 2021 F2021L00734	17 June 2021	

Endnote 4—Amendment history

Provision affected	How affected
s 2.....	rep LA s 48D
s 3.....	rep LA s 48C
s.4(1)	am. F2021L00734
s.4(2)	rep. F2021L00734
s.4A.....	ad. F2021L00734
s 6.....	am. No.1 of 2018, am. No.1 of 2020
s.7 (heading).....	rs. F2021L00734
s.7(1)	rs. F2021L00734
s.7(3)	ad. F2021L00734
s.7(4)	ad. F2021L00734
s 8 (note)	rs. No.1 of 2020
s 9.....	ad. No. 1 of 2020