



# Radiocommunications (Qualified Operators) Consequential Amendments Instrument 2016 (No. 1)

*Australian Communications and Media Authority Act 2005, Radiocommunications Act 1992*

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The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Instrument under subsection 64(1) of the *Australian Communications and Media Authority Act 2005* and paragraph 107(1)(f) of the *Radiocommunications Act 1992*.

Dated: 21 March 2016

*Richard Bean*  
[signed]  
Member

*Brendan Byrne*  
[signed]  
~~Member~~/General Manager

Australian Communications and Media Authority

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## 1 Name of Instrument

This Instrument is the *Radiocommunications (Qualified Operators) Consequential Amendments Instrument 2016 (No. 1)*.

## 2 Commencement

This Instrument commences on the day that the *Radiocommunications (Qualified Operators) Determination 2016* commences.

*Note* All legislative instruments must be registered on the Federal Register of Legislation required to be maintained under the *Legislation Act 2003*.

**3      Amendments – Radiocommunications (Interpretation) Determination 2015**

Schedule 1 amends the *Radiocommunications (Interpretation) Determination 2015* [F2015L00178].

**4      Amendments – Radiocommunications Licence Conditions (Amateur Licence) Determination 2015**

Schedule 2 amends the *Radiocommunications Licence Conditions (Amateur Licence) Determination 2015* [F2015L01113].

**5      Amendments – Radiocommunications Licence Conditions (Maritime Ship Licence) Determination 2015**

Schedule 3 amends the *Radiocommunications Licence Conditions (Maritime Ship Licence) Determination 2015* [F2015L00288].

## Schedule 1      **Amendments – *Radiocommunications (Interpretation) Determination 2015***

(section 3)

### 1      **Schedule 1, definition of *amateur advanced station***

*substitute*

***amateur advanced station*** means an amateur station where:

- (a) the holder of the transmitter licence that relates to the station is a person to whom:
  - (i) a certificate of proficiency has been granted in relation to the Advanced Amateur Operator's Examination, which is a category of approved examination for the purposes of subsection 122(2) of the Act; or
  - (ii) a certificate of proficiency has been granted in relation to the Unrestricted Amateur Operator's Examination, which is a category of approved examination for the purposes of subsection 122(2) of the Act; or
  - (iii) a certificate of proficiency has been granted in relation to the Limited Amateur Operator's Examination, which is a category of approved examination for the purposes of subsection 122(2) of the Act; or
- (b) either:
  - (i) the holder of the transmitter licence that relates to the station; or
  - (ii) a person operating the station under the *Radiocommunications (Overseas Amateurs Visiting Australia) Class Licence 2015*;holds:
  - (iii) an amateur licence, issued by the administration of another country, that is listed in Table A or Table B of the Tables of Equivalent Qualifications and Licences for the purpose of operating an amateur advanced station in Australia; or
  - (iv) an amateur qualification, issued by the administration of another country, that is listed in Table A or Table B of the Tables of Equivalent Qualifications and Licences as equivalent to a qualification mentioned in paragraph (a).

### 2      **Schedule 1, paragraph (b) of the definition of *amateur foundation station***

*substitute*

- (b) who holds:

- (i) an amateur licence, issued by the administration of another country, that is listed in Table A or Table B of the Tables of Equivalent Qualifications and Licences for the purpose of operating an amateur foundation station in Australia; or
- (ii) an amateur qualification, issued by the administration of another country, that is listed in Table A or Table B of the Tables of Equivalent Qualifications and Licences as equivalent to a qualification mentioned in paragraph (a).

**3      Schedule 1, paragraph (b) of the definition of *amateur standard station***

*substitute*

- (b) who holds:
  - (i) an amateur licence, issued by the administration of another country, that is listed in Table A or Table B of the Tables of Equivalent Qualifications and Licences for the purpose of operating an amateur standard station in Australia; or
  - (ii) an amateur qualification, issued by the administration of another country, that is listed in Table A or Table B of the Tables of Equivalent Qualifications and Licences as equivalent to a qualification mentioned in paragraph (a).

**4      Schedule 1, definition of *CB repeater station***

*omit*

*Radiocommunications (Citizen Band Radio Stations) Class Licence 2002.*

*insert*

*Radiocommunications (Citizen Band Radio Stations) Class Licence 2015.*

**5      Schedule 1, definition of *CB station***

*omit*

*Radiocommunications (Citizen Band Radio Stations) Class Licence 2002.*

*insert*

*Radiocommunications (Citizen Band Radio Stations) Class Licence 2015.*

**6      Schedule 1, sub-sub-paragraph (b)(iii)(B) of the definition of *paging system***

*omit*

*(within the meaning of section 3 of the VHF High Band Frequency Band Plan (148 to 174 MHz) 1991)*

**7      Schedule 1, after *survival craft station****insert*

***Tables of Equivalent Qualifications and Licences*** means the tables of equivalent qualifications and licences on the ACMA website at <http://www.acma.gov.au>, as existing from time to time.

## Schedule 2      ***Amendments – Radiocommunications Licence Conditions (Amateur Licence) Determination 2015***

(section 4)

### 1      **Subsection 3(1), definition of *qualified person***

*substitute*

***qualified person***, in relation to an amateur station, means a persons who holds:

- (a) an amateur licence, issued by the administration of another country, that has been recognised by the ACMA for the purpose of operating the amateur station in Australia; or
- (b) an amateur qualification, issued by the administration of another country, that has been recognised by the ACMA for the purpose of operating the amateur station in Australia.

### 2      **Subsection 3(1), before the definition of *Timor Non Directional Beacon Area***

*insert*

***Tables of Equivalent Qualifications and Licences*** means the tables of equivalent qualifications and licences on the ACMA website at <http://www.acma.gov.au>, as existing from time to time.

### 3      **After subsection 3(1B)**

*insert*

- (1C) For the purposes of the definition of ***qualified person*** in subsection (1), a licence or qualification will be ***recognised by the ACMA*** in relation to an amateur station if it is a licence or qualification listed in Table A or Table B of the Tables of Equivalent Qualifications                      and                      Licences                      for                      the                      station.

**Schedule 3      *Amendments – Radiocommunications  
Licence Conditions (Maritime Ship  
Licence) Determination 2015***

(section 5)

**1      Subparagraph 2.4(3)(a)(v)**

*omit*

Proficiency

*insert*

Proficiency