Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2019 (No. 1)

Radiocommunications Act 1992

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Variation under subsection 132(1) of the *Radiocommunications Act 1992*.

Dated 16 August 2019

Nerida O'Loughlin
[signed]
Member

Creina Chapman
[signed]
Member/~~General Manager~~

Australian Communications and Media Authority

1 Name of instrument

This is the *Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2019 (No. 1)*.

2 Commencement

This Variation commences at the start of the day after it is registered on the Federal Register of Legislation.

Note: The Federal Register of Legislation may be accessed free of charge at www.legislation.gov.au.

3 Authority

This Variation is made under subsection 132(1) of the *Radiocommunications Act 1992*.

4 Variations

The instrument that is specified in Schedule 1 is varied as set out in the items in that Schedule.

Schedule 1 Variations

(section 4)

Radiocommunications (Low Interference Potential Devices) Class Licence 2015 [F2015L01438]

1 Subsection 3A(1), after the definition of *coverage area*

Insert:

CSIRO means the Commonwealth Scientific and Industrial Research Organisation.

2 After section 3A

Insert:

3B 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.

3 Schedule 1 (after table item 22)

Insert:

22A	All transmitters	57000–64000	100 mW	(a) The maximum transmitter power must not exceed 10 mW. (b) The maximum radiated power spectral density must not exceed 13 dBm per 1 MHz.

4 Schedule 1 (table item 47, column 2)

Repeal paragraphs (g) to (t), substitute:

(g) 70–74.8

(h) 75.2–85

(i) 148–149.9

(j) 150.05–156

(k) 157.45–160.6

(l) 160.975–161.475

(m) 162.05–174

(n) 403–406

(o) 406.1–430

(p) 450–520

5 Schedule 1 (table item 65, column 2)

Omit "57000–66000", substitute "57000-71000".

6 Schedule 1 (after table item 65)

Insert:

65A	Fixed point-to-point links used outdoors	57000–71000	See limitations	(a) The transmitter must comply with FCC Rules Title 47 Part 15 Section 255. (b) The transmitter must not be operated in the 58200–59000 MHz or 64000–65000 MHz bands within a nominated distance of a specified Australian radio-astronomy site unless: (i) the CSIRO, being satisfied that operation of the transmitter is not likely to cause harmful interference to radio-astronomy, has issued written instructions for the operation of the transmitter; and (ii) those instructions have been published on the ACMA's website; and (iii) the operation of the transmitter is in accordance with those instructions.

7 Schedule 1 (after table item 69)

Insert:

69A	Radiodetermination transmitters	76000–77000	See limitations	The transmitter must comply with either: (a) ETSI Standard EN 301 091-2; or (b) ETSI Standard EN 301 091-3.

8 Schedule 1 (after table item 71)

Insert:

71A	Radiodetermination transmitters (see Notes 4 and 5)	30-12400	See limitations	(a) The transmitter must be operated in a position such that emissions are directed towards: (i) the ground; or (ii) a wall of a building or similar structure. (b) The transmitter must comply with either: (i) ETSI Standard EN 302 066: or (ii) the technical requirements of FCC Rules Title 47 Part 15 Section 509. (c) The transmitter must not be operated within a nominated distance of a specified Australian radio-astronomy site unless: (i) the CSIRO, being satisfied that operation of the transmitter is not likely to cause harmful interference to radio-astronomy, has issued written

instructions for the operation of the transmitter; and

(ii) those instructions have been published on the ACMA's website; and

(iii) the operation of the transmitter is in accordance with those instructions.

(d) The transmitter must not be operated in the 8400–8500 MHz band within a nominated distance of a specified SRS earth station unless:

(i) the relevant earth station licensee being satisfied that operation of the transmitter is not likely to cause harmful interference to radio-astronomy, has issued written instructions for the operation of the transmitter; and

(ii) those instructions have been published on the ACMA's website; and

(iii) the operation of the transmitter is in accordance with those instructions.

9 **Schedule 1 (table item 78, column 2)**

Repeal paragraphs (a) and (b), substitute:

(a) 3100–4800
(b) 6000–9000

10 **Schedule 1 (table item 78, column 4, paragraph (a))**

Repeal the paragraph, substitute:

(a) The transmitter must comply with ETSI Standard EN 302 065.

11 **Schedule 1 (table item 78, column 4, paragraph (c))**

Repeal the paragraph.

12 **Schedule 1 (after table item 78)**

Insert:

78A	Ultra-wideband transmitters onboard aircraft	6000–8500	See limitations	The transmitter must comply with ETSI Standard EN 302 065-5.

13 **Schedule 1, after note 3**

Insert:

Note 4 ETSI Guide EG 202 730 provides advice on the control, use and application of ground penetration radar and wall probing radar systems.

Note 5 Ultra-wideband (UWB) sensors used in crop harvesting where the sensor is no more than 1 metre above the crop height and 3.7 metres above the ground will meet the limitation to comply with FCC Rules Title 47 Part 15 Section 509.

14 **Schedule 2 (after table item 7)**

Insert:

7A	69A	EN 301 091-2	*Short Range Devices; Transport and Traffic Telematics (TTT); Radar equipment operating in the 76 GHz to 77 GHz range; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU; Part 2: Fixed infrastructure radar equipment;*	ETSI
7B	69A	EN 301 091-3	*Short Range Devices; Transport*	ETSI

			and Traffic Telematics (TTT); Radar equipment operating in the 76 GHz to 77 GHz range; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU; Part 3: Railway/Road Crossings obstacle detection system applications;	

15 Schedule 2 (after table item 9)

Insert:

9A	71A	EN 302 066	*Short Range Devices (SRD); Ground- and Wall- Probing Radio determination (GPR/WPR) devices; Harmonised Standard for access to radio spectrum*	ETSI
9B	71A	EG 202 730	*Electromagnetic compatibility and Radio spectrum Matters (ERM); Code of Practice in respect of the control, use and application of Ground Probing Radar (GPR) and Wall Probing Radar (WPR) systems and equipment*	ETSI

16 Schedule 2 (table item 12)

Repeal the item.

17 Schedule 2 (before table item 13)

Insert

12A	78A	EN 302 065-5	*Short Range Devices (SRD) using Ultra Wide Band technology (UWB); Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU; Part 5: Devices using UWB technology onboard aircraft;*	ETSI

18 Schedule 2 (after table item 18)

Insert

19	71A	Code of Federal Regulation Title 47 §15.509	*Part 15 Section 509: Technical requirements for ground penetrating radars and wall*	FCC

imaging systems.