

Radiocommunications (Spectrum Re-allocation—26 GHz Band) Declaration 2019

*Radiocommunications Act 1992*

I, PAUL FLETCHER, Minister for Communications, Cyber Safety and the Arts having had regard to a recommendation given to me by the Australian Communications and Media Authority under subsection 153F(1) of the *Radiocommunications Act 1992*, make the following declaration.

Dated 18 October 2019

PAUL FLETCHER

Minister for Communications, Cyber Safety and the Arts

1. Name

 This instrument is the *Radiocommunications (Spectrum Re-allocation — 26GHz Band) Declaration 2019*.

2 Commencement

 (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. |  |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under subsection 153B(1) of the *Radiocommunications Act 1992*.

4 Interpretation

Note 1: A number of expressions used in this instrument are defined in the Act, including the following:

(a) ACMA;

(b) re-allocation deadline;

(c) re-allocation period;

(d) spectrum;

(e) spectrum licence;

(f) spectrum re-allocation declaration.

Note 2: See also section 5, in relation to re-allocation deadline and re-allocation period.

 (1) In this instrument:

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

***Hierarchical Cell Identification Scheme*** or ***HCIS*** means the Hierarchical Cell Identification Scheme used as a part of the Australian Spectrum Map Grid 2012 document published by the ACMA on its website, as the document existed at the time this instrument was made.

 (2) In this instrument, a reference to a part of the spectrum includes all frequencies that are greater than the lower frequency, up to and including the higher frequency.

5 Spectrum re-allocation

1. The part of the spectrum from 25.1 GHz to 27.0 GHz is subject to re-allocation under Part 3.6 of the Act:
2. by issuing spectrum licences under Subdivision B of Division 1 of Part 3.2 of the Act (see section 153L of the Act); and
3. with respect to the named areas listed in Items 1 to 27 in the table in subsection (4).
4. The part of the spectrum from 27.0 GHz to 27.5 GHz is subject to re-allocation under Part 3.6 of the Act:
5. by issuing spectrum licences under Subdivision B of Division 1 of Part 3.2 of the Act (see section 153L of the Act); and
6. with respect to the named areas listed in Items 1 to 26, 28 and 29 in the table in subsection (4).
7. For this spectrum re-allocation declaration:
8. the ***re-allocation period*** is the period of 3 years beginning at the start of the 21st day after this instrument commences; and
9. the ***re-allocation deadline*** is the end of the day before the second anniversary of the start of the re-allocation period.
10. The area (***named area***) referred to in column 1 in the following table is to be ascertained as the composite of the areas, described using identifiers from the Hierarchical Cell Identification Scheme, set out in column 2.

Note 1: The HCIS is a naming convention for areas on the Australian Spectrum Map Grid 2012 (ASMG), which is a system used by the ACMA to define geographic areas for radiocommunications licensing. A document describing the ASMG and HCIS, as well as spatial datasets describing each HCIS area could, at the time this instrument was made, be found on the ACMA’s website (<http://www.acma.gov.au>)

Note 2: A tool to convert lists of HCIS area descriptions, such as the list contained in the below table, into Placemark files to allow these areas to be visualised using computer mapping software could, at the time this instrument was made, be found on the ACMA’s website (http://www.acma.gov.au).

| Areas with respect to which this spectrum re-allocation declaration applies  |
| --- |
| **Item** | **Column 1****Named area** | **Column 2****Areas forming the named area (HCIS Identifiers)** |
| 1 | Adelaide | IW3J, IW3K, IW3L, IW3N, IW3O, IW3P, IW6B, IW6C, IW6D, IW6F, IW6G, IW6H, IW3E5, IW3E6, IW3E8, IW3E9, IW3F4, IW3F5, IW3F6, IW3F7, IW3F8, IW3F9, IW3G4, IW3G5, IW3G6, IW3G7, IW3G8, IW3G9, IW3H4, IW3H5, IW3H6, IW3H7, IW3H8, IW3H9, IW3I2, IW3I3, IW3I5, IW3I6, IW3I8, IW3I9, IW3M2, IW3M3, IW3M5, IW3M6, IW3M8, IW3M9, IW6A2, IW6A3, IW6A5, IW6A6, IW6A8, IW6A9, IW6E2, IW6E3, IW6E5, IW6E6, IW6E8, IW6E9, IW6K1, IW6K2, IW6K3, IW6K4, IW6K5, IW6K6, IW6L1, JW1E4, JW1E7, JW1I1, JW1I4, JW1I7, JW1M1, JW1M4 |
| 2 | Albany | BW3P7, BW3P8, BW3P9, BW6D1, BW6D2, BW6D3, BW6D4, BW6D5, BW6D6, CW1M7, CW4A1, CW4A4 |
| 3 | Albury  | LW8D, LW5P7, LW5P8, LW5P9, LW6M7, LW9A1, LW9A4, LW9A7 |
| 4 | Armidale | NU7G8, NU7G9, NU7K2, NU7K3 |
| 5 | Bendigo | KW9I5, KW9I6, KW9I8, KW9I9, KW9J4, KW9J5, KW9J6, KW9J7, KW9J8, KW9J9, KW9M2, KW9M3, KW9M5, KW9M6, KW9N1, KW9N2, KW9N3, KW9N4, KW9N5, KW9N6 |
| 6 | Brisbane/Lismore/Sunshine Coast/Toowoomba | NT9, NT5G, NT5H, NT5K, NT5L, NT5O, NT5P, NT6E, NT6F, NT6G, NT6H, NT6I, NT6J, NT6K, NT6L, NT6M, NT6N, NT6O, NT6P, NT7H, NT7L, NT8C, NT8D, NT8E, NT8F, NT8G, NT8H, NT8I, NT8J, NT8K, NT8L, NT8O, NT8P, NU3A, NU3B, NU3C, NU3D, NU3F, NU3G, NU3H, NU3J, NU3K, NU3L, NU3O, NU3P, NT5C4, NT5C5, NT5C6, NT5C7, NT5C8, NT5C9, NT5D4, NT5D5, NT5D6, NT5D7, NT5D8, NT5D9, NT6A4, NT6A5, NT6A6, NT6A7, NT6A8, NT6A9, NT6B4, NT6B5, NT6B6, NT6B7, NT6B8, NT6B9, NT6C4, NT6C5, NT6C6, NT6C7, NT6C8, NT6C9, NT6D4, NT6D5, NT6D6, NT6D7, NT6D8, NT6D9, NT7G2, NT7G3, NT7G5, NT7G6, NT7G8, NT7G9, NT7K2, NT7K3, NT7K5, NT7K6, NT7K8, NT7K9, NT7O2, NT7O3, NT7O5, NT7O6, NT7P1, NT7P2, NT7P3, NT7P4, NT7P5, NT7P6, NT8M1, NT8M2, NT8M3, NT8M4, NT8M5, NT8M6, NT8N1, NT8N2, NT8N3, NT8N4, NT8N5, NT8N6, NU2C1, NU2C2, NU2C3, NU2D1, NU2D2, NU2D3, NU2D5, NU2D6, NU2D8, NU2D9, NU2H2, NU2H3, NU3E1, NU3E2, NU3E3, NU3E5, NU3E6, NU3E8, NU3E9, NU3I2, NU3I3, NU3I6, NU3I9, NU3M3, NU3M6, NU3N1, NU3N2, NU3N3, NU3N4, NU3N5, NU3N6 |
| 7 | Bundaberg/ Hervey Bay | NS8N, NS8O, NT2B, NT2C, NS8M2, NS8M3, NS8M5, NS8M6, NS8M8, NS8M9, NT2A2, NT2A3, NT2D7, NT2D8, NT2D9, NT2G1, NT2G2, NT2G3, NT2G4, NT2G5, NT2G6, NT2H1, NT2H2, NT2H3, NT2H4, NT2H5, NT2H6 |
| 8 | Cairns | LQ1O, LQ1P, LQ1K7, LQ1K8, LQ1K9, LQ1L7, LQ1L8, LQ1L9, LQ4C1, LQ4C2, LQ4C3, LQ4C4, LQ4C5, LQ4C6, LQ4D1, LQ4D2, LQ4D3, LQ4D4, LQ4D5, LQ4D6 |
| 9 | Canberra | MW5E, MW4D6, MW4D9, MW4H3, MW4H9, MW4L3, MW5A4, MW5A5, MW5A6, MW5A7, MW5A8, MW5A9, MW5B4, MW5B7, MW5F1, MW5F4, MW5F7, MW5I1, MW5I2, MW5I3, MW5J1 |
| 10 | Coffs Harbour | NU9A, NU9E, NU8D9, NU8H3, NU8H6, NU8H9 |
| 11 | Darwin  | GO7C, GO7D, GO7G, GO7H, GO7K, GO7L, GO8A, GO8E, GO8I |
| 12 | Forster/Tuncurry | NV5B6, NV5B9, NV5C4, NV5C5, NV5C7, NV5C8, NV5F3, NV5G1, NV5G2 |
| 13 | Hobart | LY9N, LY9I8, LY9I9, LY9J7, LY9J8, LY9J9, LY9K7, LY9K8, LY9M2, LY9M3, LY9M5, LY9M6, LY9M8, LY9M9, LY9O1, LY9O2, LY9O4, LY9O5, LY9O7, LY9O8, LZ3A2, LZ3A3, LZ3B1,LZ3B2, LZ3B3, LZ3C1, LZ3C2 |
| 14 | Launceston  | LY6E, LY5H3, LY5H6, LY5H9, LY5L3, LY5L6, LY6F1, LY6F4, LY6F7, LY6I1, LY6I2, LY6I3, LY6I4, LY6I5, LY6I6, LY6J1, LY6J4 |
| 15 | Mackay | MR8A, MR5M7, MR5M8, MR5M9 |
| 16 | Margaret River | AV9P6, AV9P9, AW3D3, BV7M4, BV7M5, BV7M7, BV7M8, BW1A1, BW1A2 |
| 17 | Melbourne/Ballarat | KX2L, KX3I, KX3J, KX3K, KX3L, KX3N, KX3O, KX3P, KX6B, KX6C, KX6D, KX6F, KX6G, KX6H, KX6J, KX6K, KX6L, LX1I, LX1M, LX1N, LX1O, LX4A, LX4B, LX4C, LX4E, LX4I, KX2G9, KX2H7, KX2H8, KX2H9, KX2K3, KX2K6, KX2K9, KX3E7, KX3E8, KX3E9, KX3F7, KX3F8, KX3F9, KX3G7, KX3G8, KX3G9, KX3H4, KX3H5, KX3H6, KX3H7, KX3H8, KX3H9, KX3M2, KX3M3, KX3M5, KX3M6, KX3M8, KX3M9, KX6A2, KX6A3, KX6A5, KX6A6, KX6A8, KX6A9, KX6E2, KX6E3, KX6E5, KX6E6, KX6E8, KX6E9, KX6I2, KX6I3, KX6I5, KX6I6, KX6I8, KX6I9, LX1E4, LX1E7, LX1E8, LX1E9, LX1J1, LX1J4, LX1J5, LX1J6, LX1J7, LX1J8, LX1J9, LX1K4, LX1K7, LX4F1, LX4F2, LX4F4, LX4F5, LX4F7, LX4F8, LX4J1, LX4J2, LX4J4, LX4J5, LX4J7, LX4J8  |
| 18 | Mildura | KW1A4, KW1A5, KW1A6, KW1A7, KW1A8, KW1A9, KW1E1, KW1E2, KW1E3  |
| 19 | Port Macquarie  | NV2H, NV2L1, NV2L2, NV2L3  |
| 20 | Rockhampton  | MS6F, MS6G, MS6B7, MS6B8, MS6B9, MS6C7, MS6C8, MS6C9, MS6J1, MS6J2, MS6J3, MS6K1, MS6K2, MS6K3  |
| 21 | Shepparton/ Mooroopna  | LW7F, LW7G1, LW7G4, LW7G7, LW7J1, LW7J2, LW7J3, LW7K1  |
| 22 | Sydney/Bathurst  | NW1, MV8G, MV9I, MV9J, MV9K, MV9L, MV9M, MV9N, MV9O, MV9P, MW3C, MW3D, MW3G, MW3H, MW3K, MW3L, MW3O, MW3P, MW6C, MW6D, NV4N, NV4O, NV4P, NV5M, NV5N, NV5O, NV5P, NV7B, NV7C, NV7D, NV7E, NV7F, NV7G, NV7H, NV7I, NV7J, NV7K, NV7L, NV7M, NV7N, NV7O, NV7P, MV8F3, MV8F6, MV8F9, MV8H4, MV8H5, MV8H6, MV8H7, MV8H8, MV8H9, MV8J3, MV8K1, MV8K2, MV8K3, MV8L1, MV8L2, MV8L3, MV9D6, MV9D9, MV9E4, MV9E5, MV9E6, MV9E7, MV9E8, MV9E9, MV9F4, MV9F5, MV9F6, MV9F7, MV9F8, MV9F9, MV9G4, MV9G5, MV9G6, MV9G7, MV9G8, MV9G9, MV9H3, MV9H4, MV9H5, MV9H6, MV9H7, MV9H8, MV9H9, MW3B2, MW3B3, MW3B5, MW3B6, MW3B8, MW3B9, MW3F2, MW3F3, MW3F5, MW3F6, MW3F8, MW3F9, MW3J2, MW3J3, NV4I5, NV4I6, NV4I8, NV4I9, NV4J4, NV4J5, NV4J6, NV4J7, NV4J8, NV4J9, NV4K4, NV4K5, NV4K6, NV4K7, NV4K8, NV4K9, NV4L4, NV4L5, NV4L6, NV4L7, NV4L8, NV4L9, NV4M2, NV4M3, NV4M5, NV4M6, NV4M8, NV4M9, NV5I4, NV5I5, NV5I6, NV5I7, NV5I8, NV5I9, NV5J4, NV5J5, NV5J6, NV5J7, NV5J8, NV5J9, NV5K4, NV5K5, NV5K6, NV5K7, NV5K8, NV5K9, NV5L4, NV5L5, NV5L6, NV5L7, NV5L8, NV5L9, NV7A2, NV7A3, NV7A4, NV7A5, NV7A6, NV7A7, NV7A8, NV7A9  |
| 23 | Townsville  | LR2C, LR2D, LR2G, LR2H  |
| 24 | Traralgon/ Morwell  | LX5A6, LX5A8, LX5A9, LX5B4, LX5B5, LX5B6, LX5B7, LX5B8, LX5B9, LX5C4, LX5C5, LX5C7, LX5C8, LX5F1, LX5F2, LX5F3, LX5G1, LX5G2  |
| 25 | Wagga Wagga  | LW6B  |
| 26 | Warrnambool  | KX4F2, KX4F3, KX4F5, KX4F6, KX4F8, KX4F9, KX4G1, KX4G2, KX4G4, KX4G5, KX4G7, KX4G8  |
| 27 | Perth/Bunbury  | BV1I, BV1J, BV1K, BV1L, BV1M, BV1N, BV1O, BV1P, BV2I, BV2J, BV2M, BV2N, BV4A, BV4B, BV4C, BV4D, BV4E, BV4F, BV4G, BV4H, BV4I, BV4J, BV4K, BV4L, BV4O, BV5A, BV5B, BV5E, BV5F, BV5I, BV5J, BV7C, BV7G, BV1E7, BV1E8, BV1E9, BV1F7, BV1F8, BV1F9, BV1G7, BV1G8, BV1G9, BV1H7, BV1H8, BV1H9, BV2E7, BV2E8, BV2E9, BV2F7, BV2F8, BV2F9, BV4M1, BV4M2, BV4M3, BV4N1, BV4N2, BV4N3, BV4P1, BV4P2, BV4P3, BV4P4, BV4P5, BV4P7, BV4P8, BV5M1, BV5M2, BV5M3, BV5N1, BV5N2, BV5N3, BV7D1, BV7D2, BV7D4, BV7D5, BV7D7, BV7D8, BV7H1, BV7H2, BV7H4, BV7H5, BV7H7, BV7H8, BV7K1, BV7K2, BV7K3, BV7L1, BV7L2  |
| 28 | Bunbury | BV7G, BV7C4, BV7C5, BV7C6, BV7C7, BV7C8, BV7C9, BV7D4, BV7D5, BV7D7, BV7D8, BV7H1, BV7H2, BV7H4, BV7H5, BV7H7, BV7H8, BV7K1, BV7K2, BV7K3, BV7L1, BV7L2 |
| 29 | Perth | BV1I, BV1J, BV1K, BV1L, BV1M, BV1N, BV1O, BV1P, BV2I, BV2J, BV2M, BV2N, BV4A, BV4B, BV4C, BV4D, BV4E, BV4F, BV4G, BV4H, BV4I, BV4J, BV4K, BV4L, BV5A, BV5B, BV5E, BV5F, BV5I, BV5J, BV1E7, BV1E8, BV1E9, BV1F7, BV1F8, BV1F9, BV1G7, BV1G8, BV1G9, BV1H7, BV1H8, BV1H9, BV2E7, BV2E8, BV2E9, BV2F7, BV2F8, BV2F9, BV4M1, BV4M2, BV4M3, BV4N1, BV4N2, BV4N3, BV4O1, BV4O2, BV4O3, BV4P1, BV4P2, BV4P3, BV5M1, BV5M2, BV5M3, BV5N1, BV5N2, BV5N3 |