



Commonwealth of Australia

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Radiocommunications Act 1992

Notice under section 191 of the *Radiocommunications Act 1992*

NOTIFICATION OF PROPOSED *RADIOCOMMUNICATIONS (PROHIBITED DEVICE) (RNSS JAMMING DEVICES) DECLARATION 2014*

Notice is given that the Australian Communications and Media Authority (ACMA) proposes to make the *Radiocommunications (Prohibited Device) (RNSS Jamming Devices) Declaration 2014* (the Proposed Declaration), under subsection 190(1) of the *Radiocommunications Act 1992* (the Act).

The Proposed Declaration prohibits the operation or supply, and possession for the purpose of operation or supply, of a radionavigation satellite service (RNSS) jamming device. A RNSS jamming device is a device that is designed to have an adverse effect on, and would be likely substantially to interfere with, disrupt or disturb, the reception of RNSS radiocommunications.

The reasons for prohibition of RNSS jamming devices are:

- (a) that the radiocommunications use of a RNSS jamming device serves no legitimate purpose;
- (b) that the primary purpose of a RNSS jamming device is to adversely affect, interfere with, disrupt or disturb the reception of RNSS radiocommunications by RNSS receivers;
- (c) that adversely affecting, interfering with, disrupting or disturbing RNSS radiocommunications would inconvenience RNSS users and could threaten public safety;
- (d) that the operation, or the possession for the purpose of operation, of a RNSS jamming device may contravene sections 46 and 47 of the Act;
- (e) that the operation of a RNSS jamming device may also contravene sections 192, 193, 194, 195 and 197 of the Act; and
- (f) that the prohibition of the operation or supply, or possession for the purpose of operation or supply, of a RNSS jamming device will:
 - (i) ensure the reliability and quality of RNSS radiocommunications by minimising the potential for interference; and
 - (ii) increase the awareness of the public and of suppliers of RNSS jamming devices, potentially minimising the need for regulatory action in relation to RNSS jamming devices.

The ACMA intends to make the Proposed Declaration in order to preserve the on-going effect of the *Radiocommunications (Prohibited Device) (RNSS Jamming Devices) Declaration 2004*, which will sunset on 1 April 2015 unless revoked and remade before that date. The ACMA proposes to remake this instrument in substantially the same form by making the Proposed Declaration.

Comments

Pursuant to section 191 of the Act, the ACMA is seeking representations about the Proposed Declaration.

Copies of the existing instrument are available at:
<http://www.comlaw.gov.au/Details/F2005B00098/>

The Proposed Declaration and the associated consultation paper are available on the ACMA's website at: <http://www.acma.gov.au/theACMA/Consultations/Consultations/Sunsetting/remaking-rnss-jamming-devices-declaration-exemption-determination>

Interested persons are invited to make representations about the Proposed Declaration no later than 27 March 2014. Representations should be in writing and should be addressed to:

The Manager
Radiocommunication Licensing Policy and Allocations Capability Section
Australian Communications and Media Authority
PO BOX 78
BELCONNEN ACT 2616

or by email to:
Radiocommunications.Policy@acma.gov.au