



# Radiocommunications (27 MHz Handphone Stations) Class Licence 2002

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The AUSTRALIAN COMMUNICATIONS AUTHORITY issues this Class Licence under subsection 132 (1) and section 135 of the *Radiocommunications Act 1992*.

Dated 7 February 2002

A.J SHAW  
Chair

R HORTON  
Deputy Chair

Australian Communications Authority

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**1 Name of Class Licence**

This Class Licence is the *Radiocommunications (27 MHz Handphone Stations) Class Licence 2002*.

**2 When Class Licence comes into force**

This Class Licence comes into force on gazettal.

**3 Definitions**

In this Class Licence:

*Act* means the *Radiocommunications Act 1992*.

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

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

*handphone station* means a station that:

- (a) is designed to be carried personally; and
- (b) uses a carrier frequency specified in an item in Schedule 1.

*Ministerial Standard 316* means the standard for radiocommunications equipment used in the 27 MHz handphone service that was notified in the *Gazette* on 2 March 1989.

*RB 242* means the document entitled ‘Minimum Technical Requirements of Radio Equipment (Type A3 Emission) Accepted for Licensing Purposes in Connection with Medium and High Frequency Radiotelephone Services’ that was published by the Postal and Telecommunications Department of the Commonwealth in August 1976.

*Note* For definitions of other expressions used in this Class Licence, see the Act, the *Radiocommunications Regulations 1993* and the *Radiocommunications (Interpretation) Determination 2000*.

**4 Revocation**

For section 135 of the Act, the following instruments are revoked:

- Handphone Stations (27 MHz) Class Licence, notified in the *Gazette* on 16 September 1994
- *Handphone Stations (27 MHz) Class Licence Variation 1999 (No. 1)*, notified in the *Gazette* on 7 July 1999.

## 5 Class licence

Subject to sections 6, 7, 8 and 9, a person may operate a handphone station that transmits speech to, or audio tones to initiate communication with, another handphone station:

- (a) on a carrier frequency specified in an item in Schedule 1; and
- (b) subject to any restriction specified in the item.

*Note* The operation of a handphone station under this Class Licence is also subject to the provisions of the Act. Substantial penalties apply to breaches of the Act.

## 6 Conditions — general

A person must not:

- (a) when operating on a carrier frequency specified in item 2 of Schedule 1 — cause interference to a station to which the *Radiocommunications (Citizen Band Radio Stations) Class Licence 2002* applies; or
- (b) operate a handphone station that was manufactured on or after 2 March 1989 on a carrier frequency specified in item 2 of Schedule 1; or
- (c) operate a handphone station unless it is equipped with an antenna that is an integral part of the handphone station; or
- (d) connect or couple to the handphone station:
  - (i) a separate antenna; or
  - (ii) a combination of an external radiofrequency amplifier and antenna; or
- (e) if a handphone station transmits in a form other than speech — transmit for more than 3 seconds in any period of 60 seconds; or
- (f) make an alteration to a handphone station, or to accessory apparatus used in the operation of the station, that is likely to cause interference to radiocommunications, except:
  - (i) in accordance with a direction given under subparagraph 7 (2) (a) (i); or
  - (ii) with the consent in writing of an inspector who is reasonably satisfied that the alteration has been made to test the operation of the handphone station; or
- (g) operate a handphone station:
  - (i) in a way that would be likely to cause a reasonable person, justifiably in all the circumstances, to be seriously alarmed or seriously affronted; or
  - (ii) for the purpose of harassing a person; or
- (h) fail to comply with a direction given under section 7.

## 7 Directions

- (1) A person must comply with a direction that:
  - (a) relates to the operation of a handphone station by the person; and
  - (b) is given to the person by a person referred to in subsection (3); and
  - (c) is described in subsection (4).
- (2) A person must comply with a direction that:
  - (a) relates to interference to radiocommunications that:
    - (i) is likely to be caused by the alteration, installation or maintenance of a handphone station, or of accessory apparatus for use with a handphone station, by the person; or
    - (ii) is, or is likely to be, caused by the operation of a handphone station by the person; and
  - (b) is given to the person in writing by an inspector.
- (3) For paragraph (1) (b), a direction may be given by any of the following persons who is acting in the performance of his or her duties:
  - (a) a member of the Australian Federal Police;
  - (b) a member of the police force of a State or Territory;
  - (c) an officer of the Defence Force;
  - (d) an officer of the Australian Maritime Safety Authority who is employed in the Authority's Rescue Coordination Centre Australia (also known as 'AusSAR');
  - (e) an officer mentioned in Schedule 2 to the *Radiocommunications Regulations 1993*.
- (4) A direction given to a person under subsection (1) must be reasonably necessary to:
  - (a) secure the safety of an aircraft or a vessel that is in danger; or
  - (b) deal with an emergency that involves a serious threat to the environment; or
  - (c) deal with an emergency that involves the risk of death of, or injury to, a person; or
  - (d) deal with an emergency that involves the risk of substantial damage to, or substantial loss of, property.

## 8 Standards

- (1) If the device compliance day for the handphone station is on or after 20 December 1996, the handphone station must comply with the *Radiocommunications Standard (HF CB and Handphone Radio Transmitters) No. 1 of 1996*, as in force on 20 December 1996.

- (2) If the device compliance day for a handphone station is on or after the day on which this Class Licence comes into force, the handphone station must also comply with any other standard applicable to it as in force on that day.

*Note 1* The ACA wishes to make it clear that if a standard mentioned in subsection (2) is amended or replaced by another standard after the device compliance day for the handphone station, the handphone station need not comply with the amended or replaced standard.

*Note 2* Section 5 of the Act defines *standard* to mean a standard made under section 162 of the Act.

## **9 Technical requirements**

- (1) If the device compliance day of a handphone station is before 2 March 1989, the station must comply with RB 242.
- (2) If the device compliance day of a handphone station is on or after 2 March 1989 and before 20 December 1996, the station must comply with Ministerial Standard 316, as in force on 2 March 1989.

## Schedule 1 Handphone station operational requirements

(sections 3, 5 and 6)

Item	Carrier frequency (MHz)	Restriction
1	27.550 27.560 27.580 27.590 27.620 27.660 27.760	<p>Operation of a handphone station must only employ:</p> <p>(a) AM with a transmitter power not exceeding 4 watts pZ with a necessary bandwidth not exceeding 6 kHz; or</p> <p>(b) SSB modulation using USB with a transmitter power not exceeding 12 watts pX with a necessary bandwidth not exceeding 3 kHz.</p> <p>A handphone station operating on carrier frequency 27.580 MHz must only be used for bushfire fighting purposes.</p>
2	27.230 27.240 27.250 27.260 27.270 27.280	<p>Operation of a handphone station:</p> <p>(a) must only employ AM with a transmitter power not exceeding 700 milliwatts pZ with a necessary bandwidth not exceeding 6 kHz; and</p> <p>(b) is subject to interference from:</p> <p>(i) a station to which the <i>Radiocommunications (Citizen Band Radio Stations) Class Licence 2002</i> applies; or</p> <p>(ii) a transmitter operating in the Industrial, Scientific and Medical (ISM) frequency band.</p>