



Radiocommunications (section 145(3) Certificates) Amendment Determination 2005 (No. 1)

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under section 266A of the *Radiocommunications Act 1992*.

Dated 13th October 2005

C. CHEAH
Acting Chair

J.J. PLANTE
Member

Australian Communications and Media Authority

1 Name of Determination

This Determination is the *Radiocommunications (section 145(3) Certificates) Amendment Determination 2005 (No. 1)*.

2 Commencement

This Determination commences on 1 January 2006.

3 Amendment of *Radiocommunications (section 145(3) Certificates) Determination 2000*

Schedule 1 amends the *Radiocommunications (section 145(3) Certificates) Determination 2000*.

Schedule 1 Amendments

(section 3)

[1] Section 3

omit

condition that applies

substitute

conditions that apply

[2] Section 5

substitute

5 Conditions

The conditions for the issue of a certificate under subsection 145 (3) of the Act, for a transmitter operating under a spectrum licence issued for a band, are that:

- (a) the accredited person is satisfied that the operation of the device will not cause an unacceptable level of interference as set out in the section 145 determination for the band; or
- (b) the accredited person is satisfied that sufficient internal guard space has been allocated to mitigate potential interference from the transmitter, in accordance with the *Radiocommunications Advisory Guidelines (Registration of Devices under Spectrum Licences without an Interference Impact Certificate) 1998*; or
- (c) the accredited person is satisfied that consent in writing to interference from the transmitter has been given by all licensees who, in the opinion of the accredited person, may be affected by the interference.