



Radiocommunications (Mid-West Radio Quiet Zone) Frequency Band Plan 2011

Radiocommunications Act 1992

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Frequency Band Plan under section 32 of the *Radiocommunications Act 1992*.

Dated 11 July 2011

Chris Chapman
[signed]
Member

Richard Bean
[signed]
General Manager/Member

Australian Communications and Media Authority

1 Name of Frequency Band Plan

This Frequency Band Plan is the *Radiocommunications (Mid-West Radio Quiet Zone) Frequency Band Plan 2011*.

2 Commencement

This Frequency Band Plan commences on the day after it is registered.

Note All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.

3 Purpose of this Frequency Band Plan

- (1) The purpose of this Frequency Band Plan is to establish a radio quiet zone, and provide for the establishment of supplementary radio quiet zones, to prevent harmful interference to radio astronomy services.

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- (2) In particular, this Frequency Band Plan makes provision for the purposes for which applicable frequency bands may be used in the RQZ or in any supplementary RQZ.

4 Definitions

In this Frequency Band Plan:

Act means the *Radiocommunications Act 1992*.

applicable frequency band has the meaning given by section 5.

MRO entity means the entity responsible for operating the Murchison Radioastronomy Observatory.

radio astronomy has the same meaning as in the Spectrum Plan.

radio astronomy service has the same meaning as in the Spectrum Plan.

RQZ means that part of the radio quiet zone:

- (a) described in columns 2 to 4 of item 1 in the Schedule; and
- (b) described in columns 2 to 4 of item 2 in the Schedule.

Spectrum Plan means the *Australian Radiofrequency Spectrum Plan 2009*.

supplementary RQZ means that part of any radio quiet zone described in columns 2 to 4 of an item (other than item 1 or 2) in the Schedule.

Note The following expressions in this Frequency Band Plan are defined in the Act:

- ACMA
- apparatus licence.

5 Meaning of *applicable frequency band*

- (1) A frequency band is an *applicable frequency band* for an area if it is applicable to the area under section 6.
- (2) However, subsection (1) does not apply to a part of the spectrum in a frequency band for an area if, before the commencement of this Frequency Band Plan, that part of the spectrum:
 - (a) was designated for allocation with respect to the area by notice under subsection 36 (1) of the Act; or
 - (b) was specified in a spectrum re-allocation declaration with respect to the area under subsection 153B (1) of the Act.

6 Applicable frequency band

- (1) The frequency band applicable to the part of the RQZ described in columns 2 to 4 of item 1 in the Schedule is the range set out in column 5 of the item.
- (2) The frequency band applicable to the part of the RQZ described in columns 2 to 4 of item 2 in the Schedule is the range set out in column 5 of the item.

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- (3) The frequency band applicable to any supplementary RQZ described in columns 2 to 4 of an item (other than items 1 and 2) in the Schedule is the range set out in column 5 of the item.

7 Permitted purposes

- (1) An applicable frequency band:
- (a) may be used for 1 or more of the following:
 - (i) radio astronomy services; or
 - (ii) any additional services mentioned in section 8; and
 - (b) may be reserved for prevention or control of interference with radio astronomy services.
- (2) For an instrument made under the Act, a service mentioned in subparagraph (1) (a) (ii) that is authorised to operate in the part of the RQZ described in columns 2 to 4 of item 1 in the Schedule in an applicable frequency band is taken to be a secondary service in relation to a service mentioned in subparagraph (1) (a) (i).

8 Additional services

- (1) An applicable frequency band may also be used for services provided under an apparatus licence whether issued before or after the commencement of this Frequency Band Plan.
- (2) The use under subsection (1) must not be inconsistent with the Spectrum Plan or another frequency band plan.
- (3) If a licence is issued after the commencement of this Frequency Band Plan, subsection (1) only applies for services under the licence if the applicant for the licence consults with the MRO entity about those services before applying for the licence.
- (4) However, the ACMA may decide that an applicant need not consult with the MRO entity.

Schedule

Description of radio quiet zone

(sections 4, 6 and 7)

Column 1 Item	Column 2 Name or description	Column 3 Central location or coordinates	Column 4 Radius	Column 5 Frequency range
1	RQZ (inner)	latitude 26.704167 South, longitude 116.658889 East (GDA94 datum)	70 km	70 MHz — 25.25 GHz
2	RQZ (outer)	latitude 26.704167 South, longitude 116.658889 East (GDA94 datum)	70 - 150 km	70 MHz — 25.25 GHz