



# Radiocommunications (406 MHz Satellite Distress Beacons) Standard 2014

*Radiocommunications Act 1992*

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The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Standard under subsection 162(1) of the *Radiocommunications Act 1992*.

Dated 9<sup>th</sup> September 2014

*Chris Chapman*  
[signed]  
Member

*Richard Bean*  
[signed]  
Member/~~General Manager~~

Australian Communications and Media Authority

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## **1 Name of Standard**

This Standard is the *Radiocommunications (406 MHz Satellite Distress Beacons) Standard 2014*.

## **2 Commencement**

This Standard 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 [www.comlaw.gov.au](http://www.comlaw.gov.au)

### 3 Revocation

The *Radiocommunications (406 MHz Satellite Distress Beacons) Standard 2005* [F2005L01403] is revoked.

### 4 Definitions

In this Standard:

**121.5 MHz homing transmitter** means a transmitter, incorporated into a 406 MHz satellite distress beacon, that operates on a carrier frequency of 121.5 MHz.

**406 MHz satellite distress beacon** means a radiocommunications device that:

- (a) is either:
  - (i) a 406 MHz satellite emergency position indicating radio beacon; or
  - (ii) a 406 MHz satellite personal locator beacon; and
- (b) is capable of being operated on a carrier frequency in the frequency band 406.0 MHz to 406.1 MHz; and
- (c) incorporates a 121.5 MHz homing transmitter the emissions of which are intended to facilitate search and rescue operations.

**406 MHz satellite emergency position indicating radio beacon** means a device, designed or intended for use in the maritime mobile-satellite service, the emissions of which are intended to facilitate search and rescue operations.

**406 MHz satellite personal locator beacon** means a device, designed or intended for use in the land mobile-satellite service, the emissions of which are intended to facilitate search and rescue operations.

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

**applicable device** means a radiocommunications device to which this Standard applies, as provided by subsection 5(1).

**AS/NZS 4280.1** means:

- (a) the standard *AS/NZS 4280.1:2003 406 MHz satellite distress beacons, Part 1: Marine emergency position-indicating radio beacons (EPIRB) (IEC 61097-2:2002, MOD)* published by Standards Australia, as in force or existing from time to time; or
- (b) if a later standard published by Standards Australia is expressed to replace the standard mentioned in paragraph (a) – the later standard, as in force or existing from time to time.

**AS/NZS 4280.2** means:

- (a) the standard *AS/NZS 4280.2:2003 406 MHz satellite distress beacons, Part 2: Personal locator beacons (PLBs)* published by Standards Australia, as in force or existing from time to time; or
- (b) if a later standard published by Standards Australia is expressed to replace the standard mentioned in paragraph (a) – the later standard, as in force or existing from time to time.

**Chair** means the Chair of the ACMA.

**commencement day** means the day on which this Standard commences.

**included in a class of radiocommunications devices** has the meaning given by:

- (a) in relation to an applicable device other than a modified device – paragraph 6(1)(a); and

(b) in relation to a modified device – paragraph 6(2)(a).

**land mobile-satellite service** means a mobile-satellite service in which mobile earth stations are located on land.

**manufactured**, in relation to an applicable device, means manufactured in Australia.

**maritime mobile-satellite service** has the meaning given by the *Radiocommunications (Interpretation) Determination 2000*.

**modified**, in relation to a radiocommunications device, means modified or altered in a material respect in Australia (after the device was manufactured or imported) by or on behalf of, the manufacturer or importer of the device.

**modified device** means:

- (a) an applicable device that has been modified; and
- (b) a radiocommunications device that has been modified in such a way that it becomes an applicable device.

**original modified device** has the meaning given by paragraph 6(2)(b).

**original radiocommunications device** has the meaning given by paragraph 6(1)(b).

**relevant date**, for an applicable device, means the date specified in section 7 in relation to the device.

**significant event** means an event at a location or locations specified in a notice approved by the Chair and published on the ACMA's website at <http://www.acma.gov.au>.

*Note:* Several other words and expressions used in this Standard have the meaning given by the Act, including:

- ACMA (section 5)
- radiocommunications device (subsection 7(1)).

## 5 Application

- (1) This Standard applies to a radiocommunications device (an **applicable device**) that:
  - (a) is a 406 MHz satellite distress beacon; and
  - (b) is not a device mentioned in subsection (2).

### *Exception — device imported for significant event*

- (2) This subsection applies to a radiocommunications device that:
  - (a) is imported into Australia solely for use in connection with a significant event;
  - (b) if there is a requirement that the device is tested or inspected before it may be used in Australia — meets the requirement;
  - (c) if there is a condition or requirement imposed on the use of the device in Australia — is used in compliance with that condition or requirement;
  - (d) is used in Australia only at the location of the significant event; and
  - (e) is used in Australia only for the duration of the significant event.

## 6 When is a device included in a class of radiocommunications devices?

- (1) In this Standard:
  - (a) an applicable device, other than a modified device, is *included in a class of radiocommunications devices* if the device:
    - (i) is identical to each other device of the class (irrespective of when the devices were manufactured or imported); and
    - (ii) has the same manufacturer or importer as each other device of the class; and
  - (b) the *original radiocommunications device*, in relation to the class of radiocommunications devices, is the device of the class that was the first to be manufactured or imported.
- (2) In this Standard:
  - (a) a modified device is *included in a class of radiocommunications devices* if:
    - (i) the modification made to create the device is identical to the modification made to create each other device of the class (irrespective of when the devices were so modified);
    - (ii) the device is, in all other respects, identical to each other device of the class (irrespective of when the devices were manufactured or imported); and
    - (iii) the device has the same manufacturer or importer as each other device of the class; and
  - (b) the *original modified device*, in relation to the class, is the device of the class that was the first to be created by being so modified.

## 7 Relevant date for an applicable device

For the purposes of this Standard, the relevant date for an applicable device is:

- (a) in the case of an applicable device (other than a modified device) that is included in a class of radiocommunications devices – the date the original radiocommunications device was manufactured or imported;
- (b) in the case of a modified device that is included in a class of radiocommunications devices – the date the modification was made to create the original modified device of the class; or
- (c) otherwise – the date the device was manufactured or imported.

## 8 Standard for performance

- (1) For paragraph 162(1)(a) of the Act, the standard for performance of an applicable device is as set out in the provisions of AS/NZS 4280.1 and AS/NZS 4280.2 which are specified in clauses 1 and 3 of Schedule 1, subject to the modifications of those provisions specified in clauses 2 and 4 of Schedule 1.
- (2) If the relevant date for the device occurs during a transition period, the standard for performance with which the device must comply is either:

- (a) subsection (1) applying AS/NZS 4280.1 and AS/NZS 4280.2 as in existence immediately before the transition period commenced; or
  - (b) subsection (1) applying AS/NZS 4280.1 and AS/NZS 4280.2 as in existence during the transition period.
- (3) If:
- (a) AS/NZS 4280.1 or AS/NZS 4280.2 is amended or replaced during a transition period (the *first transition period*) so that there is a further transition period (the *second transition period*); and
  - (b) the relevant date for the device occurs at a time when the first transition period and the second transition period overlap;
- the standard for performance with which the device must comply is one of the following:
- (c) subsection (1) applying AS/NZS 4280.1 and AS/NZS 4280.2 as in existence immediately before the first transition period commenced;
  - (d) subsection (1) applying AS/NZS 4280.1 and AS/NZS 4280.2 as in existence during the first transition period; or
  - (e) subsection (1) applying AS/NZS 4280.1 and AS/NZS 4280.2 as in existence during the second transition period.
- (4) If AS/NZS 4280.1 or AS/NZS 4280.2 is:

- (a) amended; or
- (b) replaced;

then, for the purposes of this section, the *transition period* is the 1 year period commencing on the day AS/NZS 4280.1 or AS/NZS 4280.2 was:

- (c) amended; or
- (d) replaced;

as the case may be.

*Note:* An applicable device may be subject to only AS/NZS 4280.1 or AS/NZS 4280.2. In some cases, an applicable device may be subject to both AS/NZS 4280.1 and AS/NZS 4280.2.

## **9 Transitional arrangements – devices manufactured, imported or modified before commencement day**

If:

- (a) the relevant date for an applicable device occurred before the commencement day; and
- (b) at the relevant date the device complied with the *Radiocommunications (406 MHz Satellite Distress Beacons) Standard 2005*,

then the device is taken to comply with this Standard.

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**Schedule 1 – Standard for performance (specified provisions of AS/NZS 4280.1 and AS/NZS 4280.2 and modification of specified provisions)**

(subsection 8(1))

**1 Standard for performance of an applicable device: specified provisions of AS/NZS 4280.1**

For subsection 8(1) of the Standard, the specified provisions of AS/NZS 4280.1 are as follows:

- (a) subclause 3.3.3(f) (Activation);
- (b) subclause 3.3.3(g) (Activation);
- (c) subclause 3.3.4 (Self-test);
- (d) clause 4.5 (121.5 MHz homing signal);
- (e) subclause 5.1.7 (Preparation of satellite EPIRB for type-approval testing);
- (f) subclause 5.1.8 (Test conditions);
- (g) subclause 5.1.8.1 (Normal test conditions);
- (h) subclause 5.1.8.2 (Extreme test conditions); and
- (i) Annex D (Technical standard for 121.5 MHz homing device).

**2 Modification of specified provisions of AS/NZS 4280.1 for the purpose of defining the standard for performance of an applicable device**

For subsection 8(1) of the Standard, the specified provisions of AS/NZS 4280.1 are modified as follows:

- (a) subclause 3.3.4 of AS/NZS 4280.1 is modified by omitting everything except the final sentence; and
- (b) Annex D of AS/NZS 4280.1 is modified by omitting paragraph D.3(g).

**3 Standard for performance of an applicable device: specified provisions of AS/NZS 4280.2**

For subsection 8(1) of the Standard, the specified provisions of AS/NZS 4280.2 are as follows:

- (a) subclause 1.4.5 (Definitions – radiation);
- (b) subclause 1.4.10 (Definitions – spurious emission);
- (c) subclause 3.1.1 (Adjustment mechanisms);
- (d) subclause 3.2.2.2 (Satellite personal locator beacons – homing compliance);
- (e) clause 3.3 (Homing transmitter for 406 MHz satellite personal locator beacon); and
- (f) Appendix E (Radiofrequency tests for the homing transmitter of 406 MHz personal locator beacons).

**4 Modification of specified provisions of AS/NZS 4280.2 for the purpose of defining the standard for performance of an applicable device**

For subsection 8(1) of the Standard, subclause 3.2.2.2 of AS/NZS 4280.2 is modified by omitting “In addition to the requirements of Clause 3.2.2.1 a)” and substituting “A”.