



Radiocommunications (Prohibited Device) (RNSS Jamming Devices) Exemption Determination 2014

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under subsection 27 (2) of the *Radiocommunications Act 1992*.

Dated *15 December 2014*

Chris Chapman
[signed]
Member

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

Australian Communications and Media Authority

1 Name of Determination

This Determination is the *Radiocommunications (Prohibited Device) (RNSS Jamming Devices) Exemption Determination 2014*.

2 Commencement

This Determination 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>.

2A Revocation of previous Determination

The *Radiocommunications (Prohibited Device) (RNSS Jamming Devices) Exemption Determination 2004* (Federal Register of Legislative Instruments No. F2005B00087) is revoked.

3 Definitions

In this Determination:

Act means the *Radiocommunications Act 1992*.

Defence Force has the meaning given by section 30 of the *Defence Act 1903*.

Department of Defence means the Department administered by the Minister for Defence.

member of a civilian component of a visiting force has the meaning given by subsection 5 (3) of the *Defence (Visiting Forces) Act 1963*.

member of a visiting force has the meaning given by subsection 5 (2) of the *Defence (Visiting Forces) Act 1963*.

RNSS jamming device has the meaning given by section 3 of the *Radiocommunications (Prohibited Device) (RNSS Jamming Devices) Declaration 2014*.

visiting force has the meaning given by subsection 5 (1) of the *Defence (Visiting Forces) Act 1963*.

4 Exemption — Defence and related persons

- (1) Under subsection 27 (2) of the Act, the ACMA determines that an act or omission by a member of a class of persons mentioned in subsection (2), to whom paragraph 27 (1) (a) of the Act applies, is exempt from section 189 and Part 4.2 of the Act in relation to:
 - (a) the operation or supply of a RNSS jamming device; and
 - (b) the possession, for the purpose of operation or supply, of a RNSS jamming device.
- (2) Subsection (1) applies to the following:
 - (a) a member of the Defence Force, or an officer of the Department of Defence, in the performance of his or her functions as such a member or officer;
 - (b) the

Defence	Force;
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- (c) the Department of Defence;
- (d) a person supplying a RNSS jamming device to the Defence Force or the Department of Defence in accordance with a written contract signed by:
 - (i) the person; and
 - (ii) a member of the Defence Force, or an officer of the Department of Defence, in the performance of his or her functions as such a member or officer;
- (e) a member of a visiting force;
- (f) a member of a civilian component of a visiting force; and
- (g) a person supplying a RNSS jamming device to a visiting force in accordance with a written contract approved in writing by a member of the Defence Force, or an officer of the Department of Defence, in the performance of his or her functions as such a member or officer.