



## **Radiocommunications (27 MHz Handphone Stations) Class Licence 2015**

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

Dated *4<sup>th</sup> September 2015*

*Chris Chapman*  
[signed]  
Member

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

Australian Communications and Media Authority

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**1 Name of Class Licence**

This Class Licence is the *Radiocommunications (27 MHz Handphone Stations) Class Licence 2015*.

**2 Commencement**

This Class Licence commences on the later of:

- (a) the day of its gazettal; or
- (b) the day after it is registered.

*Note 1* All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.comlaw.gov.au>.

*Note 2* Both of the events specified at paragraphs (a) and (b) must occur before the Class Licence can commence.

**3 Definitions**

- (1) 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.

*industrial, scientific and medical (ISM) applications* has the meaning given by the *Australian Radiofrequency Spectrum Plan 2013*.

*Note* For definitions of other expressions used in this Class Licence, see the Act, and the *Radiocommunications (Interpretation) Determination 2015*.

- (2) In this Class Licence, unless the contrary intention appears, a reference to another legislative instrument is a reference to that other legislative instrument as in force from time to time.

*Note 1* For references to Commonwealth Acts, see section 10 of the *Acts Interpretation Act 1901*; and see also subsection 13(1) of the *Legislative Instruments Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

*Note 2* All Commonwealth Acts and legislative instruments are available on the ComLaw website at <http://www.comlaw.gov.au>.

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**4 Revocation**

The *Radiocommunications (27 MHz Handphone Stations) Class Licence 2002* [F2005B00237] is revoked.

**5 Class licence**

Subject to sections 6, 7 and 8 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 for that item in Schedule 1.

**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 2015* 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 handphone 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 their 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;
  - (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

A handphone station must comply with any applicable standard as in force on the relevant device compliance day.

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

## 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> <ul style="list-style-type: none"> <li>(a) AM with a transmitter power not exceeding 4 watts pZ with a necessary bandwidth not exceeding 6 kHz; or</li> <li>(b) SSB modulation using USB with a transmitter power not exceeding 12 watts pX with a necessary bandwidth not exceeding 3 kHz.</li> </ul> <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> <ul style="list-style-type: none"> <li>(a) must only employ AM with a transmitter power not exceeding 700 milliwatts pZ with a necessary bandwidth not exceeding 6 kHz; and</li> <li>(b) may be subject to interference from: <ul style="list-style-type: none"> <li>(i) a station to which the <i>Radiocommunications (Citizen Band Radio Stations) Class Licence 2015</i> applies; or</li> <li>(ii) a transmitter operating in the frequency band designated for industrial, scientific and medical (ISM) applications.</li> </ul> </li> </ul>