

Radiocommunications (27 MHz Handphone Stations) Class Licence 2015

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

Dated *4th September 2015*

*Chris Chapman*
[signed]
Member

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

Australian Communications and Media Authority

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](http://www.comlaw.gov.au).

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 | 27.55027.56027.58027.59027.62027.66027.760 | Operation of a handphone station must only employ: (a) AM with a transmitter power not exceeding 4 watts pZ with a necessary bandwidth not exceeding 6 kHz; or (b) SSB modulation using USB with a transmitter power not exceeding 12 watts pX with a necessary bandwidth not exceeding 3 kHz.A handphone station operating on carrier frequency 27.580 MHz must only be used for bushfire fighting purposes. |
| 2 | 27.23027.24027.25027.26027.27027.280 | Operation of a handphone station: (a) must only employ AM with a transmitter power not exceeding 700 milliwatts pZ with a necessary bandwidth not exceeding 6 kHz; and (b) may be subject to interference from: (i) a station to which the *Radiocommunications (Citizen Band Radio Stations) Class Licence 2015* applies; or (ii) a transmitter operating in the frequency band designated for industrial, scientific and medical (ISM) applications. |