



# **Radiocommunications (Digital Cordless Communications Devices — DECT Devices) Standard 2017**

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The Australian Communications and Media Authority makes the following standard under subsection 162(1) of the *Radiocommunications Act 1992*.

Dated: 18 August 2017

Richard Bean  
[signed]  
Member

James Cameron  
[signed]  
Member/~~General Manager~~

Australian Communications and Media Authority

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## Part 1—Preliminary

### 1 Name

This is the *Radiocommunications (Digital Cordless Communications Devices — DECT Devices) Standard 2017*.

### 2 Commencement

This standard commences at the start of the day after it is registered on the Federal Register of Legislation.

Note: The Federal Register of Legislation may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au).

### 3 Authority

This standard is made under subsection 162(1) of the *Radiocommunications Act 1992*.

### 4 Repeal of the *Radiocommunications (Digital Cordless Communications Devices — DECT Devices) Standard 2007*

The *Radiocommunications (Digital Cordless Communications Devices — DECT Devices) Standard 2007* [F2007L03471] is repealed.

### 5 Background

- (1) This standard applies to particular radiocommunications devices, as provided by section 12, and is made for:
  - (a) the performance of those devices; and
  - (b) the maximum permitted level of radio emissions from those devices (other than radiocommunications from those devices in accordance with Chapter 3 of the Act) within specified parts of the spectrum.

Note 1: A radiocommunications device to which this standard applies is referred to as an *item*.

Note 2: Chapter 3 of the Act provides for the licensing of radiocommunications devices, the registration of licences and the re-allocation of parts of the spectrum, and imposes requirements on the operation and possession of radiocommunications devices.

- (2) This standard consists only of such requirements as are necessary or convenient for the purpose of containing interference to radiocommunications.

## Part 2—Interpretation

### 6 Definitions

In this standard:

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

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

**DECT** means Digital Enhanced Cordless Telecommunications.

**exempt item** means a radiocommunications device that:

- (a) is imported solely for use in Australia 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; and
- (d) is used in Australia only at the location, and for the duration, of the significant event.

**included in a class of items** has the meaning given by section 8.

**industry standard** means the European Telecommunications Standards Institute standard ETSI EN 301 406 V2.2.2 (2016-09) – *Digital Enhanced Cordless Telecommunications (DECT); Harmonised Standard covering the essential requirements of article 3.2 of the Directive 2014/53/EU* published by the European Telecommunications Standards Institute in September 2016.

Note 1: The industry standard is incorporated as in force at the times mentioned in section 14 (with the modifications specified in Schedule 1).

Note 2: A copy of the industry standard could, at the time of making this instrument, be obtained free of charge from the European Telecommunications Standards Institute’s website at <http://www.etsi.org/>.

**item** means a radiocommunications device to which this standard applies, as provided by section 12, and includes a modified item.

**manufacturer**, in relation to an item, includes (but is not limited to) a person who modifies the item.

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

**modified item** means:

- (a) an item that has been modified and, for the avoidance of doubt, is the item as modified; or
- (b) a device that has been modified in such a way that it becomes an item.

**original item** has the meaning given by paragraph 8(1)(b).

**original modified item** has the meaning given by paragraph 8(2)(b).

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*relevant date*, for an item, has the meaning by section 10.

**replacement standard** means an instrument that replaces the industry standard.

**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 [www.acma.gov.au](http://www.acma.gov.au).

**transition period**, for an amendment or the replacement of the industry standard, has the meaning given by section 11.

Note 1: A number of other expressions used in this standard are defined in the Act and the *Radiocommunications (Interpretation) Determination 2015*, including the following:

- (a) ACMA (see section 5 of the Act);
- (b) Act (see section 4 of the determination);
- (c) Australia (see section 5 of the Act);
- (d) device (see section 5 and subsection 9(1) of the Act);
- (e) EIRP (see section 3 of, and Schedule 1 to, the determination);
- (f) frequency band (see section 5 of the Act);
- (g) import (see section 5 of the Act);
- (h) radiocommunication (see sections 5 and 6 of the Act);
- (i) radiocommunications device (see section 5 and subsection 7(1) of the Act);
- (j) radio emission (see section 5 and subsection 8(1) of the Act);
- (k) spectrum (see section 5 of the Act).

Note 2: See paragraph 3(2)(g) of the *Radiocommunications (Interpretation) Determination 2015*, which is made under subsection 64(1) of the *Australian Communications and Media Authority Act 2005*, for the application of that determination to this standard.

## 7 References to other instruments

In this standard, unless the contrary intention appears:

- (a) a reference to any other legislative instrument is a reference to that other legislative instrument as in force from time to time; and
- (b) a reference to any other kind of instrument is a reference to that other 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 *Legislation Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

Note 2: All Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation.

Note 3: For references to the industry standard, see Notes 1 and 2 at end of the definition of **industry standard** in section 6.

## 8 Class of items

(1) In this standard:

- (a) an item, other than a modified item, is **included in a class of items** if the item:
  - (i) is identical to each other item in the class (irrespective of when the items were manufactured or imported); and
  - (ii) has the same manufacturer or importer as each other item; and
- (b) the **original item**, in relation to the class, is the item in the class that was the first to be manufactured in Australia or imported.

(2) In this standard:

- (a) a modified item is **included in a class of items** if:

- (i) the modification made to create that item is identical to the modification made to create each other item in the class (irrespective of when the modifications were made);
  - (ii) the modified item is, in all other respects, identical to each other item (irrespective of when the items were manufactured or imported); and
  - (iii) the modified item has the same manufacturer or importer as each other item; and
- (b) the **original modified item**, in relation to the class, is the item in the class that was the first to be created in Australia or imported.

## 9 Date a modified item is created

In this standard, a reference to the date a modified item is created is a reference to the date of making of the modification which creates that item.

## 10 Relevant date for an item

In this standard, a reference to a **relevant date** for an item is a reference to:

- (a) in the case of an item, other than a modified item – each of the following:
  - (i) the date the item is manufactured in Australia or imported;
  - (ii) if the item is included in a class of items – the date the original item in the class was manufactured in Australia or imported;
- (b) in the case of a modified item – each of the following:
  - (i) the date the modified item is created in Australia or imported;
  - (ii) if the modified item is included in a class of items – the date the original modified item in the class was created in Australia or imported.

Example: Under subsection 14(1), if a relevant date for an item does not occur during a transition period and the item complies with the industry standard as in force at the relevant date (with the modifications specified in Schedule 1), the item meets the requirements of the subsection.

If:

- (a) a modified item that is included in a class of items complies with either:
  - (i) the industry standard as in force at the date the modified item is created in Australia or imported (with the modifications specified in Schedule 1); or
  - (ii) the industry standard as in force at the date the original modified item in the class was created in Australia or imported (with the modifications specified in Schedule 1); and
- (b) that date does not occur during a transition period;  
the first-mentioned item meets the requirements of subsection 14(1).

## 11 Transition period

For the purposes of this standard, if the industry standard is amended or replaced, there is a **transition period**, being a period of one year commencing on the day the industry standard is amended or replaced.

Note 1: See subsection 14(2) in relation to a transition period.

Note 2: If the industry standard is amended or replaced during a transition period, there is another transition period which overlaps with the first-mentioned period. See subsection 14(3) in relation to overlapping transition periods.

## Part 3—Application and requirements

### 12 Application

This standard applies to a radiocommunications device that uses DECT technology, unless:

- (a) the device was designed or intended to operate within one or more of the following frequency bands:
  - (i) greater than 915 and less than or equal to 928 MHz;
  - (ii) greater than 2400 and less than or equal to 2483.5 MHz;
  - (iii) greater than 5725 and less than or equal to 5850 MHz; or
- (b) the device is an exempt item.

Note: A radiocommunications device that uses DECT technology that was designed or intended to operate within one or more of the frequency bands mentioned in paragraph (a) may be required to comply with the *Radiocommunications (Short Range Devices) Standard 2014*.

### 13 Requirements

An item must meet the following requirements in order to comply with this standard:

- (a) the item must operate:
  - (i) only on frequencies greater than 1880 and less than or equal to 1900 MHz; and
  - (ii) with a radiated power of no more than 36 dBm EIRP; and
- (b) the item must meet the requirements of subsection 14(1), (2) or (3).

Note: Paragraph (a) relates both to the performance of the item and the maximum permitted level of radio emissions from the item (other than radiocommunications from the item in accordance with Chapter 3 of the Act).

### 14 Standard for items

- (1) If:
  - (a) a relevant date for an item does not occur during a transition period; and
  - (b) the item complies with the industry standard as in force at the relevant date (with the modifications specified in Schedule 1);the item meets the requirements of this subsection.
- (2) If:
  - (a) a relevant date for an item occurs during a transition period; and
  - (b) the item complies with:
    - (i) the industry standard as in force immediately before the commencement of the transition period (with the modifications specified in Schedule 1);
    - (ii) the industry standard as in force at the commencement of the transition period (with the modifications specified in Schedule 1); or
    - (iii) a replacement standard as in force at the commencement of the transition period;the item meets the requirements of this subsection.
- (3) If:

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- (a) a transition period overlaps with another transition period;
- (b) a relevant date for an item occurs during the period of overlap; and
- (c) the item complies with:
  - (i) the industry standard as in force immediately before the commencement of the earliest of those transition periods (with the modifications specified in Schedule 1);
  - (ii) the industry standard as in force at the commencement of any one of those transition periods (with the modifications specified in Schedule 1); or
  - (iii) a replacement standard as in force at the commencement of any one of those transition periods;

the item meets the requirements of this subsection.

Note: An item, in the case mentioned in each subsection, meets the requirements of the subsection, irrespective of whether there is another relevant date for the item or when that date occurs.



## **Part 4—Savings and transitional arrangements**

### **15 Items for which relevant date occurred before commencement day**

If:

- (a) a relevant date for an item occurred before the commencement day; and
- (b) the item complies with the *Radiocommunications (Digital Cordless Communications Devices — DECT Devices) Standard 2007* as in force immediately before the commencement day;

the item is taken to comply with this standard.

Note: An item, in that case, is taken to comply with this standard, irrespective of whether there is another relevant date for the item or when that date occurs.

## **Schedule 1—Modifications of the industry standard**

If:

- (a) the industry standard includes a requirement that applies to an item; and
- (b) that requirement is inconsistent with the requirement specified in subparagraph 13(a)(i) or (ii) of this standard;

the first-mentioned requirement, to the extent that it is inconsistent, does not apply in relation to the item.