



## **Radiocommunications Spectrum Marketing Plan (2.3 GHz Band) Variation 2017 (No. 1)**

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The Australian Communications and Media Authority makes the following instrument under subsection 42(1) of the *Radiocommunications Act 1992*.

Dated: 25 September 2017

Richard Bean  
[signed]  
Member

Brendan Byrne  
[signed]  
~~Member~~/General Manager

Australian Communications and Media Authority

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## Section 1

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### 1 Name

This is the *Radiocommunications Spectrum Marketing Plan (2.3 GHz Band) Variation 2017 (No. 1)*.

### 2 Commencement

This instrument commences at the start of the day after it is registered.

Note: This instrument is registered on the Federal Register of Legislation which may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au).

### 3 Authority

This instrument is made under subsection 42(1) of the *Radiocommunications Act 1992*.

### 4 Amendments

The instrument that is specified in Schedule 1 is amended as set out in the applicable items in that Schedule.

## Schedule 1—Amendments

### ***Radiocommunications Spectrum Marketing Plan (2.3 GHz Band) 2009 (F2009L00271)***

#### **1 Subsection 1.3, the note to subsection 1.3(1)**

Repeal the note, substitute:

Note 1: This Marketing Plan does not deal with those parts of the spectrum that were used for the conversion of apparatus licences under the *Radiocommunications Spectrum Conversion Plan (2302 – 2400 MHz Band) 2000*.

Note 2: After the commencement of the *Radiocommunications Spectrum Marketing Plan (2.3 GHz) Variation 2017 (No. 1)*, this Plan does not deal with the part of the 2.3 GHz band defined as the 2.3 GHz (unallocated lots) band in the *Radiocommunications Spectrum Marketing Plan (2.3 GHz unallocated lots band) 2017*. The *Radiocommunications Spectrum Marketing Plan (2.3 GHz unallocated lots band) 2017* deals with the 2.3 GHz (unallocated lots) band.

#### **2 Subsection 1.4(1), definition of 2.3 GHz band**

Repeal the definition, substitute:

**2.3 GHz band:** see subsections (1A) and (1B).

#### **3 Section 1.4(1), after definition of 2.3 GHz band**

Insert:

**2.3 GHz (unallocated lots) band** has the meaning given by section 5 of the *Radiocommunications Spectrum Marketing Plan (2.3 GHz unallocated lots band) 2017*.

#### **4 Section 1.4, after the note to subsection (1)**

Insert:

- (1A) In the period commencing on the day this Plan commences and ending immediately before the commencement of the *Radiocommunications Spectrum Marketing Plan (2.3 GHz Band) Variation 2017 (No. 1)*, **2.3 GHz band** means the spectrum in the band 2302 MHz to 2400 MHz in the geographic area specified in the *Radiocommunications (Spectrum Designation) Notice No.1 of 2000*.

Note 1: This Marketing Plan does not deal with those parts of the spectrum that were used for the conversion of apparatus licences under the *Radiocommunications Spectrum Conversion Plan (2302 – 2400 MHz Band) 2000*.

Note 2: The *Radiocommunications (Spectrum Designation) Notice No. 1 of 2000* specifies Australia as the geographic area.

- (1B) After the commencement of the *Radiocommunications Spectrum Marketing Plan (2.3 GHz Band) Variation 2017 (No. 1)*, **2.3 GHz band** means the spectrum in the geographic area specified in subsection (1A), excluding any spectrum within the 2.3 GHz (unallocated lots) band.

Note 1: This Marketing Plan does not deal with those parts of the spectrum that were used for the conversion of apparatus licences under the *Radiocommunications Spectrum Conversion Plan (2302 – 2400 MHz Band) 2000*.

Note 2: The *Radiocommunications (Spectrum Designation) Notice No. 1 of 2000* specifies Australia as the geographic area.

## Schedule 1

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Note 3: After the commencement of the *Radiocommunications Spectrum Marketing Plan (2.3 GHz) Variation 2017 (No. 1)*, this Plan does not deal with the part of the 2.3 GHz band defined as the 2.3 GHz (unallocated lots) band in the *Radiocommunications Spectrum Marketing Plan (2.3 GHz unallocated lots band) 2017*. The *Radiocommunications Spectrum Marketing Plan (2.3 GHz unallocated lots band) 2017* deals with the 2.3 GHz (unallocated lots) band.

## 5 Schedule 3, after the table

Insert:

Note: After the commencement of the *Radiocommunications Spectrum Marketing Plan (2.3 GHz) Variation 2017 (No. 1)*, this Plan does not deal with the part of the 2.3 GHz band defined as the 2.3 GHz (unallocated lots) band in the *Radiocommunications Spectrum Marketing Plan (2.3 GHz unallocated lots band) 2017*. The *Radiocommunications Spectrum Marketing Plan (2.3 GHz unallocated lots band) 2017* deals with the 2.3 GHz (unallocated lots) band.