



Telecommunications (Mobile Equipment Air Interface) Technical Standard 2018

Telecommunications Act 1997

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes the following technical standard under subsection 376(1) of the *Telecommunications Act 1997*.

Dated: 6 December 2018

Nerida O'Loughlin
[signed]
Member

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

Australian Communications and Media Authority

Part 1 – Preliminary

1 Name

- (1) This technical standard is the *Telecommunications (Mobile Equipment Air Interface) Technical Standard 2018*.
- (2) This technical standard may also be cited as the *Mobile Equipment Standard 2018*.

2 Commencement

This technical 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.

3 Authority

This technical standard is made under subsection 376(1) of the *Telecommunications Act 1997*.

4 Repeal of the *Telecommunications Technical Standard (Requirements for Connection to an Air Interface of a Telecommunications Network – AS/CA S042) 2015*

The *Telecommunications Technical Standard (Requirements for Connection to an Air Interface of a Telecommunications Network – AS/CA S042) 2015* (F2015L00188) is repealed.

5 Background

- (1) This technical standard applies to particular customer equipment, as provided by section 13.

Note: A thing that is customer equipment to which this technical standard applies is referred to as an *item*.

- (2) This technical standard consists only of such requirements as are necessary or convenient for:
 - (a) protecting the integrity of a telecommunications network or a facility;
 - (b) protecting the health or safety of persons who:
 - (i) operate;
 - (ii) work on;
 - (iii) use services supplied by means of; or
 - (iv) are otherwise reasonably likely to be affected by the operation of;a telecommunications network or a facility;
 - (c) ensuring that customer equipment can be used to give access to an emergency call service; and

- (d) ensuring, for the purposes of the supply of a standard telephone service, the interoperability of customer equipment with a telecommunications network to which the equipment is, or is proposed to be, connected.

Part 2 – Interpretation

6 Definitions

In this technical standard:

ACMA transition period, in relation to an applicable industry standard, has the meaning given by section 9.

Act means the *Telecommunications Act 1997*.

addressable device means a device that enables a carriage service provider to identify the device when used for two-way communications on a public mobile telecommunications service or a satellite service supplied by the carriage service provider.

amendment instrument, in relation to an applicable industry standard, means an instrument that amends that standard.

applicable industry standard, in relation to an item, has the meaning given by section 8.

AS/CA S042.1:2018 means the Australian Standard AS/CA S042.1:2018 – *Requirements for connection to an air interface of a Telecommunications Network – Part 1: General* published by Communications Alliance Ltd on 12 April 2018.

AS/CA S042.4:2018 means the Australian Standard AS/CA S042.4:2018 – *Requirements for connection to an air interface of a Telecommunications Network – Part 4: IMT Customer Equipment* published by Communications Alliance Ltd on 12 April 2018.

IMT means the set of globally harmonised frequency bands and standards for the operation of third generation (3G) and fourth generation (4G) wireless telecommunication systems and equipment which is termed “IMT” by the International Telecommunication Union.

Note: “IMT” stands for International Mobile Telecommunications. IMT is available at the International Telecommunication Union’s website at <http://www.itu.int>.

IMT item means an item that:

- (a) is designed or intended for use in connection with a public mobile telecommunications service; and
- (b) uses any of the following technologies to which IMT applies:
 - (i) UTRA FDD;
 - (ii) E-UTRA FDD;
 - (iii) E-UTRA TDD;
 - (iv) OFDMA TDD WMAN.

Note: “UTRA FDD” stands for Universal Terrestrial Radio Access Frequency Division Duplexing.

“E-UTRA FDD” stands for Evolved Universal Terrestrial Radio Access Frequency Division Duplexing.

“E-UTRA TDD” stands for Evolved Universal Terrestrial Radio Access Time Division Duplexing.

“OFDMA TDD WMAN” stands for Orthogonal Frequency Division Multiple Access Time Division Duplexing Wireless Metropolitan Area Network.

included in a class of items has the meaning given by section 11.

industry transition period has the meaning given by section 10.

item means a thing that is customer equipment to which this technical standard applies, as provided by section 13, and includes a modified item.

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

modified item means an item that has been modified, by or on behalf of the manufacturer or importer of the item, after the item was manufactured or imported and, for the avoidance of doubt, is the item as modified.

original item has the meaning given by paragraph 11(1)(b).

original modified item has the meaning given by paragraph 11(2)(b).

replacement standard, in relation to an applicable industry standard, means a standard that replaces the applicable industry standard.

Note: This definition does not cover a standard that replaces a replacement standard.

satellite service means a carriage service in a case where customer equipment used in connection with the supply of the service communicates directly with a satellite-based facility.

Note: A number of other expressions used in this technical standard are defined in the Act, including the following:

- (a) carriage service (see section 7);
- (b) carriage service provider (see sections 7 and 87);
- (c) customer equipment (see sections 7 and 21);
- (d) emergency call service (see section 7);
- (e) facility (see section 7 and subsection 374(2));
- (f) import (see section 7);
- (g) manufacturer or importer of customer equipment or customer cabling (see section 406A);
- (h) public mobile telecommunications service (see sections 7 and 32);
- (i) satellite-based facility (see section 7);
- (j) standard telephone service (see section 7);
- (k) telecommunications network (see section 7 and subsection 374(1)).

7 References to other legislative instruments

In this technical standard, unless the contrary intention appears, a reference to any other 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 *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.

8 Applicable industry standard

In this technical standard, each of the following is an ***applicable industry standard*** in relation to an item:

- (a) in all cases – AS/CA S042.1:2018;
- (b) if the item is an IMT item – AS/CA S042.4:2018.

Note 1: An applicable industry standard is incorporated as in force at the times mentioned in sections 15 and 16.

Note 2: A copy of the applicable industry standards could, at the time of making this technical standard, be obtained from Communications Alliance Ltd's website at www.commsalliance.com.au free of charge.

9 ACMA transition period

For the purposes of this technical standard, if an applicable industry standard is amended or replaced, there is an **ACMA transition period** in relation to the applicable industry standard, being:

- (a) in a case where there is an industry transition period for the amendment or replacement of the applicable industry standard – a period that is the same as the industry transition period; or
- (b) in any other case – a period of two years commencing on the day the applicable industry standard is amended or replaced.

Note 1: See subsections 15(2) and 16(2) in relation to an ACMA transition period.

Note 2: If the applicable industry standard is amended or replaced during an ACMA transition period, there is another ACMA transition period which overlaps with the first-mentioned transition period. See subsections 15(3) and 16(3) in relation to overlapping ACMA transition periods.

10 Industry transition period

- (1) If:
 - (a) an amendment instrument or a replacement standard, in relation to an applicable industry standard, determines arrangements to deal with any issues of a transitional nature that may arise as a result of the amendment or replacement of the applicable industry standard;
 - (b) the arrangements are for a specified period commencing on the day the applicable industry standard is amended or replaced; and
 - (c) the arrangements have the effect of allowing a relevant item to comply with:
 - (i) the applicable industry standard as in force immediately before the commencement of the specified period; or
 - (ii) the applicable industry standard, or the replacement standard, as in force at the commencement of the specified period;

the specified period is an **industry transition period** for the amendment or replacement of the applicable industry standard, for the purposes of paragraph 9(a).

- (2) For the purposes of subsection (1), each of the following is a **relevant item**:
 - (a) an item that is manufactured in Australia or imported during the specified period;

- (b) a modified item that is made in Australia or imported during the specified period.

11 Class of items

- (1) In this technical 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 of 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 of the class that was the first to be manufactured in Australia or imported.
- (2) In this technical standard:
 - (a) a modified item is ***included in a class of items*** if:
 - (i) the modification which resulted in that item is identical to the modification which resulted in each other item of the class (irrespective of when the items were so modified);
 - (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 of the class that was the first to be so modified in Australia or imported.

12 Time a modified item is made

In this technical standard, a reference to ***the time a modified item is made*** is a reference to the time of making of the modification which results in that item.

Part 3 – Application and requirements

13 **Application of this technical standard**

This technical standard applies to a thing that is customer equipment that:

- (a) is designed or intended for use in connection with a public mobile telecommunications service or a satellite service, or both; and
- (b) is an addressable device.

14 **Requirements**

- (1) An item (other than a modified item) must meet the requirements of at least one subsection of section 15 in relation to each applicable industry standard.
- (2) A modified item must meet the requirements of at least one subsection of section 16 in relation to each applicable industry standard.
- (3) Neither subsection (1) nor subsection (2) applies to an item if, under section 17, the item is taken to comply with this technical standard.

15 **Standard for items (other than modified items)**

- (1) If an item complies with an applicable industry standard as in force at the time the item is manufactured in Australia or imported, the item meets the requirements of this subsection in relation to the applicable industry standard.
- (2) If:
 - (a) there is an ACMA transition period in relation to an applicable industry standard;
 - (b) an item is manufactured in Australia or imported during the transition period; and
 - (c) the item complies with:
 - (i) the applicable industry standard as in force immediately before the commencement of the transition period; or
 - (ii) the applicable industry standard, or a replacement standard, as in force at the commencement of the transition period;the item meets the requirements of this subsection in relation to the applicable industry standard.
- (3) If:
 - (a) an ACMA transition period overlaps with another ACMA transition period in relation to an applicable industry standard;
 - (b) an item is manufactured in Australia or imported during the period of overlap; and
 - (c) the item complies with:

- (i) the applicable industry standard as in force immediately before the commencement of the earliest of those transition periods;
- (ii) the applicable industry standard as in force at the commencement of any one of those transition periods; or
- (iii) a replacement standard as in force at the commencement of the ACMA transition period for that replacement of the applicable industry standard;

the item meets the requirements of this subsection in relation to the applicable industry standard.

(4) If:

- (a) an item is manufactured in Australia or imported after an ACMA transition period for the replacement of an applicable industry standard; and
- (b) the item complies with the replacement standard as in force at the commencement of the transition period;

the item meets the requirements of this subsection in relation to the applicable technical standard.

(5) If:

- (a) an item is included in a class of items; and
- (b) the original item of the class meets the requirements of another subsection of this section in relation to an applicable industry standard;

the first-mentioned item meets the requirements of this subsection in relation to the applicable industry standard.

16 Standard for modified items

- (1) If a modified item complies with an applicable industry standard as in force at the time that the modified item is made in Australia or imported, the modified item meets the requirements of this subsection in relation to the applicable industry standard.

(2) If:

- (a) there is an ACMA transition period in relation to an applicable industry standard;
- (b) a modified item is made in Australia or imported during the transition period; and
- (c) the modified item complies with:
 - (i) the applicable industry standard as in force immediately before the commencement of the transition period; or
 - (ii) the applicable industry standard, or a replacement standard, as in force at the commencement of the transition period;

the modified item meets the requirements of this subsection in relation to the applicable industry standard.

- (3) If:
- (a) an ACMA transition period overlaps with another ACMA transition period in relation to an applicable industry standard;
 - (b) a modified item is made in Australia or imported during the period of overlap; and
 - (c) the modified item complies with:
 - (i) the applicable industry standard as in force immediately before the commencement of the earliest of those transition periods;
 - (ii) the applicable industry standard as in force at the commencement of any one of those transition periods; or
 - (iii) a replacement standard as in force at the commencement of the ACMA transition period for that replacement of the applicable industry standard;

the modified item meets the requirements of this subsection in relation to the applicable industry standard.

- (4) If:
- (a) a modified item is made in Australia or imported after an ACMA transition period for the replacement of an applicable industry standard; and
 - (b) the modified item complies with the replacement standard as in force at the commencement of the transition period;

the modified item meets the requirements of this subsection in relation to the applicable industry standard.

- (5) If:
- (a) a modified item is included in a class of items; and
 - (b) the original modified item of the class meets the requirements of another subsection of this section in relation to an applicable industry standard;

the first-mentioned item meets the requirements of this subsection in relation to the applicable industry standard.

- (6) If:
- (a) a modified item would have been included in a class of items but for the making of the modification which resulted in that item;
 - (b) the original item, or (in the case of a class of modified items) the original modified item, of the class:
 - (i) complies with an applicable industry standard, or a replacement standard, as in force at a particular time mentioned in another subsection of this section; and
 - (ii) otherwise meets the requirements of that subsection in relation to the applicable industry standard; and
 - (c) the modification is not material;

the first-mentioned item meets the requirements of this subsection in relation to the applicable industry standard.

- (7) For the purposes of paragraph 6(c), a modification is ***material*** if the modification could reasonably be expected to affect whether the modified item complies with the same standard (referred to in subparagraph (6)(b)(i)) with which the original item, or the original modified item, of the class complies.

Part 4 – Savings and transitional arrangements

17 Items manufactured, imported or modified before commencement and other related items

- (1) In this section:
- (a) **AS/CA S042.1:2015** means the Australian Standard AS/CA S042.1:2015 – *Requirements for connection to an air interface of a Telecommunications Network – Part 1: General* published by Communications Alliance Ltd on 14 August 2015;
 - (b) **AS/CA S042.4:2015** means the Australian Standard AS/CA S042.4:2015 – *Requirements for connection to an air interface of a Telecommunications Network – Part 4: IMT Customer Equipment* published by Communications Alliance Ltd on 26 February 2015;
 - (c) **old technical standard** means the *Telecommunications Technical Standard (Requirements for Connection to an Air Interface of a Telecommunications Network – AS/CA S042) 2015* as in force immediately before the commencement of this technical standard; and
 - (d) the following terms have the same meaning as in the old technical standard:
 - (i) **ACMA transition period**;
 - (ii) **applicable Australian Standard**;
 - (iii) **AS/CA S042.1:2010**; and
 - (iv) **AS/CA S042.4:2010**.

Note 1: AS/CA S042.1:2015 and AS/CA S042.4:2015 are incorporated as in force at the times mentioned in this section. A copy of each of those industry standards could, at the time of making this technical standard, be obtained from Communications Alliance Ltd's website at www.commsalliance.com.au free of charge.

Note 2: The old technical standard is registered on the Federal Register of Legislation.

Items (other than modified items)

- (2) If:
- (a) an item (other than a modified item) was manufactured in Australia or imported before the commencement of this technical standard; and
 - (b) the item complies with the old technical standard;
- the item is taken to comply with this technical standard.
- (3) If:

- (a) an item (other than a modified item) was manufactured in Australia or imported after an ACMA transition period for the replacement of any applicable Australian Standard in relation to the item, but before the commencement of this technical standard;
 - (b) the item complies with:
 - (i) in a case where AS/CA S042.1:2010 is an applicable Australian Standard covered by paragraph (a) – AS/CA S042.1:2015 as in force at the time the item was manufactured in Australia or imported; and
 - (ii) in a case where AS/CA S042.4:2010 is an applicable Australian Standard covered by paragraph (a) – AS/CA S042.4:2015 as in force at the time the item was manufactured in Australia or imported; and
 - (c) the item meets the requirements of the old technical standard in relation to each other applicable Australian Standard (if any);
- the item is taken to comply with this technical standard.
- (4) If:
- (a) an item (other than a modified item) is included in a class of items;
 - (b) the original item of the class was manufactured in Australia or imported before the commencement of this technical standard; and
 - (c) under subsection (2) or (3), the original item of the class is taken to comply with this technical standard;
- the first-mentioned item is taken to comply with this technical standard.

Modified items

- (5) If:
- (a) a modified item was made in Australia or imported before the commencement of this technical standard; and
 - (b) the modified item complies with the old technical standard;
- the modified item is taken to comply with this technical standard.
- (6) If:
- (a) a modified item was made in Australia or imported after an ACMA transition period for the replacement of any applicable Australian Standard in relation to the item, but before the commencement of this technical standard;
 - (b) the modified item complies with:
 - (i) in a case where AS/CA S042.1:2010 is an applicable Australian Standard covered by paragraph (a) – AS/CA S042.1:2015 as in force at the time the modified item was made in Australia or imported; and

- (ii) in a case where AS/CA S042.4:2010 is an applicable Australian Standard covered by paragraph (a) – AS/CA S042.4:2015 as in force at the time the modified item was made in Australia or imported; and
- (c) the modified item meets the requirements of the old technical standard in relation to each other applicable Australian Standard (if any);

the modified item is taken to comply with this technical standard.

(7) If:

- (a) a modified item is included in a class of items;
- (b) the original modified item of the class was made in Australia or imported before the commencement of this technical standard; and
- (c) under subsection (5) or (6), the original modified item of the class is taken to comply with this technical standard;

the first-mentioned item is taken to comply with this technical standard.