

Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2019 (No. 1)

*Radiocommunications Act 1992*

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

Dated 16 August 2019

Nerida O’Loughlin

[signed]
Member

Creina Chapman

[signed]

Member/~~General Manager~~

Australian Communications and Media Authority

1 Name of instrument

 This is the *Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2019 (No. 1)*.

2 Commencement

 This Variation 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 free of charge at [www.legislation.gov.au](http://www.legislation.gov.au).

3 Authority

 This Variation is made under subsection 132(1) of the *Radiocommunications Act 1992*.

4 Variations

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

Schedule 1 Variations

(section 4)

**Radiocommunications (Low Interference Potential Devices) Class Licence 2015 [F2015L01438]**

**1 Subsection 3A(1), after the definition of coverage area**

Insert:

**CSIRO** means the Commonwealth Scientific and Industrial Research Organisation.

**2 After section 3A**

Insert:

3B References to other instruments

 In this Class Licence, 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 or writing is a reference to that other instrument or writing as in force or in existence 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: See section 314A of the Act.

**3 Schedule 1 (after table item 22)**

Insert:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 22A | All transmitters | 57000–64000 | 100 mW | 1. The maximum transmitter power must not exceed 10 mW.
2. The maximum radiated power spectral density must not exceed 13 dBm per 1 MHz.
 |

**4 Schedule 1 (table item 47, column 2)**

Repeal paragraphs (g) to (t), substitute:

(g) 70–74.8

(h) 75.2–85

(i) 148–149.9

(j) 150.05–156

(k) 157.45–160.6

(l) 160.975–161.475

(m) 162.05–174

(n) 403–406

(o) 406.1–430

(p) 450–520

**5 Schedule 1 (table item 65, column 2)**

Omit “57000–66000”, substitute “57000-71000”.

**6 Schedule 1 (after table item 65)**

Insert:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 65A | Fixed point-to-point links used outdoors | 57000–71000 | See limitations | (a)  The transmitter must comply with FCC Rules Title 47 Part 15 Section 255. (b) The transmitter must not be operated in the 58200–59000 MHz or 64000–65000 MHz bands within a nominated distance of a specified Australian radio-astronomy site unless:1. the CSIRO, being satisfied that operation of the transmitter is not likely to cause harmful interference to radio-astronomy, has issued written instructions for the operation of the transmitter; and
2. those instructions have been published on the ACMA’s website; and
3. the operation of the transmitter is in accordance with those instructions.
 |

**7 Schedule 1 (after table item 69)**

Insert:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 69A | Radiodetermination transmitters | 76000–77000 | See limitations | The transmitter must comply with either:(a) ETSI Standard EN 301 091-2; or(b) ETSI Standard EN 301 091-3. |

**8 Schedule 1 (after table item 71)**

Insert:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 71A | Radiodetermination transmitters(see Notes 4 and 5) | 30-12400 | See limitations | (a) The transmitter must be operated in a position such that emissions are directed towards:1. the ground; or
2. a wall of a building or similar structure.

(b) The transmitter must comply with either:(i) ETSI Standard EN 302 066: or (ii) the technical requirements of FCC Rules Title 47 Part 15 Section 509.(c) The transmitter must not be operated within a nominated distance of a specified Australian radio-astronomy site unless:1. the CSIRO, being satisfied that operation of the transmitter is not likely to cause harmful interference to radio-astronomy, has issued written instructions for the operation of the transmitter; and
2. those instructions have been published on the ACMA’s website; and
3. the operation of the transmitter is in accordance with those instructions.

(d) The transmitter must not be operated in the 8400–8500 MHz band within a nominated distance of a specified SRS earth station unless:1. the relevant earth station licensee being satisfied that operation of the transmitter is not likely to cause harmful interference to radio-astronomy, has issued written instructions for the operation of the transmitter; and
2. those instructions have been published on the ACMA’s website; and
3. the operation of the transmitter is in accordance with those instructions.
 |

**9 Schedule 1 (table item 78, column 2)**

Repeal paragraphs (a) and (b), substitute:

1. 3100–4800
2. 6000–9000

**10 Schedule 1 (table item 78, column 4, paragraph (a))**

Repeal the paragraph, substitute:

(a) The transmitter must comply with ETSI Standard EN 302 065.

**11 Schedule 1 (table item 78, column 4, paragraph (c))**

Repeal the paragraph.

**12 Schedule 1 (after table item 78)**

Insert:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 78A | Ultra-wideband transmitters onboard aircraft | 6000–8500 | See limitations | The transmitter must comply with ETSI Standard EN 302 065-5. |

**13 Schedule 1, after note 3**

Insert:

*Note 4* ETSI Guide EG 202 730 provides advice on the control, use and application of ground penetration radar and wall probing radar systems.

*Note 5* Ultra-wideband (UWB) sensors used in crop harvesting where the sensor is no more than 1 metre above the crop height and 3.7 metres above the ground will meet the limitation to comply with FCC Rules Title 47 Part 15 Section 509.

**14 Schedule 2 (after table item 7)**

Insert:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 7A | 69A | EN 301 091-2 | *Short Range Devices; Transport and Traffic Telematics (TTT); Radar equipment operating in the 76 GHz to 77 GHz range; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU; Part 2: Fixed infrastructure radar equipment;* | ETSI  |
| 7B | 69A | EN 301 091-3 | *Short Range Devices; Transport and Traffic Telematics (TTT); Radar equipment operating in the 76 GHz to 77 GHz range; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU; Part 3: Railway/Road Crossings obstacle detection system applications;* | ETSI  |

**15 Schedule 2 (after table item 9)**

Insert:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 9A | 71A | EN 302 066 | *Short Range Devices (SRD); Ground- and Wall- Probing Radio determination (GPR/WPR) devices; Harmonised Standard for access to radio spectrum* | ETSI  |
| 9B | 71A | EG 202 730 | *Electromagnetic compatibility and Radio spectrum Matters (ERM); Code of Practice in respect of the control, use and application of Ground Probing Radar (GPR) and Wall Probing Radar (WPR) systems and equipment* | ETSI  |

**16 Schedule 2 (table item 12)**

Repeal the item.

**17 Schedule 2 (before table item 13)**

Insert

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 12A | 78A | EN 302 065-5 | *Short Range Devices (SRD) using Ultra Wide Band technology (UWB); Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU; Part 5: Devices using UWB technology onboard aircraft;* | ETSI  |

**18 Schedule 2 (after table item 18)**

Insert

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 19 | 71A | Code of Federal Regulation Title 47 §15.509 | *Part 15 Section 509: Technical requirements for ground penetrating radars and wall imaging systems.* | FCC |