

Radiocommunications (Short Range Devices) Amendment Standard 2021 (No. 1)

*Radiocommunications Act 1992*

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Amendment Standard under subsection 162(1) of the *Radiocommunications Act 1992*.

Dated: 27 April 2021

Fiona Cameron
[signed]
Member

Creina Chapman
[signed]
Member/~~General Manager~~

Australian Communications and Media Authority

1 Name

 This is the *Radiocommunications (Short Range Devices) Amendment Standard 2021 (No. 1)*.

2 Commencement

 This instrument commences on the day after the day 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 instrument is made under subsection 162(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

(section 4)

Radiocommunications (Short Range Devices) Standard 2014 (F2014L01253)

1 Section 4, definition of *AS/NZS 4268*

Repeal the definition, substitute:

***AS/NZS 4268*** means:

(a) *AS/NZS 4268:2017 Radio equipment and systems – Short range devices – Limits and methods of measurement*, published by Standards Australia; or

(b) if a later standard published by Standards Australia is expressed to replace the standard mentioned in paragraph (a) – the later standard.

*Note:* AS/NZS 4268 can be obtained, for a fee, from Standards Australia: <http://www.standards.org.au>, or can otherwise be made available for viewing on prior request at an ACMA office, subject to licensing conditions.

2 Section 4

Insert:

***EIRP***, in relation to a radiocommunications device, means the Equivalent Isotropically Radiated Power of the device.

***ETSI*** means the European Telecommunications Standards Institute.

***FCC*** means the United States of America Federal Communications Commission.

3 Section 4, definition of *low interference potential device*

Repeal the definition, substitute:

***low interference potential device*** means a transmitter that is of a kind mentioned in column 1 of an item in Schedule 1 to the LIPD Class Licence.

4 Section 4

Insert:

***Radio-controlled Class Licence*** means the*Radiocommunications (Radio-controlled Models) Class Licence 2015*.

*Note:* The Radio-controlled Class Licence can be accessed, free of charge, from the Federal Register of Legislation: <http://www.legislation.gov.au>.

5 Section 4, definition of *short range device*

Repeal paragraphs (b) and (c), and the note, substitute:

(b) is either:

(i) a low interference potential device; or

(ii) a radio controlled model; and

(c) is capable of being operated on:

(i) if the device is a low interference potential device mentioned in column 1 of an item in Schedule 1 to the LIPD Class Licence – a frequency, or within a range of frequencies, within the frequency band mentioned in column 2 of that item; or

(ii) if the device is a wireless audio transmitter and subparagraph (i) does not apply – a frequency, or within a range of frequencies, within the 694 MHz–820 MHz frequency range; or

(iii) if the device is a radio controlled model – on a frequency within the frequency bands mentioned in the Radio-controlled Class Licence.

6 Section 4

Insert:

***spurious emission*** has the meaning given by the Radio Regulations published by the International Telecommunication Union.

*Note:* The Radio Regulations can be accessed, free of charge, from the website of the International Telecommunication Union: <http://www.itu.int>.

7 Section 4, definition of *wireless audio transmitter*

Repeal the definition, substitute:

***wireless audio transmitter*** means a radiocommunications device that is of a kind mentioned in column 1 of items 24 to 31 (inclusive) in Schedule 1 to the LIPD Class Licence.

8 After section 4

Insert:

4A References to other instruments

 In this Standard, unless the contrary intention appears:

 (a) a reference to another 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 existing 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 and are accessible free of charge.

*Note 3:* See section 314A of the Act.

9 Paragraph 5(1)(a)

Omit ‘or a low interference potential device’.

10 Section 7

Omit ‘relevant date’, substitute ‘***relevant date***’.

11 Section 8

Repeal the section, substitute:

8 Standard for performance – generally

 (1) For paragraph 162(1)(a) of the Act the standard for performance of an applicable device is:

 (a) if the applicable device is a low interference potential device that is mentioned in an item in column 1 of Schedule 1 to the LIPD Class Licence:

 (i) the device must only operate within the permitted operating frequency band specified in column 2 of that item, as in force on the relevant date for the device; and

 (ii) the upper and lower frequency limits of 99% of the emission power bandwidth of the device must be within the permitted operating frequency band specified in column 2 of that item, as in force on the relevant date for the device; and

 (iii) the device must not exceed the maximum EIRP specified in column 3 of that item, as in force on the relevant date for the device; and

 (iv) the device must comply with any limitation specified in column 4 of that item, as in force on the relevant date for the device; and

 (v) subject to subsection (4), the device must comply with any instrument specified in column 4 of that item (***relevant instrument***), as in force on the relevant date for the device;

 (vi) the device must comply with subsection (3);

 (b) if the applicable device is a radio controlled model – the device:

 (i) must only operate on a frequency band mentioned in section 7 of the Radio-controlled Class Licence, as in force on the relevant date for the device; and

 (ii) must only operate on a carrier frequency worked out in accordance with paragraph 7(b) or 7(d) of the Radio-controlled Class Licence, as in force on the relevant date for the device; and

 (iii) must not exceed the maximum EIRP specified in paragraph 7(a) of the Radio-controlled Class Licence, as in force on the relevant date for the device; and

 (iv) must not exceed an emission bandwidth of 10 kHz; and

 (v) must not cause spurious emissions greater than 50 µW.

 (2) The testing methods to determine whether an applicable device meets the standard for performance in subsection 8(1) are the testing methods identified for the device (if any) in any of the following:

 (a) AS/NZS 4268; or

 (b) EN 300 220-1 – *Short Range Devices (SRD) operating in the frequency range 25 MHz to 1 000 MHz; Part 1: Technical characteristics and methods of measurements*, published by ETSI; or

 (c) EN 300 330 – *Short Range Devices (SRD); Radio equipment in the frequency range 9 kHz to 25 MHz and inductive loop systems in the frequency range 9 kHz to 30 MHz; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU*, published by ETSI; or

 (d) EN 300 440 – *Short Range Devices (SRD); Radio equipment to be used in the 1 GHz to 40 GHz frequency range; Harmonised Standard for access to radio spectrum*, published by ETSI; or

 (e) EN 305 550-1 – *Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Radio equipment to be used in the 40 GHz to 246 GHz frequency range; Part 1: Technical characteristics and test methods*, published by ETSI; or

 (f) FCC Rules Title 47 (Telecommunications) Part 15–Radio Frequency Devices.

*Note:* Copies of instruments produced by ETSI are available, free of charge, from the ETSI website: <http://www.etsi.org>. Copies of the FCC rules are available, free of charge, from the following website: <http://www.ecfr.gov>. AS/NZS 4268 can be obtained, for a fee, from Standards Australia: <http://www.standards.org.au>, or can otherwise be made available for viewing on prior request at an ACMA office, subject to licensing conditions.

 (3) If, for an applicable device that is a low interference potential device:

 (a) a testing method is identified for the device in a document specified in subsection (2) (***relevant document***); and

 (b) that testing method is used by, or on behalf of, the manufacturer or importer of the device to determine whether the device meets the standard for performance in subsection 8(1); and

 (c) the relevant document specifies a spurious emission limit for the device;

 the device must comply with that spurious emission limit.

 (4) If, for an applicable device that is a low interference potential device, the relevant instrument:

 (a) specifies an operating frequency band that is different from the permitted operating frequency band specified for that device in column 2 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device; or

 (b) specifies a maximum EIRP that is different from the maximum EIRP specified for that device in column 3 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device; or

 (c) specifies a limitation that is inconsistent with any limitation specified for that device in column 4 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device; or

 (d) does not specify a limitation that is specified for the device in column 4 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device;

 then the relevant instrument is taken to be modified in the following manner:

 (e) if paragraph (a) applies – the operating frequency band in the relevant instrument is replaced with the permitted operating frequency band specified for the device in column 2 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device;

 (f) if paragraph (b) applies – the maximum EIRP in the relevant instrument is replaced with the maximum EIRP specified for the device in column 3 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device;

 (g) if paragraph (c) applies – the limitation in the relevant instrument is replaced with the limitation specified for the device in column 4 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device;

 (h) if paragraph (d) applies – the relevant instrument includes the limitation specified for the device in column 4 of Schedule 1 to the LIPD Class Licence, as in force on the relevant date for the device.

12 Section 8A

Repeal the section.

13 Paragraph 9A(a)

Omit ‘a low interference potential device to which section 8A applies’, substitute ‘an applicable device that is a low interference potential device’.