



## **Radiocommunications (Class Licence) Amendment Instrument 2021 (No. 1)**

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The Australian Communications and Media Authority makes the following instrument under subsection 132(1) of the *Radiocommunications Act 1992*.

Dated: 10 June 2021

Fiona Cameron  
[signed]  
Member

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

Australian Communications and Media Authority

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## **1 Name**

This is the *Radiocommunications (Class Licence) Amendment Instrument 2021 (No. 1)*.

## **2 Commencement**

This instrument commences on the later of the following:

- (a) the same time as Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commences;
- (b) the day after the day the instrument 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 132(1) of the *Radiocommunications Act 1992*.

## **4 Amendments**

Each class licence specified in a Schedule to this instrument is amended in the manner set out in that Schedule.

## Schedule 1

(section 4)

### ***Radiocommunications (27 MHz Handphone Stations) Class Licence 2015 (F2015L01441)***

#### **1 Subsection 3(1)**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

#### **2 Subsection 3(2)**

Repeal the subsection, including both notes.

#### **3 After section 3**

Insert:

#### **3A 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.

#### **4 Section 8**

Repeal the section, including the note, substitute:

#### **8 Conditions – compliance with standards and equipment rules**

- (1) A person must not operate a handphone station under this Class Licence unless the station complies with:
  - (a) if the device compliance day for the station occurs before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;
  - (b) if the device compliance day for the station occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform*

*and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.

- (2) A person must not operate a handphone station, or a group of handphone stations, under this Class Licence if the electromagnetic energy emitted by the station, or group of stations, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.
- (3) In paragraph (1)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## Schedule 2

(section 4)

### ***Radiocommunications (Aircraft and Aeronautical Mobile Stations) Class Licence 2016 (F2016L01294)***

#### **1 Subsection 4(1)**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

***device compliance day*** for a station means the most recent of the following days:

- (a) if the station was manufactured in Australia – the day the station was manufactured;
- (b) if the station was manufactured overseas and imported – the day it was imported;
- (c) if the station was altered or modified in a material respect – the day it was altered or modified.

#### **2 Subsection 4(1), note 1**

Omit:

- standard (see section 7)

#### **3 Subsection 4(2)**

Repeal the subsection, including both notes.

#### **4 After section 4**

Insert:

#### **4A 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.

## 5 Section 6

Repeal the section, substitute:

### 6 Compliance with specifications, equipment compliance requirements, standards and equipment rules

- (1) A person must not operate an aircraft station or aeronautical mobile station under this Class Licence unless:
- (a) if the device compliance day for the station occurs before 18 August 2016 – each device included in the station complies with section 6 of the *Radiocommunications (Aircraft and Aeronautical Mobile Stations) Class Licence 2006* as in force immediately prior to that date; or
  - (b) if the device compliance day for the station occurs on or after 18 August 2016, but before the day that Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced – each device included in the station complies with any standard applicable to it, as in force on the device compliance day; or
  - (c) if the device compliance day for the station occurs on or after the day that Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced – each device included in the station complies with any equipment rules applicable to it, as in force on the device compliance day.

Note: The *Radiocommunications (118 MHz to 137 MHz Amplitude Modulated Equipment – Aeronautical Radio Service) Standard 2012*, the *Radiocommunications (406 MHz Satellite Distress Beacons) Standard 2014* and the *Radiocommunications (VHF Radiotelephone Equipment – Maritime Mobile Service) Standard 2018* were standards that may have applied to aircraft stations and aeronautical mobile stations for the purposes of paragraph (b), and are equipment rules that may apply to aircraft stations and aeronautical mobile stations for the purposes of paragraph (c).

- (2) A person must not operate an aircraft station or aeronautical mobile station under this Class Licence unless each device included in the station complies with the requirements that apply to the device as specified in the ‘AS/NZS IEC 62287.1:2007: Maritime navigation and radiocommunications equipment and systems – Class B shipborne equipment of the Automatic Identification System (AIS) – Part 1: Carrier-sense time division multiple access (CSTDMA) techniques’ (other than clause 6.5.2), published by Standards Australia, as in existence from time to time, or another document published by Standards Australia that replaces that document.

Note1: The AS/NZS IEC 62287.1:2007 Maritime navigation and radiocommunications equipment and systems – Class B shipborne equipment of the Automatic Identification System (AIS) is available for a fee from SAI Global Pty Limited’s website <https://infostore/saiglobal.com/> or may be viewed at an office of the ACMA on request and subject to licensing conditions.

Note 2: If a radiocommunications device is required to be fitted to, or carried on, an aircraft under any civil aviation instrument, it must also comply with any relevant requirements under that civil aviation instrument.

Note 3: Clause 6.5.2 of the ‘AS/NZS IEC 62287.1:2007 Maritime navigation and radiocommunications equipment and systems – Class B shipborne equipment of the Automatic Identification System (AIS), Part 1: Carrier-sense time division multiple access (CSTDMA) techniques’ sets out the information reporting intervals that must be

used when operating Class B shipborne equipment of the Automatic Identification System (AIS).

Note 4: It is permissible to use information reporting intervals of no less than 2 seconds if operating VHF international marine mobile service equipment for the purposes of search and rescue or the safe and expeditious conduct of a flight.

- (3) In paragraph (1)(b), *standard* has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

### **6A Condition – compliance with ARPANSA Standard**

A person must not operate an aircraft station or an aeronautical mobile station, or a group of aircraft stations or aeronautical mobile stations, under this Class Licence if the electromagnetic energy emitted by the station, or group of stations, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.

## Schedule 3

(section 4)

### ***Radiocommunications (Cellular Mobile Telecommunications Devices) Class Licence 2014 (F2014L01794)***

#### **1 Section 3**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

#### **2 After section 3**

Insert:

#### **3A 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 Section 9**

Repeal the section, substitute:

#### **9 Condition – compliance with standards and equipment rules**

- (1) A person must not operate a radiocommunications device under this Class Licence unless the device complies with:
  - (a) if the device compliance day for the device occurs on or after 1 March 2003 but before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;
  - (b) if the device compliance day for the device occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.



- (2) A person must not operate a radiocommunications device, or a group of radiocommunications devices, under this Class Licence if the electromagnetic energy emitted by the device, or group of devices, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.
- (3) In paragraph (1)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## Schedule 4

(section 4)

### ***Radiocommunications (Citizen Band Radio Stations) Class Licence 2015 (F2015L00876)***

#### **1 Subsection 4(1)**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

#### **2 Subsection 4(2)**

Repeal the subsection, including both notes.

#### **3 After section 4**

Insert:

#### **4A 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.

#### **4 Section 10**

Repeal the section, substitute:

#### **10 Conditions – compliance with standards and equipment rules**

- (1) A person must not operate a CB station under this Class Licence unless the station complies with:
  - (a) if the device compliance day for the station occurs before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;
  - (b) if the device compliance day for the station occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform*

*and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.

- (2) A person must not operate a CB station, or a group of CB stations, under this Class Licence if the electromagnetic energy emitted by the station, or group of stations, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.
- (3) In paragraph (1)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## Schedule 5

(section 4)

### ***Radiocommunications (Communication with Space Object) Class Licence 2015 (F2015L01486)***

#### **1 Subsection 4(1)**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

***device compliance day*** for a station means the most recent of the following days:

- (a) if the station was manufactured in Australia – the day the station was manufactured;
- (b) if the station was manufactured overseas and imported – the day it was imported;
- (c) if the station was altered or modified in a material respect – the day it was altered or modified.

#### **2 Subsection 4(1), definition of *standard***

Omit the definition.

#### **3 Subsection 4(2)**

Repeal the subsection.

#### **4 After section 4**

Insert:

#### **4A 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.

## 5 Section 7, heading

Omit the heading, substitute:

## 7 Equipment rules and Resolutions

### 6 Subsection 7(1)

Repeal the subsection, substitute:

- (1) A person must not operate a station under this class licence unless the station complies with:
  - (a) if the device compliance day for the station occurs before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;
  - (b) if the device compliance day for the station occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.

### 7 After subsection 7(2)

Add:

- (3) A person must not operate a station, or a group of stations, to which this class licence applies if the electromagnetic energy emitted by the station, or group of stations, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.
- (4) In paragraph (1)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## Schedule 6

(section 4)

### ***Radiocommunications (Cordless Communications Devices) Class Licence 2014 (F2014L01800)***

#### **1 Section 4**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

#### **2 Section 4, note**

Omit:

- *standard*

#### **3 After section 4**

Insert:

#### **4A References to other instruments**

In this Class Licence, 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; and
- 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.

#### **4 Subsection 9A(2), note**

Omit the note.

#### **5 Section 10**

Repeal the section, including the notes, substitute:

#### **10 Condition – compliance with standards and equipment rules**

- (1) For subsection 5(2), a person must not operate a cordless communications device, or a group of cordless communications devices, under this Class Licence if the electromagnetic energy emitted by the transmitter, or group of transmitters,

exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.

- (2) For subsection 5(2), a person must not operate a cordless communications device under this Class Licence unless the device complies with:
- (a) if the device compliance day for the device occurs after 1 July 2001 and before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;
  - (b) if the device compliance day for the device occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.
- (3) In paragraph (2)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## Schedule 7

(section 4)

### ***Radiocommunications (Emergency Locating Devices) Class Licence 2016 (F2016L01399)***

#### **1 Subsection 5(1)**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

#### **2 Subsection 5(2) and note 1**

Repeal the subsection and note 1.

#### **3 After section 5**

Insert:

#### **5A 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.

#### **4 Section 11**

Repeal the section, substitute:

#### **11 Conditions – compliance with standards and equipment rules**

- (1) A person must not operate a radiocommunications device under this class licence unless the device complies with:
  - (a) if the device compliance day for the device occurs before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;
  - (b) if the device compliance day for the device occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform*



*and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.

- (2) A person must not operate a radiocommunications device, or group of radiocommunications devices, under this class licence if the electromagnetic energy emitted by the device, or group of devices, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.
- (3) In paragraph (1)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## Schedule 8

(section 4)

### ***Radiocommunications (Maritime Ship Station — 27 MHz and VHF) Class Licence 2015 (F2015L01197)***

#### **1 Subsection 4(1)**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

#### **2 Subsection 4(2)**

Repeal subsection, including the notes.

#### **3 After section 4**

Insert:

#### **4A 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.

#### **4 Section 6**

Repeal the section, including the notes, substitute:

#### **6 Conditions – compliance with equipment specifications, standards and equipment rules**

- (1) A person must not operate a maritime ship station, or group of maritime ship stations, under this Class Licence if the electromagnetic energy emitted by the station, or group of stations, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.
- (2) A person must not operate a maritime ship station under this Class Licence unless the station complies with:

- (a) if the device compliance day for the station occurs before 31 July 2015 – a technical specification, equipment compliance requirement or standard, as in force on the device compliance day, that:
    - (i) is mentioned in Schedule 1; and
    - (ii) applies to the station; or
  - (b) if the device compliance day for the station occurs on or after 31 July 2015 and before the commencement of Part 1 of Schedule 4 of the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*:
    - (i) a technical specification, equipment compliance requirement or standard, as in force on the device compliance day, that is mentioned in Schedule 1 and applicable to it; and
    - (ii) any standard applicable to it, as in force on the device compliance day;
  - (c) if the device compliance day for the station occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced:
    - (i) a technical specification, equipment compliance requirement or equipment rule, as in force on the device compliance day, that is mentioned in Schedule 1 and applicable to it; and
    - (ii) any equipment rule applicable to it, as in force on the device compliance day.
- (3) In paragraphs (2)(a) and (b), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## 5 Schedule 1, heading

Omit “and standards”.

## Schedule 9

(section 4)

### ***Radiocommunications (Radio-controlled Models) Class Licence 2015 (F2015L00497)***

#### **1 Section 3**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

#### **2 After section 3**

Insert:

#### **3A 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 Section 8**

Repeal the section, including the notes, substitute:

#### **8 Conditions – compliance with standards and equipment rules**

- (1) A person must not operate a radiocommunications device under this Class Licence unless the device complies with:
  - (a) if the device compliance day for the device occurs before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;
  - (b) if the device compliance day for the device occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.

- (2) A person must not operate a radiocommunications device, or group of radiocommunications devices, under this Class Licence if the electromagnetic energy emitted by the device, or group of devices, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.
- (3) In paragraph (1)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## Schedule 10

(section 4)

### ***Radiocommunications (Public Safety and Emergency Response) Class Licence 2013 (F2013L00827)***

#### **1 Subsection 3(1)**

Insert:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

Note: The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website at [www.arpansa.gov.au](http://www.arpansa.gov.au).

#### **2 After section 3**

Insert:

#### **3A 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 After section 14**

Insert:

#### **15 Conditions – compliance with ARPANSA Standard**

A person must not operate a radiocommunications device, or a group of radiocommunications devices, under this Class Licence if the electromagnetic energy emitted by the device, or group of devices, exceeds the general public exposure limits specified in the ARPANSA Standard in a place accessible by the public.

## Schedule 11

(section 4)

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

#### **1 Subsection 3A(1), definition of *ARPANSA Standard***

Repeal the definition, substitute:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

#### **2 Subsection 3A(1), Note 1**

Insert:

- equipment rules (see section 5)

#### **3 Subsection 3A(1), Note 1**

Omit:

- standard (see section 5)

#### **4 Subsection 4(2)**

Omit “standard”, substitute “document”.

#### **5 Subsection 4(3)**

Omit “standard”, substitute “document”.

#### **6 Section 5, heading**

Omit “**Standards**”, substitute “**Equipment rules**”.

#### **7 Subsection 5(3)**

Repeal the subsection (including notes), substitute:

- (3) In this section, ***applicable instrument***, in relation to a transmitter, means either:
- (a) equipment rules that apply to the transmitter; or
  - (b) an international instrument that applies to the transmitter that is mentioned in column 2 of an item in Schedule 2 for a transmitter mentioned in column 1 of the item.

Note 1: The upper and lower limits of the permitted operating frequency band mentioned in column 2 of an item in Schedule 1 apply to a transmitter mentioned in column 1 of the item, irrespective of any frequency limits specified in any applicable instrument for the transmitter.

Note 2: The full titles and sources for an international instrument that is an applicable instrument mentioned in column 4 (Limitations) of the table in Schedule 1 are set out in Schedule 2.

Note 3: If a device is labelled with the Regulatory Compliance Mark or C-Tick compliance mark, it is a representation by the supplier that the device, as supplied, complies with any standard or equipment rule that applies to the device at the time the device is supplied.

- Note 4: A reference to equipment rules is to equipment rules made by the ACMA under section 156 of the Act. This Class Licence also requires transmitters to comply with instruments that set requirements for performance, including instruments produced by the ETSI and the FCC.
- Note 5: An applicable instrument for a transmitter may be amended over time, or may incorporate amendments to other instruments. A person who wishes to operate a transmitter should check the ACMA's equipment rules and other instruments to determine which version of the applicable instrument applies to the transmitter.



## Schedule 12

(section 4)

### ***Radiocommunications (Radionavigation—Satellite Service) Class Licence 2015 (F2015L01510)***

#### **1 Subsection 3(1)**

Insert:

***device compliance day*** for an RNSS receiver means the most recent of the following days:

- (a) if the RNSS receiver was manufactured in Australia – the day the RNSS receiver was manufactured;
- (b) if the RNSS receiver was manufactured overseas and imported – the day it was imported;
- (c) if the RNSS receiver was altered or modified in a material respect – the day it was altered or modified.

#### **2 Subsection 3(1), definition of *standard***

Repeal the definition.

#### **3 After section 3**

Insert:

##### **3A 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.

#### **4 Section 5**

Repeal the section, substitute:

#### **5 Standards and equipment rules**

- (1) A person must not operate an RNSS receiver under this class licence unless the RNSS receiver complies with:
  - (a) if the device compliance day for the RNSS receiver occurs before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* – any standard applicable to it, as in force on the device compliance day;

- (b) if the device compliance day for the RNSS receiver occurs on or after the day Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced – any equipment rules applicable to it, as in force on the device compliance day.
- (2) In paragraph (1)(a), **standard** has the meaning given by section 5 of the Act, as in force immediately before the commencement of Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* replaces standards with equipment rules. See also item 42 of that Schedule.

## Schedule 13

(section 4)

### ***Radiocommunications (Intelligent Transport Systems) Class Licence 2017 (F2018L00026)***

#### **1 Subsection 4(1), definition of *ARPANSA Standard***

Repeal the definition, substitute:

***ARPANSA Standard*** means the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)*, or any standard published as a replacement of that standard, by the Australian Radiation Protection and Nuclear Safety Agency.

#### **2 Subsection 4(1), Note 1**

Insert:

- equipment rules

#### **3 Subsection 4(1), Note 1**

Omit:

- standard

#### **4 Subsection 7(1)**

Repeal the subsection (including the notes), substitute:

- (1) A person must not operate an ITS station under this instrument unless the ITS station complies with any equipment rules that apply to the ITS station.

Note 1: The upper and lower limits of the permitted operating frequency band mentioned in subparagraph 6(1)(a)(i) apply to an ITS station, irrespective of any frequency limits specified in any applicable instrument for the transmitter.

Note 2: If a device is labelled with the RCM under the *Radiocommunications (Compliance Labelling – Devices) Notice 2014*, or under the applicable equipment rules, it is a representation by the supplier that the device, as supplied, complies with any standard or equipment rule that applies to the device at the time the device is supplied.

Note 3: Equipment rules may be amended over time, or may incorporate amendments to other instruments. A person who wishes to operate a transmitter should check the ACMA's equipment rules and other instruments to determine which version applies to the transmitter.