



Radiocommunications (Mobile-Satellite Service) (1980–2010 MHz and 2170–2200 MHz) Frequency Band Plan 2022

The Australian Communications and Media Authority makes the following frequency band plan under subsection 32(1) of the *Radiocommunications Act 1992*.

Dated: 23 June 2022

James Cameron
[signed]
Member

Cathy Rainsford
[signed]
~~Member~~/General Manager

Australian Communications and Media Authority

1 Name

This is the *Radiocommunications (Mobile-Satellite Service) (1980–2010 MHz and 2170–2200 MHz) Frequency Band Plan 2022*.

2 Commencement

This instrument commences at the start of 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.

3 Authority

This instrument is made under subsection 32(1) of the Act.

4 Interpretation

- (1) In this instrument, unless the contrary intention appears:

ASMG means the Australian Spectrum Map Grid 2012, published by the ACMA on its website.

Note: The ASMG can be obtained, free of charge, on the ACMA’s website at www.acma.gov.au.

designated area: see subclauses 1(1) and 1(5) of Schedule 2.

fixed service has the meaning given by the spectrum plan.

GDA94 means the geodetic datum designated as the “Geocentric Datum of Australia (GDA)”, gazetted in the Commonwealth of Australia *Gazette* No. GN 35, on 6 September 1995, as existing on that date.

Note 1: The Commonwealth of Australia *Gazette* No. GN 35 is available, free of charge, from the Federal Register of Legislation at www.legislation.gov.au.

Note 2: More information on GDA94 can be obtained, free of charge, from Geoscience Australia at www.ga.gov.au and from the Intergovernmental Committee on Surveying and Mapping at www.icsm.gov.au.

HCIS means the cell grouping hierarchy scheme used to describe geographic areas in the ASMG.

HCIS identifier means an identifier used to describe a geographic area in the HCIS.

metropolitan area means an area specified in Schedule 1.

mobile-satellite service has the meaning given by the spectrum plan.

mobile-satellite service (Earth-to-space) means a mobile-satellite service used to transmit radiocommunications from a mobile earth station to a space receive station.

mobile-satellite service (space-to-Earth) means a mobile-satellite service used to transmit radiocommunications from a space station to an earth receive station.

space station has the meaning given by the spectrum plan.

television outside broadcast service means radiocommunications made by the operation of a television outside broadcast station.

Note 1: A number of other expressions used in this instrument are defined in the Act, including the following:

- AAT;
- ACMA;
- frequency band;
- operate;
- radiocommunication;
- radiocommunications device;
- radiocommunications transmitter;
- spectrum plan;
- transmitter licence.

Note 2: A number of other expressions used in this instrument may be defined in a determination made under section 64 of the *Australian Communications and Media Authority Act 2005*. At the time this instrument was made, the following expressions were defined in such a determination:

- Act;
- earth receive station;
- fixed licence;
- harmful interference;
- mobile earth station;
- point to point station;
- space licence;
- space receive licence;
- space receive station;
- television outside broadcast station.

- (2) In this instrument, unless otherwise specified, a reference to a frequency band includes all frequencies that are greater than but not including the lower frequency, up to and including the higher frequency.

Note: This subsection means the lower number in the reference to a frequency band is not included in the frequency band.

- (3) In this instrument, geographic coordinates describing a point do so with reference to GDA94.

5 References to other instruments

In this instrument, 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 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.

Note 3: See section 314A of the Act.

6 Purpose of 1980–2010 MHz and 2170–2200 MHz frequency bands

- (1) The 1980 MHz to 2010 MHz frequency band may be used for the following purposes:
- (a) a mobile-satellite service (Earth-to-space);
- (b) subject to section 7 – a television outside broadcasting service;

- (c) subject to section 8 – the operation of a point to point station for a fixed service.
- (2) The 2170 MHz to 2200 MHz frequency band may be used for the following purposes:
 - (a) a mobile-satellite service (space-to-Earth);
 - (b) subject to section 7 – a television outside broadcast service;
 - (c) subject to section 8 – the operation of a point to point station for a fixed service.

7 Television outside broadcast services

- (1) A frequency band specified in section 6 may be used for the purposes of television outside broadcast services only as specified in this section.
- (2) A frequency band specified in section 6 may be used for the purposes of television outside broadcast services:
 - (a) in a metropolitan area – before 1 March 2026; or
 - (b) in place that is not in a metropolitan area – before 1 March 2024.
- (3) A frequency band specified in section 6 may be used for the purposes of television outside broadcast services if:
 - (a) either:
 - (i) the use occurs on or after 1 March 2026, in a metropolitan area; or
 - (ii) the use occurs on or after 1 March 2024, in a place that is not in a metropolitan area; and
 - (b) the person who uses the frequency band does so by operation of a radiocommunications transmitter authorised by a transmitter licence; and
 - (c) before the transmitter licence was issued, the ACMA was satisfied that the operation of the radiocommunications transmitter in accordance with the licence would not cause harmful interference to a mobile-satellite service.

Note: See subsection 32(5A), and sections 97 and 100 of the Act.

- (4) A frequency band specified in section 6 may be used for the purposes of television outside broadcast services if:
 - (a) the use occurs in the period commencing on 1 March 2024 and ending on 28 February 2026; and
 - (b) the use occurs in a place that is not in a metropolitan area; and
 - (c) the use occurs only in a designated area.

Note: For designated areas, see Schedule 2.

- (5) A frequency band specified in section 6 may be used for the purposes of television outside broadcast services if:
 - (a) either:
 - (i) the use occurs on or after 1 March 2026, in a metropolitan area; or
 - (ii) the use occurs on or after 1 March 2024, in a place that is not in a metropolitan area; and
 - (b) the person who uses the frequency band (*the relevant person*) does so by operation of a radiocommunications transmitter authorised by a transmitter licence; and
 - (c) the transmitter licence authorises the operation of a radiocommunications transmitter only at a location (*the specified location*) or within an area (*the specified area*) specified in a condition of the licence; and

- (d) before the transmitter licence was issued, the relevant person:
 - (i) obtained agreement, in writing, to the provision of television outside broadcast services at the specified location or within the specified area, from:
 - (A) the licensee of each space licence in the frequency band; and
 - (B) the licensee of each space receive licence in the frequency band; and
 - (ii) provided a copy of each such agreement to the ACMA.

Note 1: See subsection 32(5A), and sections 97 and 100 of the Act.

Note 2: The ACMA may still refuse to issue a person a transmitter licence, even if the person obtains the agreements mentioned in subparagraph (d)(i).

Note 3: A single person may hold both a space licence and a space receive licence in the frequency band.

8 Point to point station

- (1) A frequency band specified in section 6 may be used for the purposes of operating a point to point station for a fixed service only as specified in this section.
- (2) A frequency band specified in section 6 may be used for the purposes of the operation of a point to point station authorised by a fixed licence if either:
 - (a) the fixed licence was issued under section 100 of the Act before the commencement of this instrument; or
 - (b) the fixed licence was issued under section 130 of the Act as the result of one or more renewals of a fixed licence mentioned in paragraph (a).

Schedule 1 Metropolitan areas

(section 4, section 7)

1 Metropolitan areas

Each area that consists of the HCIS identifiers specified in column 2 of the table is a *metropolitan area*.

Item	Column 1	Column 2
	Name	HCIS identifiers
1	Adelaide	IW3O, IW3J8, IW3J9, IW3K4, IW3K5, IW3K7, IW3K8, IW3K9, IW3L7, IW3N2, IW3N3, IW3N5, IW3N6, IW3N8, IW3N9, IW3P1, IW3P2, IW3P4, IW3P5, IW3P7, IW3P8, IW6B2, IW6B3, IW6B6, IW6C1, IW6C2, IW6C3, IW6C4, IW6C5, IW6C6, IW6D1, IW6D2, IW6D4
2	Brisbane	NT8D, NT8G, NT8H, NT8L, NT8P, NT9A, NT9E, NT9I, NT9J, NT9M, NT9N, NU3A, NU3B, NT5P2, NT5P3, NT5P4, NT5P5, NT5P6, NT5P7, NT5P8, NT5P9, NT6M4, NT6M5, NT6M7, NT6M8, NT6M9, NT8C3, NT8C5, NT8C6, NT8C8, NT8C9, NT8F9, NT8K1, NT8K2, NT8K3, NT8K5, NT8K6, NT8K8, NT8K9, NT8O3, NT8O6, NT9B4, NT9B7, NT9F1, NT9F4, NT9F5, NT9F7, NT9F8, NT9K7, NT9O1, NT9O4, NT9O5, NT9O7, NT9O8, NU2D2, NU2D3, NU2D5, NU2D6, NU2D9, NU3C1, NU3C2, NU3C4, NU3C5, NU3C6, NU3C7, NU3C8, NU3C9, NU3E1, NU3E2, NU3E3, NU3E4, NU3E5, NU3E6, NU3F1, NU3F2, NU3F3, NU3F4, NU3F5, NU3F6, NU3G1, NU3G2
3	Canberra	MW4D9, MW4H3, MW5A4, MW5A5, MW5A6, MW5A7, MW5A8, MW5A9, MW5E1, MW5E2, MW5E3, MW5E4, MW5E5, MW5E6, MW5E7, MW5E8, MW5F1, MW5F4
4	Darwin	GO7H, GO8E, GO7D7, GO7D8, GO7D9, GO7G6, GO7G9, GO7L1, GO7L2, GO7L3, GO7L4, GO7L5, GO7L6, GO8A7, GO8A8, GO8I1, GO8I2, GO8I3, GO8I4, GO8I5
5	Hobart	LY9I9, LY9J7, LY9M2, LY9M3, LY9M5, LY9M6, LY9M8, LY9M9, LY9N1, LY9N2, LY9N4, LY9N5, LY9N7, LY9N8
6	Melbourne	KX3G, KX3H, KX3J, KX3K, KX3L, KX3N, KX3O, KX3P, KX6B, KX6C, KX6D, KX6F, KX6G, KX6H, LX1I, LX1J, LX1M, LX1N, LX4A, KX3I3, KX3I5, KX3I6, KX3I8, KX3I9, KX3M2, KX3M3, KX3M5, KX3M6, KX3M8, KX3M9, KX6A2, KX6A3, KX6A5, KX6A6, KX6A8, KX6A9, KX6E2, KX6E3, KX6E5, KX6E6, KX6E8, KX6E9, LX4B1, LX4B2, LX4B3, LX4B4, LX4E1, LX4E2, LX4E3, LX4E4, LX4E5, LX4E6
7	Perth	BV1P, BV2M, BV4D, BV5A, BV1K8, BV1K9,

Radiocommunications (Mobile-Satellite Service) (1980–2010 MHz and 2170–2200 MHz) Frequency Band Plan 2022

		BV1L7, BV1L8, BV1L9, BV1O2, BV1O3, BV1O5, BV1O6, BV1O8, BV1O9, BV2I7, BV2I8, BV2I9, BV4C2, BV4C3, BV4C5, BV4C6, BV4C8, BV4C9, BV4G2, BV4G3, BV4G5, BV4G6, BV4H1, BV4H2, BV4H3, BV4H4, BV4H5, BV4H6, BV5E1, BV5E2, BV5E3, BV5E4, BV5E5, BV5E6
8	Sydney	MV9H, MV9K, MV9L, MV9N, MV9O, MV9P, MW3B, MW3C, MW3D, MW3G, MW3H, NV4N, NV4O, NV4P, NV5M, NV7A, NV7B, NV7C, NV7D, NV7E, NV7F, NV7G, NV7I, NV7J, NV7M, NV7N, NV7O, NV9D3, MV9D5, MV9D6, MV9D7, MV9D8, MV9D9, MV9G3, MV9G6, MV9G8, MV9G9, MV9J6, MV9J8, MV9J9, MV9M6, MV9M8, MV9M9, MW3A1, MW3A2, MW3A3, MW3A5, MW3A6, MW3A9, MW3F1, MW3F2, MW3F3, MW3F5, MW3F6, MW3F9, MW3K1, MW3K2, MW3K3, MW3K5, MW3K6, MW3K9, MW3L1, MW3L2, MW3L3, MW3L4, MW3L5, MW3L6, MW3L7, MW3L8, MW3P1, NV4J6, NV4J8, NV4J9, NV4K2, NV4K3, NV4K4, NV4K5, NV4K6, NV4K7, NV4K8, NV4K9, NV4L1, NV4L2, NV4L4, NV4L5, NV4L6, NV4L7, NV4L8, NV4L9, NV4M5, NV4M6, NV4M7, NV4M8, NV4M9, NV5I7, NV5I8, NV5I9, NV5J7, NV5J8, NV5N1, NV5N2, NV5N4, NV7H1, NV7H2, NV7H3, NV7H4, NV7H5, NV7H7, NV7K1, NV7K2, NV7K3, NV7K4, NV7K5, NV7K6, NV7K7, NV7K8, NV7O1, NW1B1, NW1B2, NW1B4, NW1B7, NW1E1, NW1E2, NW1E3, NW1E4, NW1E5, NW1E7, NW1I1

Note: Column 1 is included for information only.

Schedule 2 Designated areas

(section 4, subsection 7(4))

1 Designated area

- (1) Subject to subclause (3), the ACMA may, by notifiable instrument, designate an area (*designated area*) for the purposes of section 4 and paragraph 7(4)(c).

Note: See subsection 32(5A) of the Act.

- (2) Before the ACMA makes a notifiable instrument under subclause (1), the ACMA must have regard to:
- the effect on radiocommunications of the potential operation of a radiocommunications device, for the purposes of television outside broadcast services, in the area;
 - the effect on radiocommunications of the potential operation of a radiocommunications device, for the purposes of mobile-satellite services, in and near the area; and
 - all other matters the ACMA considers relevant.
- (3) The ACMA must not make a notifiable instrument under subclause (1) on or after 1 March 2026.
- (4) The ACMA may make an instrument under subclause (1) regardless of whether a person has made an application under clause 2.
- (5) Each area that consists of the HCIS identifiers specified in column 2 of the table is also a *designated area*.

Item	Column 1	Column 2
	Name	HCIS identifiers
1	Ballarat, Victoria	KX2L1, KX2L2
2	Bathurst, New South Wales	MV8G4, MV8G5, MV8G7, MV8G8
3	Bendigo, Victoria	KW9J7, KW9N1
4	Bunbury, Western Australia	BV7G5
5	Cairns, Queensland	LQ1O9, LQ1P7
6	Launceston, Tasmania	LY6E8
7	Mackay, Queensland	MR8A5, MR8A6, MR8A9
8	Phillip Island, Victoria	LX4E9, LX4I3
9	Sunshine Coast, Queensland	NT6I8
10	Townsville, Queensland	LR2G3, LR2H1
11	Wanneroo, Western Australia	BV1L4, BV1L7

Note: Column 1 is included for information only.

Radiocommunications (Mobile-Satellite Service) (1980–2010 MHz and 2170–2200 MHz) Frequency Band Plan 2022

2 Application for notifiable instrument to be made

- (1) A person may apply, in writing, for the ACMA to make an instrument under subclause 1(1) in relation to an area specified in the application.
- (2) An application under subclause (1) must be:
 - (a) in a form approved by the ACMA (if any); and
 - (b) made in a manner approved by the ACMA (if any).
- (3) If a person makes an application under subclause (1), the ACMA must decide whether to grant the application within 90 days after the application is made, or such longer period as agreed between the ACMA and the applicant.
- (4) The ACMA must, within 14 days after the decision under subclause (3) is made, give the applicant a written notice of:
 - (a) the decision; and
 - (b) if the decision is not to grant the application – the reasons for the decision and the applicant's right to request a reconsideration of the decision under clause 3.
- (5) If the decision is to grant the application, the ACMA must, within 14 days after the decision is made, make an instrument under subclause 1(1) designating the area specified in the application.

3 Reconsideration and external review

- (1) If the ACMA refuses to grant an application made under subclause 2(1), the applicant may, within 30 days after being notified under paragraph 2(4)(b), request the ACMA to reconsider the decision.
- (2) A request under subclause (1) must:
 - (a) be made in writing; and
 - (b) set out the reasons for the request.
- (3) The ACMA must, within 90 days after the request is received, reconsider the relevant decision and either:
 - (a) affirm the decision; or
 - (b) make a fresh decision to the effect that the ACMA must, within 14 days after the decision is made, make an instrument under subclause 1(1) designating the area specified in the application.
- (4) The ACMA must, within 14 days after affirming the decision or making a fresh decision under subclause (3), give the applicant a written notice of:
 - (a) whether the ACMA has affirmed the decision or made a fresh decision; and
 - (b) if the ACMA affirms the decision – the reasons for affirming the decision and the applicant's right to have the affirmation of the decision reviewed under subclause (5).
- (5) If the ACMA affirms the decision under subclause (3), the applicant may apply to the AAT for review of the decision to refuse to grant the application.