



Radiocommunications (Communication with Space Object) Class Licence Variation 2022 (No. 1)

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

Dated: 30 June 2022

James Cameron
[signed]
Member

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

Australian Communications and Media Authority

1 Name

This is the *Radiocommunications (Communication with Space Object) Class Licence Variation 2022 (No. 1)*.

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 132(1) of the *Radiocommunications Act 1992*.

4 Variations

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

Schedule 1—Variations

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

1 Subsection 4(1)

Insert:

26 GHz band spectrum licence area means an area specified in the relevant tables for HCIS area descriptions set out in RALI SM 26 that apply to the 25.1 to 27.5 GHz frequency range.

aircraft has the meaning given by section 3 of the *Civil Aviation Act 1988*.

Australian Spectrum Map Grid means the Australian Spectrum Map Grid 2012, published by the ACMA.

Note: The Australian Spectrum Map Grid is available, free of charge, from the ACMA's website at www.acma.gov.au.

HCIS (short for Hierarchical Cell Identification Scheme) means the cell grouping hierarchy scheme used to describe areas in the Australian Spectrum Map Grid.

ITU means the International Telecommunication Union.

ITU-R Resolution 169 (WRC-19) means the "ITU-R Resolution 169 Use of the frequency bands 17.7-19.7 GHz and 27.5-29.5 GHz by earth stations in motion communicating with geostationary space stations in the fixed-satellite service", published by the ITU.

Note: ITU-R Resolution 169 (WRC 19) is available, free of charge, on the ITU website at www.itu.int.

metropolitan area has the same meaning as in the *Radiocommunications (Mobile-Satellite Service) (1980–2010 MHz and 2170–2200 MHz) Frequency Band Plan 2022*.

Note: The *Radiocommunications (Mobile-Satellite-Service) (1980–2010 MHz and 2170–2200 MHz) Frequency Band Plan 2022* is available, free of charge, on the Federal Register of Legislation at www.legislation.gov.au.

occupied bandwidth, in relation to a radiocommunications transmitter, means the width of a frequency band having upper and lower limits that are necessary to contain 99% of the true mean power of the transmitter's emission at any time.

2 Subsection 4(1) (definition of *qualified operator*)

Omit the definition and the two notes, substitute:

qualified operator means a person who:

- (a) holds a certificate of proficiency issued under section 121 of the Act; or
- (b) holds a qualification issued by AMSA; or
- (c) holds an overseas qualification recognised by the ACMA or AMSA as an equivalent qualification.

Note: For further information on the qualifications recognised by the ACMA or AMSA, refer to their websites at www.acma.gov.au and www.amsa.gov.au, respectively.

RALISM 26 means the Radiocommunications Assignment and Licensing Instruction No. SM 26, *Restrictions on Apparatus Licensing in Spectrum Licensed Spaces*, published by the ACMA.

Note 1: RALISM 26 is available, free of charge, on the ACMA's website at www.acma.gov.au.

Note 2: For definitions of other expressions used in this class licence, see the Act and the *Radiocommunications (Interpretation) Determination 2015*. These include the following terms which are defined and have the meaning given to them by the *Radiocommunications (Interpretation) Determination 2015*:

- area-wide receive licence
- area-wide receive station
- EIRP
- maritime ship station
- ship
- space licence
- space receive licence
- station

3 Subsection 5(1)

Omit all occurrences of “apparatus”.

4 After subparagraph 6(a)(ii)

Insert:

(ia) 2005 to 2010 MHz; or

5 Subparagraph 6(a)(iv)

Omit “28.3”, substitute “27.5”.

6 After subparagraph 6(b)(v)

Insert:

(va) 2195 to 2200 MHz; or

7 After subsection 8(1)

Insert:

(1A) For the purposes of subsection (1), the operation of a station authorised by this class licence is taken to not interfere with the operation of an area-wide receive station that is:

- (a) operating under an area-wide receive licence in the frequency range of 27.5 to 28.1 GHz that is located outside a 26 GHz band spectrum licence area; or
- (b) operating under an area-wide receive licence in the frequency range of 28.1 to 29.5 GHz.

8 After subsection 8(3) (before the notes)

Insert:

- (4) Subject to subsection (5), this class licence authorises the operation of a station in the frequency range of 2005 to 2010 MHz only if:
 - (a) the radiocommunications transmitter of the station is not on board an aircraft that is in the air; and
 - (b) the emissions of the radiocommunications transmitter above the frequency 2010 MHz do not exceed an EIRP of -66 dBW for each MHz.

- (5) This class licence does not authorise the operation of a station in the frequency range of 2005 to 2010 MHz in a metropolitan area unless:
 - (a) the emissions of the radiocommunications transmitter of the station do not exceed a maximum EIRP of 0.5 dBW for each MHz; and
 - (b) the maximum duty cycle of the radiocommunications transmitter does not exceed 1% averaged over a 15-minute period; and
 - (c) each transmission of the radiocommunications transmitter does not exceed 4 seconds in duration.

- (6) This class licence authorises the operation of a station in the frequency range of 27.5 to 28.3 GHz on land only if the radiocommunications transmitter of the station:
 - (a) is not operated in the frequency range of 27.5 to 28.1 GHz in a 26 GHz band spectrum licence area; and
 - (b) when operated in the frequency range of 28.1 to 28.3 GHz in a 26 GHz band spectrum licence area, is not operated within the greater of:
 - (i) 50 MHz above 28.1 GHz; or
 - (ii) twice the occupied bandwidth of the radiocommunications transmitter above 28.1 GHz; and
 - (c) when operated in the frequency range of 27.5 to 28.1 GHz outside a 26 GHz band spectrum licence area, the emissions of the radiocommunications transmitter do not exceed a maximum EIRP to the horizon of -17.8 dBW in a 1 MHz bandwidth within 30 kilometres of a 26 GHz band spectrum licence area; and
 - (d) when operated in the frequency range of 27.5 to 27.7 GHz outside a 26 GHz band spectrum licence area, is not operated within the greater of:
 - (i) 50 MHz above 27.5 GHz; or
 - (ii) twice the occupied bandwidth of the radiocommunications transmitter above 27.5 GHz.

- (7) This class licence authorises the operation of a station in the frequency range of 27.5 to 28.3 GHz on board an aircraft that is in the air only if the radiocommunications transmitter of the station does not exceed the maximum power flux density limits specified in clause 3.1 of Part II: Aeronautical ESIMs of Annex 3 to ITU-R Resolution 169 (WRC-19) for any emissions that fall in the frequency range of 27.5 to 28.1 GHz in a 26 GHz band spectrum licence area.

- (8) This class licence authorises the operation of a station in the frequency range of 27.5 to 28.3 GHz on board a ship only if the radiocommunications transmitter of the station does not exceed a power flux density on the shore of -112.2 dBW per square metre for each MHz at a height of 30 metres above ground level for any emissions that fall in the frequency range of 27.5 to 28.1 GHz in a 26 GHz band spectrum licence area.