

EXPLANATORY STATEMENT

Approved by the Australian Communications and Media Authority

Radiocommunications Act 1992

Radiocommunications Licence Conditions (Fixed Licence) Determination 2025

Radiocommunications (Register of Radiocommunications Licences) Amendment Determination 2025 (No. 1)

Authority

The Australian Communications and Media Authority (the **ACMA**) has made the *Radiocommunications Licence Conditions (Fixed Licence) Determination 2025* (the **Fixed Licence LCD**) under subsection 110A(2) of the *Radiocommunications Act 1992* (the **Act**), and under subsection 33(3) of the *Acts Interpretation Act 1901* (the **AIA**).

Subsection 110A(2) of the Act provides that the ACMA may, by legislative instrument, determine that each apparatus licence included in a specified class of apparatus licences is taken to include one or more specified conditions.

Subsection 33(3) of the AIA relevantly provides that where an Act confers a power to make a legislative instrument, the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend or vary any such instrument.

The ACMA has made the *Radiocommunications (Register of Radiocommunications Licences) Amendment Determination 2025 (No. 1)* (the **RRL Amendment Determination**) under section 147 of the Act and subsection 33(3) of the AIA.

Section 147 of the Act provides that the ACMA may determine, in writing, details relating to the conditions of apparatus licences and about the radiocommunications devices that are operated under radiocommunications licences that are to be contained in the Register of Radiocommunications Licences (the **Register**).

Purpose and operation of the instruments

Fixed Licence LCD

An apparatus licence may be either a transmitter licence or a receiver licence. A fixed licence is a type of transmitter licence specified by the ACMA in a determination made under section 98 of the Act. The determination made under section 98 is the *Radiocommunications (Specified Radiocommunications Receivers and Types of Transmitter Licences and Receiver Licences) Determination 2024*. Fixed licences generally authorise the operation of one or more radiocommunication transmitters at fixed locations, which are used to communicate with stations located at other fixed locations.

The purpose of the Fixed Licence LCD is to revoke and replace the *Radiocommunications Licence Conditions (Fixed Licence) Determination 2015* (the **Fixed Licence LCD 2015**) without making any significant changes to the regulatory arrangements created by the Fixed Licence LCD 2015. The Fixed Licence LCD 2015 imposed conditions on fixed licences.

The ACMA has made the Fixed Licence LCD because the Fixed Licence LCD 2015 was due to ‘sunset’ (that is, to be automatically repealed) on 1 October 2025 under Part 4 of Chapter 3 of the *Legislation Act 2003* (the **LA**). Following a review, informed by a public consultation process described below, the ACMA formed the view that the Fixed Licence LCD 2015 was operating

effectively and efficiently, and continued to form a necessary and useful part of the legislative framework. Accordingly, the ACMA has remade the Fixed Licence LCD 2015 by making the Fixed Licence LCD, without any significant changes, so that its on-going effect is preserved.

The Fixed Licence LCD specifies the conditions to which different classes of fixed licence are subject, regarding the operation of radiocommunications transmitters under those licences. The conditions relate to matters such as the antennas that may be used by the transmitters, the purpose for which some transmitters may be operated, and interference caused to other radiocommunications.

New conditions have been included in the Fixed Licence LCD to ensure that a fixed licence does not inadvertently authorise the operation of radiocommunications transmitters in spectrum:

- covered by a spectrum licence; or
- included in a spectrum re-allocation declaration made under section 153B of the Act, after the end of the re-allocation period.

Operation of a radiocommunications device is not authorised by an apparatus licence (including a fixed licence) if it is not in accordance with the conditions of the licence (subsection 97(4) of the Act). Under section 46 of the Act, it is an offence, and subject to a civil penalty, to operate a radiocommunications device otherwise than as authorised by a spectrum licence, apparatus licence or a class licence. The Act prescribes the following maximum penalties for the offence:

- if the radiocommunications device is a radiocommunications transmitter, and the offender is an individual – imprisonment for 2 years;
- if the radiocommunications device is a radiocommunications transmitter, and the offender is not an individual – 1,500 penalty units (which is \$495,000 based on the current penalty unit amount of \$330);
- if the radiocommunications device is not a radiocommunications transmitter – 20 penalty units (\$6,600).

The Act prescribes the following maximum civil penalties:

- if the radiocommunications device is a radiocommunications transmitter – 300 penalty units (\$99,000);
- if the radiocommunications device is not a radiocommunications transmitter – 20 penalty units (\$6,600).

It is an offence, and subject to a civil penalty, to possess a radiocommunications device for the purpose of operating the device otherwise than as authorised by a spectrum licence, apparatus licence or class licence (section 47 of the Act). The Act prescribes the same penalties for this offence and civil penalty contravention as for the offence and civil penalty contravention in section 46.

In addition, an apparatus licensee, or a person authorised under section 114 of the Act in relation to an apparatus licence, must not contravene a condition of the licence. Contravention is subject to a civil penalty (section 113 of the Act). The Act prescribes a maximum civil penalty of 100 penalty units (\$33,000).

RRL Amendment Determination

The purpose of the RRL Amendment Determination is to amend the *Radiocommunications (Register of Radiocommunications Licences) Determination 2017* (the **RRL Determination**), which determines

the information about spectrum, apparatus and class licences to be included in the Register maintained by the ACMA under the Act.

The RRL Amendment Determination amends the RRL Determination so that certain stations operating under a fixed licence are not required to have their details recorded in the Register.

Generally

A provision-by-provision description of

- the Fixed Licence LCD is set out in the notes at **Attachment A**.
- the RRL Amendment Determination is set out in the notes at **Attachment B**.

Each instrument is a legislative instrument for the purposes of the LA, and is disallowable. The Fixed Licence LCD and the RRL Determination are subject to the sunset provisions in Part 4 of Chapter 3 of the LA.

Documents incorporated by reference

Subsection 314A(1) of the Act provides that an instrument under the Act may make provision in relation to a matter by applying, adopting or incorporating (with or without modifications) provisions of any Act as in force at a particular time, or from time to time. Subsection 314A(2) of the Act provides that an instrument under the Act may make provision in relation to a matter by applying, adopting or incorporating (with or without modifications) matter contained in any other instrument or writing as in force or existing at a particular time, or from time to time.

The Fixed Licence LCD incorporates part of the Radio Regulations published by the International Telecommunication Union (the ITU), as existing from time to time. The Radio Regulations are available, free of charge, from the ITU's website at www.itu.int.

The RRL Amendment Determination amends the RRL Determination to incorporate parts of the following legislative instruments, as in force from time to time:

- the Fixed Licence LCD;
- the *Radiocommunications (Transmitter Licence Tax) Determination 2025*.

These legislative instruments are available, free of charge, from the Federal Register of Legislation at www.legislation.gov.au.

The RRL Amendment Determination amends the RRL Determination to incorporate part of the Radio Regulations, as existing from time to time. The Radio Regulations are available, free of charge, from the ITU's website at www.itu.int.

Consultation

Before the Fixed Licence LCD and the RRL Amendment Determination were made, the ACMA was satisfied that consultation was undertaken to the extent appropriate and reasonably practicable, in accordance with section 17 of the LA.

The ACMA published drafts of the Fixed licence LCD and RRL Amendment Determination (alongside a related instrument) and an accompanying consultation paper on the ACMA website on 17 October 2024 for a period of four weeks to 15 November 2024. The consultation paper sought comments on the ACMA's proposal to repeal and remake the Fixed Licence LCD 2015 and make the

RRL Amendment Determination. The consultation paper explained the nature of, and the reasons for, some minimal differences between the Fixed Licence LCD 2015 and the draft Fixed Licence LCD.

The draft Fixed Licence LCD that was published also included some more substantial changes, related to the ACMA's proposal to issue a class of fixed licences in the 3400 MHz to 3475 MHz and 3950 MHz to 4000 MHz frequency bands. A series of new conditions for this class of fixed licences was included, as were some additional definitions. The consultation paper also explained the proposed new class of fixed licences and conditions.

The ACMA received 4 submissions in response to the consultation paper. Two submissions provided comment on the drafts of the Fixed Licence LCD and RRL Amendment Determination. A submission received from DB Telecommunications supported the remaking of the Fixed licence LCD 2015 and the proposed amendments to the RRL Determination. A submission received from the Australian Mobile Telecommunications Association (AMTA) generally supported or had no objection to most of the proposals. AMTA queried whether the proposed amendment to the RRL Determination could be restructured, and also made a few drafting suggestions.

For reasons unrelated to the sunset of the Fixed Licence LCD 2015, the ACMA decided not to include the provisions in the Fixed Licence LCD that related to the new class of fixed licences to be issued in the 3400 MHz to 3475 MHz and 3950 MHz to 4000 MHz frequency bands. Any provisions dealing with this class of fixed licences may be included by a future amendment of the Fixed Licence LCD. As a result, those provisions, and related provisions in the RRL Amendment Determination, have been removed. Some further minor drafting changes were made as a result of AMTA's suggestions; otherwise, after considering all the feedback, the ACMA made the instruments largely in the form of the drafts on which it consulted.

Regulatory impact assessment

A preliminary assessment of the proposal to make the Fixed Licence LCD (and a consequential amendment to the RRL Determination) was conducted by the Office of Impact Analysis (OIA), based on information provided by the ACMA, for the purposes of determining whether a Regulation Impact Statement (RIS) would be required. OIA advised that a RIS would not be required because the Fixed Licence LCD was not expected to have a regulatory impact on businesses, community organisations or individuals (OIA reference number OIA24-07981).

Statement of compatibility with human rights

Subsection 9(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011* requires the rule-maker in relation to a legislative instrument to which section 42 (disallowance) of the LA applies to cause a statement of compatibility with human rights to be prepared in respect of that legislative instrument.

The statement of compatibility with human rights set out below has been prepared to meet that requirement.

Overview of the instruments

The Fixed Licence LCD is made under subsection 110A(2) of the Act.

Subsection 110A(2) of the Act provides that the ACMA may, by legislative instrument, determine that each apparatus licence included in a specified class of apparatus licences is taken to include one or more specified conditions.

The Fixed Licence LCD specifies the conditions to which different classes of fixed licence are subject, regarding the operation of radiocommunications transmitters under those licences. The conditions relate to matters such as the antennas that may be used by the transmitters, the purpose for which some transmitters may be operated, and interference caused to other radiocommunications.

Section 147 of the Act provides that the ACMA may determine, in writing, details relating to the conditions of apparatus licences and about the radiocommunications devices that are operated under radiocommunications licences that are to be contained in the Register of Radiocommunications Licences.

The RRL Amendment Determination amends the RRL Determination so that certain stations operating under a fixed licence are not required to have their details recorded in the Register.

Human rights implications

The ACMA has assessed whether the Fixed Licence LCD and RRL Amendment Determination are compatible with human rights, being the rights and freedoms recognised or declared by the international instruments listed in subsection 3(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011* as they apply to Australia.

Having considered the likely impact of the Fixed Licence LCD and RRL Amendment Determination and the nature of the applicable rights and freedoms, the ACMA has formed the view that the Fixed Licence LCD and RRL Amendment Determination do not engage any of those rights or freedoms.

Conclusion

Each of the Fixed Licence LCD and RRL Amendment Determination is compatible with human rights as it does not raise any human rights issues.

Notes to the *Radiocommunications Licence Conditions (Fixed Licence) Determination 2025*

Part 1 – Preliminary

Section 1 Name

This section provides for the Fixed Licence LCD to be cited as the *Radiocommunications Licence Conditions (Fixed Licence) Determination 2025*.

Section 2 Commencement

This section provides for the Fixed Licence LCD to commence at the start of the day after the day it is registered on the Federal Register of Legislation.

The Federal Register of Legislation may be accessed free of charge at www.legislation.gov.au.

Section 3 Authority

This section identifies the provision of the Act that authorises the making of the Fixed Licence LCD, namely subsection 110A(2) of the Act.

Section 4 Repeal

This section provides that the Fixed Licence LCD 2015 is repealed.

Section 5 Interpretation

This section defines a number of key terms used throughout the Fixed Licence LCD.

A number of other expressions used in the Fixed Licence LCD are defined in the Act or by a determination made under subsection 64(1) of the *Australian Communications and Media Authority Act 2005*.

Section 6 References to other instruments

This section provides that in the Fixed Licence LCD, 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 existing, from time to time.

Part 2 – Conditions – fixed licence

Section 7 Application of Part 2

Section 7 provides that every fixed licence is subject to the conditions in Part 2, except when a condition is specified in the licence under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act that is inconsistent with a condition in Part 2.

Section 8 Condition – no operation in part of the spectrum and area declared for spectrum licensing

Every fixed licence authorises the operation of at least one radiocommunications transmitter at a fixed location. Many fixed licences also authorise the operation of additional radiocommunications transmitters; in many cases, the location of these transmitters is not specified in the fixed licence. This means that the transmitters can be located anywhere, although for most practical purposes, they need to be located in relatively close physical proximity to a radiocommunications transmitter whose location is specified in the fixed licence.

Section 8 applies where the ACMA makes a spectrum re-allocation declaration that a specified part of the spectrum is subject to re-allocation under Part 3.6 of the Act, in relation to a specified area for the declared part of the spectrum. Most apparatus licences (including all fixed licences) that authorise the operation of a radiocommunications device in that part of the spectrum, and in the specified area, are cancelled at the end of the re-allocation period specified in the declaration (section 153H of the Act).

Section 8 provides that, where a fixed licence authorises the operation of a station without specifying the location from which the station must be operated, a person must not operate the station both in the declared part of the spectrum and within the specified area on or after the day before the re-allocation period for the declaration ends. This will ensure that fixed licences that authorise the operation of some radiocommunications transmitters anywhere are not cancelled as a result of section 153H of the Act.

Section 9 Condition -no operation in part of the spectrum area and area covered by spectrum licence

Section 105 of the Act applies in relation to the parts of the spectrum and the geographic areas covered by a spectrum licence. It provides that the ACMA must generally not issue an apparatus licence that authorises the operation of radiocommunications devices in those parts of the spectrum and geographic areas.

Section 9 provides that, where a fixed licence authorises the operation of a station without specifying the location from which the station must be operated, a person must not operate the station both in those parts of the spectrum and within those areas. This will ensure that fixed licences that authorise the operation of some radiocommunications transmitters anywhere are not issued in contravention of section 105 of the Act.

Part 3 – Conditions – fixed licence (point to point station)

Section 10 Application of Part 3

Section 10 provides that every fixed licence (point to point station) is subject to the conditions in Part 3, except when a condition is specified in the licence under paragraph 107(1)(g) of the Act or imposed on the licence under paragraph 111(1)(a) of the Act and that condition is inconsistent with a condition in Part 3.

A fixed licence (point to point station) is a fixed licence that authorises the operation of a fixed station that is operated principally for communication with one other fixed station.

Section 11 Conditions – technical performance of antenna

Subsection 11(1) prohibits a person from operating a point to point station unless, if the fixed licence (point to point station) that authorises the operation of the station specifies an antenna for use by the station, the station uses that antenna.

Where a fixed licence (point to point station) does not specify an antenna for use by a point to point station, subsection 11(2) prohibits a person from operating the station on a frequency specified in Table 1 unless the station uses an antenna that complies with the requirements set out in Table 1.

Where a fixed licence (point to point station) does not specify an antenna for use by a point to point station, subsection 11(3) prohibits a person from operating the station on a frequency not specified in Table 1 if the operation of the station causes harmful interference.

Part 4 – Conditions – general fixed licence (point to multipoint station)

Section 12 Application of Part 4

Section 12 provides that every fixed licence (point to multipoint station) is subject to the conditions in Part 4, except when a condition is specified in the licence under paragraph 107(1)(g) of the Act or imposed on the licence under paragraph 111(1)(a) of the Act and that condition is inconsistent with a condition in Part 4.

However, Part 4 does not apply to a fixed licence (point to multipoint) that is used to provide distance education services and is a fixed licence (point to multipoint) that authorises the operation of a station on a frequency in the part of the spectrum from 1 GHz to 275 GHz. ‘Distance education service’ is defined to mean an education service known as the School of the Air.

A fixed licence (point to multipoint station) is a fixed licence that authorises the operation of a fixed station (a **base station**) that is operated principally for communication with more than one other fixed stations. It also authorises the operation of other stations that communicate with the base station, which are not necessarily fixed stations.

Section 13 Condition – communication with other stations

Section 13 provides that a person must not operate a fixed station under a licence otherwise than to communicate with another station where the operation of the other station is authorised by the licence, or the other station is otherwise referred to in the licence.

Section 14 Conditions – operation of supplementary base station

A supplementary base station is a fixed station whose location is not specified in the fixed licence (point to multipoint). It is designed to overcome transmission deficiencies in the area notionally covered by the transmissions of a base station (e.g., because of terrain that blocks transmissions from the base station).

Section 14 provides that a person must not operate a supplementary base station:

- if its operation causes harmful interference; or
- otherwise than on a frequency specified in the fixed licence (point to multipoint) that authorises the operation of the relevant base station; or
- otherwise than to overcome deficiencies, within the coverage area of a base station.

Section 15 Conditions – operation of remote station

A remote station is a fixed station that is intended to communicate with a base station under a fixed licence (point to multipoint station).

Section 15 provides that a person must not operate a remote station:

- if its operation causes harmful interference; or
- otherwise than on a frequency specified in the fixed licence (point to multipoint) that authorises the operation of the relevant base station; or
- for data transmission, telecommand or telemetry if:
 - the duty cycle of the station is more than 1 in 30; or
 - the duration of the transmission from the station is more than 2 seconds; or
 - the minimum repetition interval of the station is less than 10 seconds; or
- for data transmission, telecommand or telemetry on a frequency specified in column 1 of a table item in Table 2 with an output power greater than the power specified in column 2 of that table item measured at the antenna output; or
- for data transmission, telecommand or telemetry, with a transmitter output power that exceeds either:
 - the power specified in the fixed licence (point to multipoint) that authorises the operation of the relevant base station; or
 - 1 W, measured at the antenna output.

Section 16 Conditions - operation of remote control station

A remote control station is a fixed station that is intended to control remotely (i.e., without a person being physically present) a base station or a supplementary base station under a fixed licence (point to multipoint station).

Section 16 provides that a person must not operate a remote control station:

- if its operation causes harmful interference; or
- otherwise than on a frequency specified in the fixed licence (point to multipoint) that authorises the operation of the relevant base station or supplementary base station; or
- unless the transmitter output power does not exceed 1 W, measured at the antenna input; or
- for data transmission, telecommand or telemetry, if the transmitter output power of the remote control station exceeds the power necessary to achieve a receive signal level, at the base station intended to receive the transmission, of 10 dB above the signal level required to achieve a bit error ratio of 1 in 1000.

Part 5 – Conditions – fixed licence (point to multipoint station) used for distance education services

Section 17 Application of Part 5

Section 17 provides that every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter used for distance education services is subject to the conditions in Part 5, except when a condition is specified in the licence under paragraph 107(1)(g) of the Act or imposed on the licence under paragraph 111(1)(a) of the Act and that condition is inconsistent with a condition in Part 5.

Section 18 Condition – communication with other stations

Section 18 provides that a person must not operate a fixed station under a licence otherwise than to communicate:

- with another station where the operation of the station is authorised by the licence or the other station is otherwise referred to in the licence; or
- if no other means of communication is available, to communicate messages in relation to a distress or emergency situation.

Section 19 Condition – use of call sign

Section 19 provides that a person must only operate a station using the station's call sign or another form of identification that clearly identifies the station at the start of each transmission or series of transmissions.

Part 6 – Conditions – fixed licence (point to multipoint station) used on MF or HF

Section 20 Application of Part 6

Section 20 provides that every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter on a medium frequency (**MF**) (between 300 kHz and 3 MHz) or a high frequency (**HF**) (between 3 MHz and 30 MHz) is subject to the conditions in Part 6, except when a condition is specified in the licence under paragraph 107(1)(g) of the Act or imposed on the licence under paragraph 111(1)(a) of the Act and that condition is inconsistent with a condition in Part 6.

Section 21 Conditions – operating remote station on MF or HF

Section 21 imposes the following conditions on a person operating a remote station on MF or HF that transmits suppressed carrier single-sideband emissions:

- the operation must not cause harmful interference;
- the person must not operate the remote station unless it is operated with a transmitter output power equal to or less than 100 W pX;
- the person must not transmit to a base station unless the remote station uses a receive frequency specified in the licence for the base station.

Part 7 – Conditions – fixed licence (point to multipoint station) used on VHF

Section 22 Application of Part 7

Section 22 provides that every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter on a very high frequency (**VHF**) (between 30 MHz and 300 MHz) is subject to the conditions in Part 7, except when a condition is specified in the licence under paragraph 107(1)(g) of the Act or imposed on the licence under paragraph 111(1)(a) of the Act and that condition is inconsistent with a condition in Part 7.

Section 23 Conditions – operating remote station on VHF

Section 23 provides that a person must not operate a remote station on VHF:

- if the operation causes harmful interference; or

- to transmit to a base station unless the remote station uses a receive frequency or transmit frequency specified in the licence for the base station.

Section 24 Conditions – operating supplementary base station on VHF

Section 24 provides that a person must not operate a supplementary base station on VHF:

- if the operation causes harmful interference; or
- under a licence for a base station, otherwise than on a transmit frequency or receive frequency specified in the licence; or
- otherwise than to overcome deficiencies within the coverage area of a base station, in reception of transmissions from that base station.

Section 25 Conditions – operating remote control station on VHF

Section 25 provides that a person must not operate a remote control station on VHF:

- if the operation causes harmful interference; or
- to transmit to a base station unless the remote control station uses a receive frequency specified in the licence for the base station; or
- unless it is operated with a transmitter output power equal to or less than 1 W, measured at the antenna point.

Part 8 – Conditions – fixed licence (point to multipoint station) used in 1 GHz to 275 GHz

Section 26 Application of Part 8

Section 26 provides that every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter on a frequency between 1 GHz and 275 GHz is subject to the conditions in Part 8, except when a condition is specified in the licence under paragraph 107(1)(g) of the Act or imposed on the licence under paragraph 111(1)(a) of the Act and that condition is inconsistent with a condition in Part 8.

Section 27 Conditions – remote station

Section 27 provides that a person must not operate a remote station:

- if the operation causes harmful interference; or
- to transmit to a base station unless the remote station uses a receive frequency or transmit frequency specified in the licence for the base station.

Section 28 Conditions – adjacent channel interference

Subsection 28(1) provides that a person must not operate a base station that uses time division duplex in the 1900 MHz to 1920 MHz, 3400 MHz to 4000 MHz, or 5600MHz to 5650 MHz frequency bands if its operation causes harmful interference to a receiver that is part of another base station that operates on an adjacent channel and uses time division duplex.

Subsection 28(2) provides that a person is taken to have complied with subsection 28(1) in relation to a radiocommunications receiver if the person and the operator of the receiver align transmission and reception timing to avoid interference, or other arrangements are made to avoid interference.

Section 29 Condition – transmit power control

Section 29 provides that a person must not operate a point to multipoint station unless they use transmit power control over the station. Transmit power control is a function that changes the power at which a radiocommunications transmitter operates, to maintain a particular level of reception quality.

Part 9 – Conditions – fixed licence used in relation to broadcasting services

Section 30 Application of Part 9

Section 30 provides that every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter used in relation to the provision of a broadcasting service is subject to the conditions in Part 9, except when a condition is specified in the licence under paragraph 107(1)(g) of the Act or imposed on the licence under paragraph 111(1)(a) of the Act and that condition is inconsistent with a condition in Part 9.

Section 31 Condition – harmful interference

Section 31 provides that a person must not operate a radiocommunications transmitter if the operation causes harmful interference.

Notes to the *Radiocommunications (Register of Radiocommunications Licences) Amendment Determination 2025 (No. 1)*

Section 1 Name

This section provides for the RRL Amendment Determination to be cited as the *Radiocommunications (Register of Radiocommunications Licences) Amendment Determination 2025 (No. 1)*.

Section 2 Commencement

This section provides for the RRL Amendment Determination to commence at the start of the day after the day it is registered on the Federal Register of Legislation.

The Federal Register of Legislation may be accessed free of charge at www.legislation.gov.au.

Section 3 Authority

This section identifies the provision of the Act that authorises the making of the RRL Amendment Determination, namely section 147 of the Act.

Section 4 Schedule 1 - Amendments

This section provides that the RRL Determination is amended as set out in Schedule 1.

Schedule 1 – Amendments

Item 1

Item 1 inserts the term ‘fixed licence’ into Note 2 to subsection 5(1) of the RRL Determination.

Item 2

Item 2 repeals subsection 10(1) of the RRL Determination (including the note) and replaces it with a new provision. This change is consequential on the change made by item 3.

Item 3

Item 3 inserts a new section 10A into the RRL Determination. New section 10A specifies the details for fixed licences to be included in the Register. The details are largely the same as for other apparatus licences. However, for fixed licences (point to multipoint station), only details in relation to the base stations that are specified in the licence are required to be included in the Register. Details about supplementary base stations, remote stations and remote control stations, which are authorised by the licence but not specified in the licence, are not required to be included in the Register.