

Radiocommunications Licence Conditions (Fixed Licence) Determination 2025

The Australian Communications and Media Authority makes the following determination under subsection 110A(2) of the *Radiocommunications Act 1992*.

Dated: 20 March 2025

Nerida O'Loughlin [signed] Member

Michael Brealey [signed] General Manager

Australian Communications and Media Authority

Part 1 Preliminary

1 Name

This is the Radiocommunications Licence Conditions (Fixed Licence) Determination 2025.

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 is available, free of charge, at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 110A(2) of the Act.

4 Repeal

The Radiocommunications Licence Conditions (Fixed Licence) Determination 2015 (F2015L01430) is repealed.

5 Interpretation

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

base station: see subsection (2).

bit error ratio means the ratio of:

- (a) the number of bit errors; to
- (b) the total number of bits transmitted;

in a given period.

distance education service means an education service known as School of the Air.

Example: The Alice Springs School of the Air is a distance education service (see www.assoa.nt.edu.au).

duty cycle: see subsection (3).

fixed licence (point to multipoint station) means a fixed licence that authorises the operation of a point to multipoint station.

fixed licence (point to point station) means a fixed licence that authorises the operation of a point to point station.

fixed licence (sound outside broadcast station) means a fixed licence that authorises the operation of a sound outside broadcast station.

Note: A fixed licence (sound outside broadcast station) that authorises operation of a radiocommunications transmitter in a particular area may authorise operation of the transmitter on the same frequencies as specified for radiocommunications transmitters in other fixed licences (sound outside broadcast station) in the same area.

fixed licence (television outside broadcast network station) means a fixed licence that authorises the operation of a television outside broadcast network station.

Note: A fixed licence (television outside broadcast network station) authorises operation of one or more radiocommunications transmitters on more than one frequency, anywhere in Australia.

fixed licence (television outside broadcast station) means a fixed licence that authorises the operation of one television outside broadcast station.

Note: A fixed licence (television outside broadcast station) authorises operation of only one radiocommunications transmitter, in a specified area.

fixed licence (television outside broadcast system station) means a fixed licence that authorises the operation of a television outside broadcast system station.

Note: A fixed licence (television outside broadcast system station) may authorise operation of one or more radiocommunications transmitters, in a specified area.

front/back ratio, for the antenna of a station, means the ratio of:

- (a) the maximum directivity of the antenna in the forward direction; to
- (b) the highest gain of the antenna within the range of angles from 140° to 220° from the maximum gain of the antenna.

mid band gain, for the antenna of a station, means the antenna gain in the centre of the frequency band in which the station is used.

receive frequency, for a base station, means each of the frequencies specified in the relevant licence for the receipt of transmissions by the base station.

relevant licence, for a base station, means the fixed licence that authorises the operation of the station.

remote control station means a fixed station that is used, or intended to be used, to remotely control:

- (a) a base station; or
- (b) a supplementary base station.

remote station means a fixed station that is used, or intended to be used, to communicate with:

- (a) a base station; or
- (b) a supplementary base station.

supplementary base station means a fixed point to multipoint station that is used, or intended to be used, with a base station to communicate with a remote station.

suppressed carrier single-sideband emission has the meaning given by the Radio Regulations.

Note:

See Section VI, Article 1.143, Chapter I of the Radio Regulations. The Radio Regulations are available, free of charge, from the International Telecommunication Union's website at www.itu.int.

time division duplex, in relation to operation of a base station, means using the same frequency or frequency band for both transmission and reception, where transmission occurs at a different time to reception.

transmit frequency for a base station, means each of the frequencies specified in the relevant licence for transmissions by the base station.

transmit power control means a function that changes the power at which a radiocommunications transmitter operates, to maintain a particular level of reception quality.

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

- (a) ACMA;
- (b) apparatus licence;

- (c) frequency band;
- (d) import;
- (e) interference;
- (f) operate;
- (g) radiocommunication;
- (h) radiocommunications device;
- (i) radiocommunications receiver;
- (i) radiocommunications transmitter;
- (k) re-allocation period;
- (1) reception;
- (m) spectrum;
- (n) spectrum licence;
- (o) spectrum re-allocation declaration;
- (p) transmitter licence.
- Note 2: Other expressions used in this instrument may be defined in a determination, made under subsection 64(1) of the *Australian Communications and Media Authority Act 2005*, that applies to this instrument, including:
 - (a) Act;
 - (b) communication;
 - (c) fixed licence;
 - (d) fixed station;
 - (e) harmful interference;
 - (f) HF;
 - (g) land mobile station;
 - (h) MF;
 - (i) point to multipoint station;
 - (j) point to point station;
 - (k) pX;
 - (1) Radio Regulations;
 - (m) sound outside broadcast station;
 - (n) station;
 - (o) television outside broadcast network station:
 - (p) television outside broadcast station;
 - (q) television outside broadcast system station;
 - (r) VHF.
- (2) In this instrument, if a point to multipoint station is operated at a fixed location mentioned in a fixed licence, the station is a *base station*.

Note:

Some fixed licences may authorise the operation of more than one radiocommunications transmitter. Each such transmitter may be, or be part of, a base station, a supplementary base station, a remote control station, or a remote station. A base station is at a fixed location specified in the licence. The locations of other stations are not specified in the licence.

- (3) In this instrument, where a radiocommunications transmitter is operated during a period (the *total period*), the *duty cycle* is the ratio of:
 - (a) the period the transmitter was operated; to
 - (b) the total period.

Note:

The maximum possible value of the duty cycle is 1. The value of the duty cycle will be less than 1 if the radiocommunications transmitter was not continuously operated during the total period.

(4) In this instrument, unless the contrary intention appears, a reference to a station is taken to be a reference to each radiocommunications transmitter that forms part of the station.

Note:

A station is an installation or thing that is, or includes, one or more radiocommunications transmitters, one or more radiocommunications receivers, or both one or more radiocommunications transmitters and one or more radiocommunications receivers. This instrument imposes licence conditions on fixed licences, which are a type of transmitter licence, so this instrument is primarily concerned with transmitter licences and the radiocommunications

transmitters whose operation is authorised by those licences. However, the operation of some conditions in relation to some fixed licences may depend on particular radiocommunications receivers (including fixed receive stations).

(5) In this instrument, unless the contrary intention appears, a reference to a part of the spectrum or frequency band includes all frequencies that are greater than but not including the lower frequency, up to and including the higher frequency.

Note: This means the lower number in the reference to the part of the spectrum or frequency band is not included in the part or band.

(6) Unless the contrary intention appears, no condition in Parts 2 to 9 (inclusive) limits any other condition in those Parts.

6 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.

Part 2 Conditions – fixed licence

7 Application of Part 2

- (1) Subject to subsection (2), every fixed licence is subject to the conditions in this Part.
- (2) If:
 - (a) a condition is specified in a fixed licence under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act; and
 - (b) that condition is inconsistent with a condition specified in this Part; then, to the extent of any inconsistency, the condition mentioned in paragraph (a) prevails.

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

- (1) This section applies if:
 - (a) the ACMA makes a spectrum re-allocation declaration that:
 - (i) a specified part of the spectrum is subject to re-allocation under Part 3.6 of the Act (the *declared part of the spectrum*) in relation to the re-allocation period for the declaration; and
 - (ii) under subsection 153B(3) of the Act, specifies an area (the *declared area*) for the declared part of the spectrum; and
 - (b) a fixed licence authorises the operation of a station without specifying the location from which the station must be operated (the *relevant station*).

Example for paragraph (b): A fixed licence (point to multipoint station) authorises the operation of a base station, the location of which is specified in the licence, and one or more remote stations, the locations of which are not specified in the licence. Each of the remote stations is a *relevant*

- (2) A person must not operate the relevant station both:
 - (a) at frequencies in the declared part of the spectrum; and
 - (b) within the declared area;

on or after the day before the re-allocation period for the declaration ends.

Note: Subject to limited exceptions, if an apparatus licence authorises the operation of a radiocommunications device at frequencies in the declared part of the spectrum, and within the declared area, at the end of the re-allocation period, the licence is cancelled by section 153H of the Act.

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

- (1) This section applies if:
 - (a) a spectrum licence authorises a person to operate radiocommunications devices:
 - (i) at one or more frequencies;
 - (ii) within one or more areas; and
 - (b) a fixed licence authorises the operation of a station without specifying the location from which the station must be operated (the *relevant station*).

Example for paragraph (b): A fixed licence (point to multipoint station) authorises the operation of a base station, the location of which is specified in the licence, and one or more remote stations, the locations of which are not specified in the licence. Each of the remote stations is a *relevant station*.

- (2) A person must not operate the relevant station both:
 - (a) at those frequencies; and
 - (b) within those areas.

Note: See section 105 of the Act.

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

10 Application of Part 3

- (1) Subject to subsection (2), every fixed licence (point to point station) is subject to the conditions in this Part.
- (2) If:
 - (a) a condition is specified in a fixed licence (point to point station) under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act; and
 - (b) that condition is inconsistent with a condition specified in this Part; then, to the extent of any inconsistency, the condition mentioned in paragraph (a) prevails.

11 Conditions – technical performance of antenna

- (1) A person must not operate 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.
- (2) If:
 - (a) a fixed licence (point to point station) does not specify an antenna for use by a point to point station; and
 - (b) the station is operated on a frequency specified in column 1 of a table item in Table 1;
 - a person must not operate the station unless the station uses an antenna where:
 - (c) the angle between the points at which the antenna gain is half the maximum gain of the antenna, measured in the plane of the electric field, is not greater than the angle specified in column 2 of the table item; and
 - (d) the front/back ratio of the antenna is at least the ratio specified in column 3 of the table item; and
 - (e) the mid band gain of the antenna is at least the value specified in column 4 of the table item.
 - Note 1: Persons are encouraged to use antennas that improve upon the requirements in subsection (2).
 - Note 2: The points at which the antenna gain is half the maximum gain of the antenna are known as the 'half power points'.

Table 1

Item	Column 1	Column 2	Column 3	Column 4	Column 5
	Frequency band	Beamwidth in the plane of the electric field	Minimum front/back ratio	Mid band gain of antenna	Example of suitable antenna
1	148 MHz to 174 MHz	44 degrees	20 dB	12 dBi	6 element Yagi antenna
2	403 MHz to 520 MHz	36 degrees	17 dB	13 dBi	9 element Yagi antenna

3	804 MHz to	30 degrees	20 dB	16 dBi	15 element Yagi
	960 MHz	_			antenna

Note 1: The maximum beamwidth of an antenna is measured between the half power points.

Note 2: Column 5 is included for information only.

(3) If:

- (a) a fixed licence (point to point station) does not specify an antenna for use by a point to point station; and
- (b) the station is not operated on a frequency specified in column 1 of a table item in Table 1;

a person must not operate the station if its operation causes harmful interference.

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

12 Application of Part 4

- (1) Subject to subsection (2), every fixed licence (point to multipoint station) is subject to the conditions in this Part, other than:
 - (a) a fixed licence (point to multipoint station) that is used to provide distance education services; and
 - (b) a fixed licence (point to multipoint station) that authorises the operation of a station on a frequency in the part of the spectrum from 1 GHz to 275 GHz.

Example for paragraph (a): The Alice Springs School of the Air is a distance education service (see www.assoa.nt.edu.au).

(2) If:

- (a) a condition is specified in a fixed licence (point to multipoint station) under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act; and
- (b) that condition is inconsistent with a condition specified in this Part; then, to the extent of any inconsistency, the condition mentioned in paragraph (a) prevails.

13 Condition – communication with other stations

A person must not operate a fixed station (the *first station*) otherwise than to communicate with another station (the *other station*), where:

- (a) the operation of the other station is authorised by the licence that authorises the operation of the first station; or
- (b) the other station is otherwise referred to in that licence.

Note:

A fixed licence (point to multipoint station) may authorise the operation of one or more radiocommunications transmitters. Each such transmitter may be, or be part of, a base station, a supplementary base station, a remote control station or a remote station. A fixed licence (point to multipoint station) does not authorise the operation of, but may refer to, a radiocommunications receiver.

14 Conditions – operation of supplementary base station

- (1) A person must not operate a supplementary base station if its operation causes harmful interference.
- (2) A person must not operate a supplementary base station under the relevant licence for a base station otherwise than on a receive frequency or transmit frequency specified in the relevant licence.
- (3) A person must not operate a supplementary base station otherwise than to overcome deficiencies, within the coverage area of a base station, in reception of transmissions from that base station.
- (4) A person must not operate a supplementary base station to extend the coverage area of a base station.

15 Conditions – operation of remote station

- (1) A person must not operate a remote station if its operation causes harmful interference.
- (2) A person must not operate a remote station under the relevant licence for a base station otherwise than on a receive frequency or transmit frequency specified in the relevant licence.
- (3) A person must not operate a remote station for:
 - (a) data transmission; or
 - (b) telecommand; or
 - (c) telemetry;

if:

- (d) the duty cycle of the station is more than 1 in 30; or
- (e) the duration of the transmission from the station is more than 2 seconds; or
- (f) the minimum repetition interval of the station is less than 10 seconds.
- Note 1: The concepts of telecommand and telemetry are explained in the Radio Regulations, which are available, free of charge, from the International Telecommunication Union's website at www.itu.int.
- Note 2: The repetition interval is the time between the start of a transmission and the start of the next transmission of a station.
- (4) A person must not operate a remote station for:
 - (a) data transmission; or
 - (b) telecommand; or
 - (c) 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 input.

Note:

The concepts of telecommand and telemetry are explained in the Radio Regulations, which are available, free of charge, from the International Telecommunication Union's website at www.itu.int.

Table 2

Item	Column 1	Column 2
	Frequency	Power level
1	A frequency in any of the following frequency bands:	5 W
	(a) 451.5 MHz to 452.5 MHz	
	(b) 805.5 MHz to 806 MHz	
2	A frequency not specified in table item 1	1 W

- (5) A person must not operate a remote station otherwise than for
 - (a) data transmission; or
 - (b) telecommand; or
 - (c) telemetry;

unless:

- (d) if the fixed licence (point to multipoint station) that authorises the operation of the station specifies a maximum transmitter output power the station is not operated to exceed that power; or
- (e) otherwise the transmitter output power does not exceed 1 W, measured at the antenna input.

Note:

The concepts of telecommand and telemetry are explained in the Radio Regulations, which are available, free of charge, from the International Telecommunication Union's website at www.itu.int.

16 Conditions – operation of remote control station

- (1) A person must not operate a remote control station if its operation causes harmful interference.
- (2) A person must not operate a remote control station under the relevant licence for a base station otherwise than on a receive frequency or transmit frequency specified in the relevant licence.
- (3) A person must not operate a remote control station unless the transmitter output power does not exceed 1 W, measured at the antenna input.
- (4) A person must not operate a remote control station for:
 - (a) data transmission; or
 - (b) telecommand; or
 - (c) 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.

Note:

The concepts of telecommand and telemetry are explained in the Radio Regulations, which are available, free of charge, from the International Telecommunication Union's website at www.itu.int.

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

17 Application of Part 5

- (1) Subject to subsection (2), every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter that is used to provide distance education services is subject to the conditions in this Part.
- (2) If:
 - (a) a condition is specified in a licence mentioned in subsection (1) under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act; and
 - (b) that condition is inconsistent with a condition specified in this Part; then, to the extent of any inconsistency, the condition mentioned in paragraph (a) prevails.

18 Condition – communication with other stations

A person must not operate a fixed station (the *first station*) otherwise than:

- (a) to communicate with another station (the *other station*), where:
 - (i) the operation of the other station is authorised by the licence that authorises the operation of the first station; or
 - (ii) the other station is otherwise referred to in that licence; or
- (b) if no other means of communication is available, to communicate messages in relation to distress or emergency situations.

Note for paragraph (a): A fixed licence (point to multipoint station) may authorise the operation of one or more radiocommunications transmitters. Each such transmitter may be, or be part of, a base station, a supplementary base station, a remote control station or a remote station. A fixed licence (point to multipoint station) does not authorise the operation of, but may refer to, a radiocommunications receiver.

19 Condition – use of call sign

- (1) A person must not operate a point to multipoint station unless the person transmits:
 - (a) the station's call sign; or
 - (b) another form of identification that clearly identifies the station; at the start of each transmission, or each series of transmissions, made by the person.
- (2) In this section, *call sign*, for a station, means the call sign specified for the station in the fixed licence (point to multipoint station) that authorises the operation of the station.

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

20 Application of Part 6

(1) Subject to subsection (2), every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter on MF or HF is subject to the conditions in this Part.

Note:

At the time this instrument was made, a determination under section 64 of the *Australian Communications and Media Authority Act 2005* defined *MF* to mean medium frequency (that is, a frequency greater than 300 kHz but less than or equal to 3 MHz) and *HF* to mean high frequency (that is, a frequency greater than 3 MHz but less than or equal to 30 MHz).

- (2) If:
 - (a) a condition is specified in a licence mentioned in subsection (1) under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act; and
 - (b) that condition is inconsistent with a condition specified in this Part; then, to the extent of any inconsistency, the condition mentioned in paragraph (a) prevails.

21 Conditions –operating remote station on MF or HF

- (1) This section applies to a remote station:
 - (a) operated on MF or HF; and
 - (b) that transmits suppressed carrier single-sideband emissions.
- (2) A person must not operate a remote station unless it is operated with a transmitter output power equal to or less than 100 W pX.
- (3) A person must not operate a remote station if its operation causes harmful interference.
- (4) A person must not operate a remote station to transmit to a base station unless the remote station uses a receive frequency specified in the relevant licence for the base station.

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

22 Application of Part 7

(1) Subject to subsection (2), every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter on VHF is subject to the conditions in this Part.

Note:

At the time this instrument was made, a determination under section 64 of the *Australian Communications and Media Authority Act 2005* defined *VHF* to mean very high frequency (that is, a frequency greater than 30 MHz but less than or equal to 300 MHz).

- (2) If:
 - (a) a condition is specified in a licence mentioned in subsection (1) under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act; and
 - (b) that condition is inconsistent with a condition specified in this Part; then, to the extent of any inconsistency, the condition mentioned in paragraph (a) prevails.

23 Conditions – operating remote station on VHF

- (1) A person must not operate a remote station on VHF if its operation causes harmful interference.
- (2) A person must not operate a remote station on VHF to transmit to a base station unless the remote station uses a receive frequency specified in the relevant licence for the base station.

24 Conditions – operating supplementary base station on VHF

- (1) A person must not operate a supplementary base station on VHF if its operation causes harmful interference.
- (2) A person must not operate a supplementary base station under the relevant licence for a base station on VHF otherwise than on a transmit frequency or receive frequency specified in the relevant licence.
- (3) A person must not operate a supplementary base station on VHF otherwise than to overcome deficiencies, within the coverage area of a base station, in reception of transmissions from that base station.

25 Conditions – operating remote control station on VHF

- (1) A person must not operate a remote control station on VHF if its operation causes harmful interference.
- (2) A person must not operate a remote control station on VHF to transmit to a base station unless the remote control station uses a receive frequency specified in the relevant licence for the base station.
- (3) A person must not operate a remote control station on VHF unless it is operated with a transmitter output power equal to or less than 1 W, measured at the antenna input.

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

26 Application of Part 8

- (1) Subject to subsection (2), every fixed licence (point to multipoint station) that authorises the operation of a radiocommunications transmitter on a frequency in the part of the spectrum from 1 GHz to 275 GHz is subject to the conditions in this Part.
- (2) If:
 - (a) a condition is specified in a licence mentioned in subsection (1) under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act; and
 - (b) that condition is inconsistent with a condition specified in this Part; then, to the extent of any inconsistency, the condition mentioned in paragraph (a) prevails.

27 Conditions – remote station

- (1) A person must not operate a remote station if its operation causes harmful interference.
- (2) A person must not operate a remote station to transmit to a base station unless the remote station uses a receive frequency or transmit frequency specified in the relevant licence for the base station.

28 Condition – adjacent channel interference

- (1) A person must not operate a base station that uses time division duplex in one of the following frequency bands:
 - (a) 1900 MHz to 1920 MHz;
 - (b) 3400 MHz to 4000 MHz;
 - (c) 5600 MHz to 5650 MHz;

if its operation causes harmful interference to a radiocommunications receiver that is part of another base station that:

- (d) operates on an adjacent channel; and
- (e) uses time division duplex.

Note: The ACMA does not generally intend to afford protection from interference to a radiocommunications receiver that is part of the first base station mentioned in subsection (1), where the interference is caused by the second base station mentioned in subsection (1).

- (2) A person is taken to have complied with subsection (1), in relation to a particular radiocommunications receiver, if:
 - (a) the person, and the person who operates the receiver, align transmission and reception timing to avoid interference; or
 - (b) the person, and the person who operates the receiver, agree other arrangements to avoid interference.
- (3) In this section, *adjacent channel*, in relation to a base station, means a frequency band that is immediately adjacent to the frequency band on which the base station is authorised to operate.

29 Condition – transmit power control

A person must not operate a point to multipoint station unless the person uses transmit power control on the station.

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

30 Application of Part 9

- (1) Subject to subsection (2), the following licences are subject to the conditions in this Part:
 - (a) fixed licence (sound outside broadcast station);
 - (b) fixed licence (television outside broadcast station);
 - (c) fixed licence (television outside broadcast network station);
 - (d) fixed licence (television outside broadcast system station).

(2) If:

- (a) a condition is specified in a fixed licence mentioned in subsection (1), under paragraph 107(1)(g) of the Act, or imposed on the licence under paragraph 111(1)(a) of the Act; and
- (b) that condition is inconsistent with a condition specified in this Part; then, to the extent of any inconsistency, the condition mentioned in paragraph (a) prevails.

31 Condition – harmful interference

A person must not operate a radiocommunications transmitter if its operation causes harmful interference.