



# Radiocommunications Licence Conditions (Amateur Licence) Amendment Determination 2010 (No. 1)<sup>1</sup>

*Radiocommunications Act 1992*

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The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*.

Dated 17 December 2010

Chris Chapman  
[signed]  
Member

Brendan Byrne  
[signed]  
General Manager/Member

Australian Communications and Media Authority

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**1 Name of Determination**

This Determination is the *Radiocommunications Licence Conditions (Amateur Licence) Amendment Determination 2010 (No. 1)*.

**2 Commencement**

This Determination commences on the day after it is registered.

**3 Amendment of *Radiocommunications Licence Conditions (Amateur Licence) Determination No. 1 of 1997***

Schedule 1 amends the *Radiocommunications Licence Conditions (Amateur Licence) Determination No. 1 of 1997*.

## Schedule 1      Amendments

(section 3)

[1]      **Subsection 3 (1), before definition of Act**

*insert*

*ACMA* means the Australian Communications and Media Authority

[2]      **Subsection 3 (1), after definition of *qualified person***

*insert*

*Radio Regulations* means the *Radio Regulations* published by the International Telecommunication Union as amended from time to time.

[3]      **Subsection 3 (1), after definition of *repeater output***

*insert*

*spectrum plan* means the *Australian Radiofrequency Spectrum Plan 2009*.

[4]      **Subsection 5 (2), at the foot**

*insert*

*Note* Subject to subsections (1) and (2), a licensee may transmit messages on behalf of a third party to an amateur station, including an amateur station in a foreign country. Other countries may permit the transmission or reception of messages on behalf of third parties only in the case of emergencies or disaster relief. The ACMA recommends that licensees respect any restrictions applied to amateur stations in foreign countries in relation to the transmission or reception of messages on behalf of a third party.

[5]      **Subsection 5 (3), including the note**

*substitute*

- (3) The licensee must not transmit a message to an amateur station in a foreign country if the transmission would be inconsistent with the Australian table of allocations in the spectrum plan or a footnote to that table.

**[6] After section 15B***insert***15C Operating an amateur advanced station in the frequency band 135.7 kHz to 137.8 kHz**

If a licensee operates an amateur advanced station in the frequency band 135.7 kHz to 137.8 kHz, the licensee must not operate the station using a radiated power of more than 1 watt pX EIRP.

**[7] Section 16***omit each mention of*

Subject to section 15,

*insert*

Subject to sections 15 and 15C,

**[8] Subparagraph 42 (3) (a) (iii)***omit*

and

**[9] After subparagraph 42 (3) (a) (iii)***insert*

(iv) a system that uses any other readily available code or signal; and

**[10] Schedule 2, Part 1, before item 1***insert*

1A	135.7 kHz–137.8 kHz [see note 4]	Any emission mode with a necessary bandwidth no greater than 2.1 kHz
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**[11] Schedule 2, Part 2, notes 2 and 3***substitute*

*Note 2* The operation of an amateur advanced station in the bands 3.425 GHz–3.4425 GHz and 3.475 GHz–3.4925 GHz is subject to the limitation mentioned in section 15A.

*Note 3* The operation of an amateur advanced station in the bands 3.4425 GHz–3.475 GHz and 3.5425 GHz–3.575 GHz is subject to the limitation mentioned in section 15B.

*Note 4* The operation of an amateur advanced station in the band 135.7 kHz–137.8 kHz is subject to the limitation mentioned in section 15C.

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**[12] Further amendments**

<i>Provision</i>	<i>omit each mention of</i>	<i>insert</i>
Subsection 5 (3)	ACMA	the ACMA
Section 10, note	ACMA	the ACMA
Section 37	ACMA	the ACMA
Subsection 40 (2)	ACMA	the ACMA
Section 44	ACMA	the ACMA
Schedule 2, Part 1	not exceeding	no greater than
Schedule 3	not exceeding	no greater than

**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.