



Radiocommunications (Amateur Stations) Class Licence 2023

The Australian Communications and Media Authority makes the following class licence under section 132 of the *Radiocommunications Act 1992*.

Dated: 7 December 2023

Adam Suckling
[signed]
Member

Brendan Byrne
[signed]
~~Member~~/General Manager

Australian Communications and Media Authority

Part 1 Preliminary

1 Name

This is the *Radiocommunications (Amateur Stations) Class Licence 2023*.

2 Commencement

This instrument commences at the start of 19 February 2024.

Note: The Federal Register of Legislation is available, free of charge, at www.legislation.gov.au.

3 Authority

This instrument is made under section 132 of the Act.

4 Repeal

The *Radiocommunications (Overseas Amateurs Visiting Australia) Class Licence 2015* [F2015L01114] is repealed.

5 Interpretation

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

ACMA recognition certificate means any of the following:

- (a) an ACMA recognition certificate (Advanced);
- (b) an ACMA recognition certificate (Foundation);
- (c) an ACMA recognition certificate (Standard).

ACMA recognition certificate (Advanced) means an ACMA recognition certificate (Advanced) given under paragraph 3(1)(a) of Schedule 5.

ACMA recognition certificate (Foundation) means an ACMA recognition certificate (Foundation) given under paragraph 3(1)(b) of Schedule 5.

ACMA recognition certificate (Standard) means an ACMA recognition certificate (Standard) given under paragraph 3(1)(c) of Schedule 5.

amateur purpose means any of the following:

- (a) self-training in radiocommunications;
- (b) intercommunication;
- (c) technical investigations of radiocommunications;
- (d) transmitting news and information related to the operation of amateur stations, as a means of facilitating intercommunication.

assignment period: see clause 2 of Schedule 4.

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.

automatic mode, in relation to a radiocommunications transmitter, means a mode of operation that does not require manual interaction to cause a transmission to be made.

call sign, in relation to a person, means the call sign assigned to the person:

- (a) under Schedule 4; or
- (b) if the person is a qualified person under paragraph 8(b) – by or on behalf of the administration of a country other than Australia (whether or not it is the country which issued the person’s recognised overseas qualification).

computer controlled mode, in relation to a radiocommunications transmitter, means a mode of operation where a computer, whether at the site of the transmitter or elsewhere, is used to cause a transmission to be made.

contest call sign means a call sign that:

- (a) consists of:
 - (i) a two letter prefix, where V is the first letter; followed by
 - (ii) a single numerical digit; followed by
 - (iii) a single letter; and
- (b) is, or is to be, assigned with an assignment period.

emergency services means services provided by:

- (a) an organisation established in a State or Territory, or by the Commonwealth, for purposes that include the provision of services during an emergency; or
- (b) any other organisation the sole or principal purpose of which is to secure the safety of persons during an emergency.

emission mode: see subsection (2).

HCIS means the cell grouping hierarchy scheme used to describe areas in the Australian Spectrum Map Grid.

Note: HCIS stands for hierarchical cell identification scheme.

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

overseas licence means a licence or permit, however described, that authorises the operation of a radiocommunications device, issued by or on behalf of the administration of a country other than Australia.

qualified person: see section 8.

recognised overseas qualification means any of the following that has been issued or awarded by a body, association or person outside Australia:

- (a) a recognised qualification (Advanced Type);
- (b) a recognised qualification (Foundation Type);
- (c) a recognised qualification (Standard Type).

recognised qualification means any of the following that has been issued or awarded by a body, association or person in Australia:

- (a) a recognised qualification (Advanced Type);
- (b) a recognised qualification (Foundation Type);
- (c) a recognised qualification (Standard Type).

recognised qualification (Advanced Type) means a qualification or licence declared under paragraph 9(1)(a).

recognised qualification (Foundation Type) means a qualification or licence declared under paragraph 9(1)(b).

recognised qualification (Standard Type) means a qualification or licence declared under paragraph 9(1)(c).

relevant event: see paragraph 2(3)(b) of Schedule 4.

special event call sign: see paragraph 2(3)(a) of Schedule 4.

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

- (a) AAT;
- (b) ACMA;
- (c) certificate of proficiency;
- (d) frequency band;
- (e) operate;
- (f) radiocommunication;
- (g) radiocommunications transmitter;
- (h) spectrum plan;
- (i) 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*, including:

- (a) Act;
- (b) amateur advanced station;
- (c) amateur beacon station;
- (d) amateur foundation station;
- (e) amateur repeater station;
- (f) amateur-satellite service;
- (g) amateur standard station;
- (h) amateur station;
- (i) EIRP;
- (j) harmful interference;
- (k) intercommunication;
- (l) mobile station;
- (m) necessary bandwidth;
- (n) pX;
- (o) pY;
- (p) Radio Regulations;
- (q) space station;
- (r) spurious emission.

- (2) In this instrument, the **emission mode** of a transmission made by a radiocommunications transmitter is the designation of the emission worked out in accordance with Appendix 1 (REV.WRC-19) of the Radio Regulations.

Note: Appendix 1 of the Radio Regulations is titled 'Classification of emissions and necessary bandwidths'. The Radio Regulations are available, free of charge, from the website of the International Telecommunication Union at www.itu.int.

- (3) 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.
- (4) Unless the contrary intention appears, no condition in Part 3 or Schedule 1 limits any other condition in Part 3 or Schedule 1.

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.

7 Call signs

Schedule 4 has effect.

8 Qualified persons

A person is a **qualified person** if:

- (a) the person holds:
- (i) a recognised qualification; or
 - (ii) an ACMA recognition certificate; or
- (b) the person:
- (i) is visiting Australia from another country; and
 - (ii) is not an Australian resident; and
 - (iii) has not been in Australia for more than 365 continuous days since the person most recently entered Australia; and
 - (iv) holds a recognised overseas qualification; and
 - (v) has been assigned a call sign by or on behalf of the administration of a country other than Australia (whether or not it is the country which issued the person's recognised overseas qualification).

9 Recognising qualifications

- (1) The ACMA may, in writing, declare a qualification or overseas licence to be one or more of the following:
- (a) a recognised qualification (Advanced Type);
 - (b) a recognised qualification (Foundation Type);
 - (c) a recognised qualification (Standard Type).
- (2) If the ACMA makes a declaration in relation to a qualification or overseas licence under subsection (1), the ACMA must publish on its website:
- (a) the name of the qualification or overseas licence;
 - (b) the organisation that provides the qualification or issues the overseas licence; and
 - (c) the paragraph of subsection (1) for which the qualification or overseas licence is declared.
- (3) The ACMA may cancel a declaration of a qualification or overseas licence made under subsection (1).
- (4) If the ACMA cancels a declaration of a qualification, the ACMA must publish on its website a notice to the effect that the declaration of the qualification or overseas licence has been cancelled.

Transitional

- (5) Schedule 7 has effect.

Part 2 Class licence

10 Class licence

This instrument authorises a person to operate an amateur station, subject to the conditions in Part 3.

Part 3 Conditions

11 Qualification

A person must not operate an amateur station unless the person is:

- (a) a qualified person; or
- (b) supervised by a qualified person.

12 Using call signs

- (1) Subject to this section, a person must, when operating an amateur station, transmit the person's call sign at each of the following times:
 - (a) the beginning of each transmission;
 - (b) the end of each transmission;
 - (c) if a transmission lasts more than 10 minutes – at least once every 10 minutes during the transmission.
- (2) If a person is supervised by a qualified person (*supervisor*) when operating an amateur station, for the purposes of complying with subsection (1), the person may transmit the supervisor's call sign at the times required by subsection (1).
- (3) If a person has a call sign assigned to them by or on behalf of the administration of another country, the person must add the letters VK at the start of the call sign when transmitting it in Australia.
- (4) If the call sign assigned to a person commences with the letters VK, the person may substitute those letters with the letters AX when complying with subsection (1) on the following dates each year:
 - (a) 26 January;
 - (b) 25 April;
 - (c) 17 May.

Note: 26 January is Australia Day, 25 April is ANZAC Day, and 17 May is World Telecommunication Day.

Example: On a date specified in subsection (4), a person who is assigned the VK1ZZZ call sign may use instead the AX1ZZZ call sign.

- (5) If a contest call sign is assigned to a person, the person must not transmit the contest call sign otherwise than when competing in a contest conducted by a body or organisation, whether or not in Australia, that exists primarily for amateur purposes.
- (6) If a special event call sign is assigned to a person, the person must not transmit the special event call sign otherwise than in relation to the relevant event.
- (7) If a person is assigned a call sign with the prefix VK0, the person must not transmit the call sign unless the person is located in the Territory.

Note: See sections 15 and 313 of the Act.

- (8) If a person is assigned a call sign with the prefix VK9, the person must not transmit the call sign unless the person is located in an external Territory other than the Territory.

Note 1: See section 15 of the Act.

Note 2: *External Territory* has the meaning given by the *Acts Interpretation Act 1901*.

- (9) In subsections (7) and (8), *the Territory* has the meaning given by the *Australian Antarctic Territory Act 1954*.

- (10) If section 14 applies to a person in relation to a transmission, this section does not apply to the person in relation to that transmission.

13 Operation of station – purposes and transmissions

- (1) A person must not operate an amateur station otherwise than for an amateur purpose.
- (2) A person must not operate an amateur station:
- (a) to obtain financial gain or reward, or for the purpose of obtaining financial gain or reward; or
 - (b) that is, or as, an amateur repeater station; or
 - (c) that is, or as, an amateur beacon station; or
 - (d) to transmit:
 - (i) a message that enables any person to obtain financial gain or reward; or
 - (ii) a message that is, or includes, an advertisement; or
 - (iii) a message to an amateur station in another country, if the purpose of the transmission would be inconsistent with the table of frequency band allocations in the spectrum plan or a footnote to that table; or
 - (iv) subject to subsection (3), a signal that is encoded, for the purpose of obscuring the meaning of the signal.

Note: A person may only operate an amateur repeater station or an amateur beacon station under a transmitter licence.

- (3) A person does not contravene the condition in subparagraph (2)(d)(iv) if one or more of the following applies:
- (a) the signal is transmitted from the amateur station to a space station in an amateur-satellite service, for the purpose of controlling the operation of the space station;
 - (b) the signal is transmitted from an amateur station to an unattended amateur station, for the purpose of controlling the operation of the unattended amateur station;
 - (c) the signal is transmitted from an amateur station to another amateur station, for the purposes of an emergency services operation;
 - (d) the signal is transmitted from an amateur station to another amateur station, for the purposes of a training exercise related to emergency services.
- (4) A person must not cause an amateur station to be operated without a person being at the location of the station, unless:
- (a) the station is operated using:
 - (i) an automatic mode; or
 - (ii) a computer controlled mode; and
 - (b) the station is fitted with a timer that causes automatic shutdown of the station if a malfunction causes an unintended transmission that lasts longer than 10 minutes.

14 Operation of station – emergency services operations and training

- (1) This section applies where a person participates in emergency services operations or training exercises for emergency services (regardless of whether any other person is also participating in those operations or exercises).
- (2) A person must, when operating an amateur station, transmit the person's call sign at each of the following times:
- (a) the beginning of each transmission;
 - (b) the end of each transmission;

- (c) if a transmission or series of transmissions lasts more than 30 minutes – at least once every 30 minutes during the transmission.

15 Operation of station – interference and spurious emissions

- (1) A person must not operate an amateur station if its operation causes harmful interference to radiocommunications.
- (2) A person must not operate an amateur station if its radio emissions include spurious emissions that are not attenuated below the power contained within the emission's necessary bandwidth, supplied to the antenna transmission line, by:
 - (a) for frequencies less than 30 MHz – the lesser of:
 - (i) $43 + 10 \log (pX)$ dB;
 - (ii) 50 dB;
 - (b) for frequencies equal to or greater than 30 MHz – the lesser of:
 - (i) $43 + 10 \log (P)$ dB;
 - (ii) 70 dB;
- (3) In paragraph (2)(b), **P** means the power, in watts, supplied to the antenna transmission line.

16 Operation of station – electromagnetic energy requirements

The conditions in Schedule 1 have effect.

17 Operation of station – permitted frequencies, emission modes and power limits

Operation by persons with ACMA recognition certificate (Foundation) or recognised qualification (Foundation Type)

- (1) A person with, or a person operating an amateur station under the supervision of a person with, either:
 - (a) an ACMA recognition certificate (Foundation); or
 - (b) a recognised qualification (Foundation Type);must not operate an amateur station except:
 - (c) on a frequency within a frequency band listed in column 1 of an item in table A in Schedule 2; and
 - (d) at a radiated power that does not exceed the maximum power limit specified for that frequency band in column 2 of that item; and
 - (e) in accordance with the limitations (if any) specified for that frequency band in column 3 of that item.

Operation by persons with ACMA recognition certificate (Standard) or recognised qualification (Standard Type)

- (2) A person with, or a person operating an amateur station under the supervision of a person with, either:
 - (a) an ACMA recognition certificate (Standard); or
 - (b) a recognised qualification (Standard Type);must not operate an amateur station except:
 - (c) on a frequency within a frequency band listed in column 1 of an item in table B in Schedule 2; and
 - (d) at a radiated power that does not exceed the maximum power limit specified for that frequency band in column 2 of that item; and

- (e) in accordance with the limitations (if any) specified for that frequency band in column 3 of that item.

Operation by persons with ACMA recognition certificate (Advanced) or recognised qualification (Advanced Type)

- (3) A person with, or a person operating an amateur station under the supervision of a person with, either:
 - (a) an ACMA recognition certificate (Advanced); or
 - (b) a recognised qualification (Advanced Type);must not operate an amateur station except:
 - (c) on a frequency within a frequency band listed in column 1 of an item in table C in Schedule 2; and
 - (d) at a radiated power that does not exceed the maximum power limit specified for that frequency band in column 2 of that item; and
 - (e) in accordance with the limitations (if any) specified for that frequency band in column 3 of that item.

18 Operation of station – additional restrictions in certain frequency bands

- (1) A person must not operate an amateur station on a frequency within the 3.4 GHz to 3.6 GHz frequency band if the operation would cause a transmission to occur in the area described by the HCIS identifiers in the table in Schedule 3.
- (2) If a spectrum licence authorises the operation of radiocommunications devices:
 - (a) at one or more frequencies; and
 - (b) within one or more areas;a person must not operate an amateur station:
 - (c) at those frequencies; and
 - (d) within those areas.
- (3) A person must not operate an amateur station in the RQZ.
- (4) In this section, **RQZ** has the meaning given by:
 - (a) the *Radiocommunications (Australian Radio Quiet Zone Western Australia) Frequency Band Plan 2023*; or
 - (b) if the ACMA makes an instrument to replace that band plan, and that instrument defines the term – that instrument.

Schedule 1—Conditions about electromagnetic energy

(section 16)

1 Interpretation

In this Schedule, unless the contrary intention appears:

ABN has the meaning given by section 41 of the *A New Tax System (Australian Business Number) Act 1999*.

ACN has the meaning given by section 9 of the *Corporations Act 2001*.

ARBN has the meaning given by section 9 of the *Corporations Act 2001*.

ARPANSA standard means:

- (a) the *Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021)* published by the Australian Radiation Protection and Nuclear Safety Agency; or
- (b) if a later document is published by the Australian Radiation Protection and Nuclear Safety Agency to replace that standard – the later document.

Note: The ARPANSA standard is available, free of charge, from the Australian Radiation Protection and Nuclear Safety Agency's website at www.arpansa.gov.au.

AS/NZS 2772.2 means:

- (a) the document titled 'AS/NZS 2772.2:2016 Radiofrequency fields, Part 2: Principles and methods of measurement and computation – 3 kHz to 300 GHz', published by Standards Australia; or
- (b) if a later document is published by Standards Australia to replace the document mentioned in paragraph (a) – the later document.

Note: AS/NZS 2772.2 may be obtained, for a fee, from a Standards Australia distributor listed on the Standards Australia website: www.standards.org.au. AS/NZS 2772.2 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

Aware User has the meaning given by paragraph 5.1.1(c) of the ARPANSA standard.

C95.3 means:

- (a) the document titled 'IEEE C95.3:2021 – IEEE Recommended Practice for Measurements and Computations of Electric, Magnetic, and Electromagnetic Fields with Respect to Human Exposure to Such Fields, 0 Hz to 300 GHz', published by the Institute of Electrical and Electronics Engineers; or
- (b) if a later document is published by the Institute of Electrical and Electronics Engineers to replace the document mentioned in paragraph (a) – the later document.

Note: C95.3 may be obtained, for a fee, from the website of the Institute of Electrical and Electronics Engineers: standards.ieee.org. C95.3 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

Controlled Area has the meaning given by section 5.1.2 of the ARPANSA standard.

Controlled Area Worker has the meaning given by paragraph 5.1.1(b) of the ARPANSA standard.

far field, of an antenna, means the region from the antenna that is beyond the larger of:

- (a) $2D^2/\lambda$;
- (b) 0.5λ ;

where:

- (c) λ is the wavelength of the radiofrequency field produced by a transmission using the antenna; and
- (d) D is the maximum lineal dimension of the antenna.

IEC 62232 means:

- (a) the document titled ‘IEC 62232:2022 – Determination of RF field strength, power density and SAR in the vicinity of base stations for the purpose of evaluating human exposure’, published by the International Electrotechnical Commission; or
- (b) if a later document is published by the International Electrotechnical Commission to replace the document mentioned in paragraph (a) – the later document.

Note: IEC 62232 may be obtained, for a fee, from a Standards Australia distributor listed on the Standards Australia website: www.standards.org.au. IEC 62232 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

member of the general public, except in subclause 4(4), means a person other than:

- (a) an Aware User; or
- (b) in relation to a Controlled Area – a Controlled Area Worker for the Controlled Area; or
- (c) an RF Worker; or
- (d) in relation to a Controlled Area – a Supervised Visitor to the Controlled Area.

reference levels has the meaning given by sections 2 and 3 of the ARPANSA standard.

RF Worker has the meaning given by paragraph 5.1.1(a) of the ARPANSA standard.

Supervised Visitor has the meaning given by paragraph 5.1.1(d) of the ARPANSA standard.

2 Condition – compliance with electromagnetic energy standard

Condition – general case

- (1) A person must not operate an amateur station if the radiofrequency field produced by the station exceeds the reference levels for general public exposure at a place accessible to a member of the general public.

Measuring compliance with the condition

- (2) For the purposes of subclauses 3(3), 3(4) and 4(3):
 - (a) if the station operates on a frequency in the frequency band 10 MHz to 30 MHz, only one of the following properties needs to be measured or calculated to show compliance with subclause (1) at places in the far field of the antenna:
 - (i) incident electric field strength;
 - (ii) incident magnetic field strength;
 - (b) if the station operates on a frequency in the frequency band 30 MHz to 2 GHz, only one of the following properties needs to be measured or calculated to show compliance with subclause (1) at places in the far field of the antenna:
 - (i) incident electric field strength;
 - (ii) incident magnetic field strength;
 - (iii) incident power density;
 - (c) if the station operates on a frequency greater than 2 GHz, only the incident power density needs to be measured or calculated to show compliance with subclause (1) at places in the far field of the antenna.

- (3) In subclause (2), each of the following terms has the same meaning as in the ARPANSA standard:
- (a) *incident electric field strength*;
 - (b) *incident magnetic field strength*;
 - (c) *incident power density*.

Condition – simultaneous transmissions

- (4) A person must not operate an amateur station to transmit simultaneously on multiple frequencies, unless the station meets the requirements specified in section 3 (Simultaneous exposure to multiple frequency fields) of the ARPANSA standard.

3 Presumptions about compliance with the condition in subclause 2(1) – low risk stations

Application

- (1) This clause applies in relation to an amateur station (other than a mobile station):
- (a) for which:
 - (i) the average total power supplied by the station to all antennas fed by the station is not more than 100 watts; and
 - (ii) each antenna fed by the station is installed so that it is inaccessible to a member of the general public; or
 - (b) for which:
 - (i) the base of the lowest antenna fed by the station is at least 10 metres above ground level; and
 - (ii) the average total EIRP of all antennas fed by the station is not more than 3200 watts in any direction.
- (2) This clause also applies to an amateur station that is a mobile station for which the average total power supplied by the station to all antennas fed by the station is not more than 100 watts.

Presumptions

- (3) A person is presumed, unless the contrary is proved, not to have operated an amateur station in contravention of the condition in subclause 2(1) if the person has a document that:
- (a) sets out the measurements or calculations for the station specified in subclause 2(2); and
 - (b) those measurements or calculations are to the effect that the operation of the station would, if operated, comply with subclause 2(1).
- (4) A person is presumed, unless the contrary is proved, not to have operated an amateur station in contravention of the condition in subclause 2(1) if:
- (a) the station is, at the time of operation, located at a site that has more than one station; and
 - (b) the person has made the measurements or calculations specified in subclause 4(2), for all the stations at the site, as a whole; and
 - (c) those measurements or calculations are to the effect that the operation of all those stations, as a whole, would comply with subclause 2(1); and
 - (d) the person has retained possession of a document setting out those measurements or calculations at all times since those measurements or calculations were made.

4 Condition – measurements or calculations of electromagnetic energy – higher risk stations

Application

- (1) This clause applies in relation to an amateur station other than a station mentioned in subclause 3(1) or 3(2).

General requirement to measure or calculate radiofrequency fields

- (2) Subject to subclauses (4), (6), (7) and (8), a person must not operate an amateur station unless the person has measured or calculated the radiofrequency fields produced by the station in accordance with one or more of the following:
 - (a) if AS/NZS 2772.2 applies in relation to the station – AS/NZS 2772.2;
 - (b) if C95.3 applies in relation to the station – C95.3;
 - (c) if IEC 62232 applies in relation to the station – IEC 62232.

Presumption

- (3) A person is presumed, unless the contrary is proved, not to have operated an amateur station in contravention of the condition in subclause 4(2) if:
 - (a) the station is, at the time of operation, located at a site that has more than one station; and
 - (b) the person has made the measurements or calculations specified in subclause 4(2), for all the stations at the site, as a whole; and
 - (c) those measurements or calculations are to the effect that the operation of all those stations, as a whole, would comply with subclause 4(2); and
 - (d) the person has retained possession of a document setting out those measurements or calculations at all times since those measurements or calculations were made.

Measurements and calculations before 1 March 2003

- (4) A person is taken to have made the measurement or calculation mentioned in subclause (2) in relation to an amateur station (***the relevant station***) if:
 - (a) at any time before 1 March 2003, the person held a transmitter licence that authorised the operation of the relevant station; and
 - (b) before 1 March 2003, the person possessed a document to the effect that:
 - (i) the radiofrequency field produced by the station under the transmitter licence did not exceed the exposure levels mentioned in sections 6.3, 6.7 and 6.8 of AS/NZS 2772.1, as existing at the time the document was created, at a place accessible to a member of the general public; and
 - (ii) the radiofrequency field was measured in accordance with AS 2772.2, as existing at the time the document was created; and
 - (iii) the radiofrequency field was calculated using a model or method that was derived from the mathematical formulas mentioned in Appendix B to AS 2772.2, as existing at the time the document was created; and
 - (c) the person continues to possess that document.

- (5) For the purposes of subclause (4):

AS 2772.2 means the document titled ‘AS 2772.2–1988 Radiofrequency radiation Part 2: Principles and methods of measurement – 300 kHz to 100 GHz’, published by Standards Australia.

Note: AS 2772.2 may be obtained, for a fee, from a Standards Australia distributor listed on the Standards Australia website: www.standards.org.au. AS 2772.2 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

AS/NZS 2772.1 means the document titled ‘AS/NZS 2772.1 (Int)–1998 Radiofrequency fields, Part 1: Maximum exposure levels – 3 kHz to 300 GHz’, published by Standards Australia.

Note: AS/NZS 2772.1 may be obtained, for a fee, from a Standards Australia distributor listed on the Standards Australia website: www.standards.org.au. AS/NZS 2772.1 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

member of the general public means a person other than a person who may be exposed to radiofrequency fields under controlled conditions, in the course of and intrinsic to the nature of their work.

Measurements and calculations on or after 1 March 2003 and before commencement of instrument

- (6) A person is taken to have made the measurement or calculation mentioned in subclause (2) in relation to an amateur station (**the relevant station**) if:
- at any time in the period commencing on 1 March 2003, and ending immediately before the commencement of this instrument, the person held a transmitter licence that authorised the operation of the relevant station; and
 - the person complied, or was taken to have complied, with subsection 10(2) of the *Radiocommunications Licence Conditions (Apparatus Licence) Determination 2015*, in relation to that transmitter licence, before the commencement of this instrument; and
 - at all times after the person complied, or was taken to have complied, with subsection 10(2) of the *Radiocommunications Licence Conditions (Apparatus Licence) Determination 2015*, the person has kept a record of any assessments, measurements or calculations in relation to the relevant station, that were made to comply, or made to be taken to have complied, with that subsection, as in force on the day the person first complied, or was first taken to have complied, with that subsection; and
 - the person continues to possess that record.

Measurements and calculations before relevant document amended

- (7) If a relevant document is amended after the commencement of this instrument, a person is taken to have made the measurement or calculation mentioned in subclause (2) in relation to an amateur station if the person:
- measured or calculated radiofrequency fields produced by the station, in accordance with the relevant document as existing immediately before it was amended, in the period:
 - commencing on the day this instrument commenced; and
 - ending immediately before the relevant document was amended; and
 - the person created or obtained a record of the measurement or calculation at the time the measurement or calculation was made; and
 - the person continues to possess that record.

Measurements and calculations after relevant document amended

- (8) If a relevant document is amended after the commencement of this instrument, a person is taken to have made the measurement or calculation mentioned in subclause (2) in relation to an amateur station if the person:
- (a) measured or calculated radiofrequency fields produced by the station, in accordance with the relevant document as existing immediately before it was amended, in the period:
 - (i) commencing when the relevant document was amended; and
 - (ii) ending on the first anniversary of the day the relevant document was amended; and
 - (b) the person created or obtained a record of the measurement or calculation at the time the measurement or calculation was made; and
 - (c) the person continues to possess that record.

Definition

- (9) In this clause, **relevant document** means each of:
- (a) AS/NZS 2772.2;
 - (b) C95.3;
 - (c) IEC 62232.

5 Compliance with the condition in subclause 2(1) – change to station

- (1) If an amateur station in relation to which clause 3 applies is changed so that the clause no longer applies in relation to it, clause 4 applies in relation to the station from the time the change occurs.
- (2) Without limiting subclause (1), an amateur station is **changed** if:
- (a) the station is moved to a different location; or
 - (b) the amount of power fed to the station's antennas is altered; or
 - (c) a characteristic of any of the station's antennas is altered, including an antenna's:
 - (i) gain;
 - (ii) size;
 - (iii) height above ground or another accessible surface;
 - (iv) tilt; or
 - (d) the station's emission mode is altered.

6 Condition – record-keeping

- (1) This clause applies in relation to an amateur station other than a station mentioned in subclause 3(1) or 3(2).
- (2) A person must not operate an amateur station unless the person has in their possession the following records:
- (a) a declaration, made by the person, for the station that includes the information mentioned in subclause (3);
 - (b) if clause 7 applies – a copy of the agency agreement with the agent mentioned in that clause;
 - (c) the name and qualification of any person who assessed the station for compliance with this Schedule;
 - (d) the date of the assessment made by that person;
 - (e) the measurements or calculations made for the purposes of clause 4;

- (f) the details of the station, including its power level, gain, size, tilt, manufacturer, model number and emission mode.

Note: Giving false or misleading information is a serious offence under section 137.1 of the *Criminal Code*.

- (3) For the purposes of paragraph (2)(a), the information is:
 - (a) the person's name, address, ABN (if any), and, if the person is a body corporate, one of the following:
 - (i) ACN (if any);
 - (ii) ARBN (if any);
 - (iii) incorporation or registration number under the law by which the body was incorporated;
 - (b) details of the station, including its location, antenna type and height above the ground or other accessible surface;
 - (c) a statement that the operation of the station complies with subclause 2(1); and
 - (d) if the person is a body corporate – the name and position of the person making the declaration on behalf of the body corporate.

Note: Giving false or misleading information is a serious offence under section 137.1 of the *Criminal Code*.

- (4) If a matter included in a declaration made for the purposes of paragraph (2)(a) changes or becomes incorrect, a new declaration must be made.
- (5) For the purposes of subclause (2), a record:
 - (a) must be in English;
 - (b) must be readily accessible to the person;
 - (c) may be a copy of an original document;
 - (d) may be kept in electronic form.

7 Use of agent

A person may, by written agreement, use an agent:

- (a) to ensure that the operation of an amateur station complies with the conditions in this Schedule; and
- (b) to possess any document mentioned in this Schedule, other than the agency agreement.

Schedule 2—Permitted frequencies, and limits on operation

(subsections 17(1), (2) and (3))

Table A – ACMA Recognition Certificate (Foundation) and Recognised Qualification (Foundation Type)

Item	Column 1	Column 2	Column 3
	Frequency bands	Power limits	Limitations
<i>1</i>	(a) 3.500 MHz to 3.700 MHz (b) 7.000 MHz to 7.100 MHz (c) 21.000 MHz to 21.450 MHz	10 watts pX	If a person operates an amateur station with an emission mode that has a necessary bandwidth exceeding 8 kHz, the maximum power spectral density from the station must not be greater than 1 watt per 100 kHz
<i>2</i>	7.100 MHz to 7.300 MHz	10 watts pX	A person must not operate an amateur station with an emission mode that has a necessary bandwidth exceeding 8 kHz
<i>3</i>	28.000 MHz to 29.700 MHz	10 watts pX	If a person operates an amateur station with an emission mode that has a necessary bandwidth exceeding 16 kHz, the maximum power spectral density from the station must not be greater than 1 watt per 100 kHz
<i>4</i>	(a) 144.000 MHz to 148.000 MHz (b) 430.000 MHz to 450.000 MHz	10 watts pX	No limitation

Table B – ACMA Recognition Certificate (Standard) and Recognised Qualification (Standard Type)

Item	Column 1	Column 2	Column 3
	Frequency bands	Power limits	Limitations
<i>1</i>	(a) 3.500 MHz to 3.700 MHz (b) 7.000 MHz to 7.100 MHz (c) 14.000 MHz to 14.350 MHz (d) 21.000 MHz to	(a) if the station uses emission mode J3E or R3E – 100 watts pX (b) in any other case – 30 watts pY	If a person operates an amateur station with an emission mode that has a necessary bandwidth exceeding 8 kHz, the maximum power spectral density from the station must not be greater than 1 watt per 100 kHz

Item	Column 1	Column 2	Column 3
	Frequency bands	Power limits	Limitations
	21.450 MHz		
2	7.100 MHz to 7.300 MHz	(a) if the station uses emission mode J3E or R3E – 100 watts pX (b) in any other case – 30 watts pY	A person must not operate an amateur station with an emission mode that has a necessary bandwidth exceeding 8 kHz
3	28.000 MHz to 29.700 MHz	(a) if the station uses emission mode J3E or R3E – 100 watts pX (b) in any other case – 30 watts pY	If a person operates an amateur station with an emission mode that has a necessary bandwidth exceeding 16 kHz, the maximum power spectral density from the station must not be greater than 1 watt per 100 kHz
4	50.000 MHz to 52.000 MHz	(a) if the station uses emission mode C3F, J3E or R3E – 100 watts pX (b) in any other case – 30 watts pY	A person must not operate an amateur station with an emission mode that has a necessary bandwidth exceeding 100 kHz
5	(a) 52.000 MHz to 54.000 MHz (b) 144.000 MHz to 148.000 MHz (c) 430.000 MHz to 450.000 MHz (d) 1.240 GHz to 1.300 GHz (e) 2.400 GHz to 2.450 GHz (f) 5.650 GHz to 5.850 GHz	(a) if the station uses emission mode J3E or R3E – 100 watts pX (b) in any other case – 30 watts pY	No limitation

Table C – ACMA Recognition Certificate (Advanced) and Recognised Qualification (Advanced Type)

Item	Column 1	Column 2	Column 3
	Frequency bands	Power limits	Limitations
1	135.7 kHz to 137.8 kHz	1 watt pX EIRP	A person must not operate an amateur station with an emission mode that has a necessary bandwidth exceeding 2.1 kHz
2	472 kHz to 479 kHz	5 watt pX EIRP	A person must not operate an amateur station with an emission mode that has a necessary bandwidth exceeding 3 kHz
3	(a) 1.800 MHz to 1.875 MHz (b) 3.500 MHz to 3.700 MHz (c) 7.000 MHz to 7.100 MHz (d) 14.000 MHz to 14.350 MHz (e) 18.068 MHz to 18.168 MHz (f) 21.000 MHz to 21.450 MHz (g) 24.890 MHz to 24.990 MHz	(a) if the station uses emission mode C3F, J3E or R3E – 400 watts pX (b) in any other case – 120 watts pY	If a person operates an amateur station with an emission mode that has a necessary bandwidth exceeding 8 kHz, the maximum power spectral density from the station must not be greater than 1 watt per 100 kHz
4	(a) 3.776 MHz to 3.800 MHz (b) 7.100 MHz to 7.300 MHz (c) 10.100 MHz to 10.150 MHz	(a) if the station uses emission mode C3F, J3E or R3E – 400 watts pX (b) in any other case – 120 watts pY	A person must not operate an amateur station with an emission mode that has a necessary bandwidth exceeding 8 kHz
5	28.000 MHz to 29.700 MHz	(a) if the station uses emission mode C3F, J3E or R3E – 400 watts pX (b) in any other case – 120 watts pY	If a person operates an amateur station with an emission mode that has a necessary bandwidth exceeding 16 kHz, the maximum power spectral density from the station must not be greater than 1 watt per 100 kHz
6	50.000 MHz to 52.000 MHz	(a) if the station uses emission mode C3F, J3E or R3E – 400 watts pX (b) in any other case – 120 watts pY	A person must not operate an amateur station with an emission mode that has a necessary bandwidth exceeding 100 kHz

Item	Column 1	Column 2	Column 3
	Frequency bands	Power limits	Limitations
7	(a) 52.000 MHz to 54.000 MHz (b) 144.000 MHz to 148.000 MHz (c) 430.000 MHz to 450.000 MHz (d) 1.240 GHz to 1.300 GHz (e) 2.300 GHz to 2.302 GHz (f) 2.400 GHz to 2.450 GHz (g) 3.300 GHz to 3.400 GHz	(a) if the station uses emission mode C3F, J3E or R3E – 400 watts pX (b) in any other case – 120 watts pY	No limitation
8	3.400 GHz to 3.600 GHz	(a) if the station uses emission mode C3F, J3E or R3E – 400 watts pX (b) in any other case – 120 watts pY	No limitation
9	(a) 5.650 GHz to 5.850 GHz (b) 10.000 GHz to 10.500 GHz (c) 24.000 GHz to 24.250 GHz (d) 47.000 GHz to 47.200 GHz (e) 76.000 GHz to 81.000 GHz (f) 122.250 GHz to 123.000 GHz (g) 134.000 GHz to 141.000 GHz (h) 241.000 GHz to 250.000 GHz	(a) if the station uses emission mode C3F, J3E or R3E – 400 watts pX (b) in any other case – 120 watts pY	No limitation

Schedule 3—Excluded areas

(subsection 18(1))

Excluded areas

BV, CV, DV, IV, IW, JV, JW, KQ, KV, KW, LR, LV, LW, LX, LY, MS, MT, MU, MV, MW, NT, NU, AU9, AV9, AW3, BU7, BU8, BW1, BW2, BW3, BW5, BW6, CW1, CW2, CW3, CW4, DW1, DW2, DW3, EV1, EV2, EV3, EV4, EV5, EV6, EV7, FV1, FV2, FV3, FV4, FV5, GV1, GV2, GV3, GV6, HV1, HV2, HV3, HV4, HV5, HV6, HV8, HV9, HW3, HW6, JX1, JX2, JX3, JX5, JX6, KO1, KO4, KO5, KO7, KO8, KP1, KP2, KP4, KP5, KP6, KP7, KP8, KP9, KX1, KX2, KX3, KX4, KX5, KX6, KX8, KX9, KY2, KY3, KY6, LP4, LP7, LQ1, LQ2, LQ4, LQ5, LQ7, LQ8, LZ1, LZ2, LZ3, MR1, MR4, MR5, MR7, MR8, MR9, MX1, MX2, MX3, MX4, MX7, MY1, MY4, MY7, MZ1, NS4, NS7, NS8, NS9, NV1, NV2, NV3, NV4, NV5, NV7, NW1, AU6I, AU6J, AU6K, AU6L, AU6M, AU6N, AU6O, AU6P, BU4H, BU4I, BU4J, BU4K, BU4L, BU4M, BU4N, BU4O, BU4P, BU5E, BU5F, BU5G, BU5H, BU5I, BU5J, BU5K, BU5L, BU5M, BU5N, BU5O, BU5P, BU9A, BU9B, BU9E, BU9F, BU9I, BU9J, BU9M, BU9N

Schedule 4—Call signs

(sections 5 and 7)

Part 1 Dealing with call signs

1 Assigning call signs

- (1) The ACMA may assign a call sign to a person.

Note: See subsection 133(3) of the Act.

- (2) If:

- (a) a person applies to the ACMA for a call sign to be assigned to the person; and
 - (b) a call sign can be assigned to the person consistently with this clause; and
 - (c) the application is made in the form approved by the ACMA (if any); and
 - (d) the application is made in the method approved by the ACMA (if any); and
 - (e) the person pays the charge (if any) determined under section 60 of the *Australian Communications and Media Authority Act 2005* in relation to such an application;
- the ACMA must assign a call sign to the person.

- (3) Nothing in subclause (2) compels the ACMA to assign to the person any particular call sign.

- (4) The ACMA may:

- (a) approve one or more forms for the purposes of paragraph (2)(c); and
- (b) approve one or more methods for the purposes of paragraph (2)(d).

- (5) The assignment of a call sign to a person must be consistent with the Radio Regulations.

- (6) Before assigning a call sign to a person, the ACMA must have regard to any policies published on its website that relate to the assignment of a call sign.

- (7) The ACMA must notify a person, in writing, of a call sign assigned to the person, as soon as reasonably practicable after assigning the call sign.

- (8) Schedule 6 applies to a decision under subclause (2) to assign a call sign to a person.

Example: A person may make a request under Schedule 6 if they are dissatisfied with the call sign assigned to them.

2 Limitations on assignment

Assignment period

- (1) If the ACMA assigns a call sign to a person, the ACMA may specify a period (***assignment period***) during which the assignment of the call sign to the person has effect.

Note: If the ACMA specifies an assignment period for a call sign, the call sign may be a contest call sign (see section 5).

- (2) If the ACMA does not specify an assignment period when it assigns a call sign to a person, the assignment of the call sign to the person has effect unless the ACMA cancels the assignment.

Special event call signs

- (3) If the ACMA assigns a call sign to a person, the ACMA:
(a) may specify that the call sign is a ***special event call sign***; and

- (b) if the ACMA specifies that the call sign is a special event call sign – must specify the event in relation to which the call sign may be used (*relevant event*).
- (4) If the ACMA specifies an assignment period for a special event call sign, it must specify a period which it reasonably expects will at least encompass the duration of the relevant event.

3 Cancelling assignment of a call sign

- (1) The ACMA may, by written notice to a person, cancel an assignment of a call sign to the person.
- (2) Before cancelling the assignment of a call sign to a person, the ACMA must have regard to any policies published on its website that relate to the cancellation of the assignment of a call sign.
- (3) Schedule 6 applies to a decision under subclause (1) to cancel an assignment of a call sign to a person.

4 Re-assignment of a call sign

Automatic cancellation at end of assignment period

- (1) If the ACMA specified an assignment period for the assignment of a call sign to a person, subject to this clause, the assignment is taken to be cancelled at the end of the assignment period.

Re-assignment

- (2) If, before the end of an assignment period for the assignment of a call sign to a person:
 - (a) the person applies to the ACMA for the assignment to be re-assigned; and
 - (b) the application is made in the form approved by the ACMA (if any); and
 - (c) the application is made in the method approved by the ACMA (if any); and
 - (d) the person pays the charge (if any) determined under section 60 of the *Australian Communications and Media Authority Act 2005* in relation to such an application;the ACMA may re-assign the call sign to the person.
- (3) The ACMA may:
 - (a) approve one or more forms for the purposes of paragraph (2)(b); and
 - (b) approve one or more methods for the purposes of paragraph (2)(c).
- (4) If the ACMA refuses to re-assign a call sign, the ACMA must notify, in writing, the person who applied for re-assignment.
- (5) Schedule 6 applies to a decision under subclause (2) to refuse to re-assign a call sign to a person.

5 Replacing a call sign in exceptional circumstances

- (1) Despite anything else in this Schedule, if:
 - (a) a call sign (*original call sign*) has been assigned to a person (*affected person*); and
 - (b) the ACMA is satisfied, having regard to the matters set out in subclause (3), that exceptional circumstances exist that justify assigning a different call sign to the person;then:
 - (c) the ACMA may cancel the assignment of the original call sign; and

- (d) if the ACMA cancels the assignment of the original call sign, the ACMA must assign a new call sign (***replacement call sign***) to the affected person under subclause 1(1); and
- (e) the ACMA must notify the affected person, in writing, that the assignment of the original call sign has been cancelled and the replacement call sign has been assigned to the affected person; and
- (f) subclauses 1(5) and (6) apply in relation to the assignment of the replacement call sign.

Note: Schedule 6 does not apply to a decision to cancel the assignment of the original call sign under subclause (1).

- (2) For the avoidance of doubt, the ACMA may exercise its powers and perform its functions under subclause (1) whether or not any person has requested the ACMA to do so.
- (3) For the purposes of paragraph (1)(b), the matters are:
 - (a) any representations made by the affected person in relation to the person's privacy or welfare, and the effect of the original call sign on the person's privacy or welfare; and
 - (b) whether the ACMA had regard to any policies published on its website that relate to the assignment of a call sign before assigning the original call sign; and
 - (c) any other matter the ACMA considers relevant.

Part 2 Transitional provisions

6 Interpretation

- (1) In this Part:

Contest Call Sign list means the list of identifiers and persons:

- (a) published by the University of Tasmania, through its institute, the Australian Maritime College, on its website; and
- (b) described as the '2x1 Callsign register';

as existing immediately before the commencement of this instrument.

Note: At the time this instrument commenced, the Contest Call Sign list was available, free of charge, from the Australian Maritime College's website at www.amc.edu.au.

designated transmitter licence call sign: see subclause (3).

existing contest call sign: see subclause (2).

transitioned transmitter licence means a transmitter licence that:

- (a) authorised the operation of an amateur station, other than an amateur beacon station or an amateur repeater station; and
- (b) was in force immediately before the commencement of this instrument.

transmitter licence call sign means an identifier that was specified in a transitioned transmitter licence.

Note: The identifier is described in the transitioned transmitter licence as a 'call sign'.

- (2) If:
 - (a) a person was named in the Contest Call Sign list immediately before the commencement of this instrument; and
 - (b) an identifier was specified in the Contest Call Sign list for the person;the identifier is an ***existing contest call sign*** for the person.

Note: The identifier is described in the Contest Call Sign list as a '2x1 Callsign'.

- (3) If a person was the licensee of a transitioned transmitter licence that specified a transmitter licence call sign, the ACMA may, by notice in writing to the licensee, designate the transmitter licence call sign to be a ***designated transmitter licence call sign***.

Note: See subsection 133(3) of the Act.

Example: The call sign in a transmitter licence that was issued in relation to a particular special event may be designated by the ACMA under subclause (3).

- (4) The ACMA must not designate a transmitter licence call sign unless:
- (a) for a transmitter licence call sign other than one with the prefix VK0 or VK9 – the ACMA is satisfied that the relevant transitioned transmitter licence was issued in relation to a particular event; and
 - (b) the designation occurs before the earlier of:
 - (i) 1 July 2024;
 - (ii) the time the transitioned transmitter licence ceases to be in force.

7 Transmitter licence call signs

- (1) If:
- (a) a transitioned transmitter licence was issued to a person; and
 - (b) the licence specified a transmitter licence call sign;
- then, for the purposes of this instrument:
- (c) the transmitter licence call sign is taken to be a call sign; and
 - (d) that call sign is assigned to the person immediately after the commencement of this instrument, regardless of whether the transmitter licence is subsequently cancelled or surrendered; and
 - (e) subject to subclauses (2) and (3), no assignment period is specified for that assignment of the call sign.

Note: Clause 3 may apply to a call sign assigned to a person under this subclause.

- (2) If, at any time before 1 July 2024, a transmitter licence call sign, other than a transmitter licence call sign with the prefix VK0 or VK9, becomes a designated transmitter licence call sign:
- (a) paragraph (1)(e) ceases to apply in relation to the assignment of the call sign mentioned in that paragraph; and
 - (b) the assignment period specified for that assignment of the call sign is the period:
 - (i) commencing when the transmitter licence call sign becomes a designated transmitter licence call sign; and
 - (ii) ending at the end of 19 February 2025.
- (3) If, at any time before 1 July 2024, a transmitter licence call sign with the prefix VK0 or VK9, becomes a designated transmitter licence call sign:
- (a) paragraph (1)(e) ceases to apply in relation to the assignment of the call sign mentioned in that paragraph; and
 - (b) the assignment period specified for that assignment of the call sign is the period commencing when the transmitter licence call sign becomes a designated transmitter licence call sign and ending at the later of:
 - (i) 19 February 2025;
 - (ii) the end of the period specified in the relevant transitioned transmitter licence for the purposes of subsection 103(2) of the Act.

Note: The assignment period ends on the day the relevant transitioned transmitter licence would have expired, regardless of whether the licence was earlier surrendered or cancelled.

8 Contest call signs

If there is an existing contest call sign for a person, for the purposes of this instrument:

- (a) the existing contest call sign is taken to be a contest call sign; and
- (b) that contest call sign is assigned to the person immediately after the commencement of this instrument; and
- (c) the assignment period specified for that assignment of the contest call sign is the period:
 - (i) commencing when this instrument commences; and
 - (ii) ending at the end of the first anniversary of the end date specified in the Contest Call Sign list for the existing contest call sign.

Note: Clause 3 may apply to a call sign assigned to a person under this clause.

Schedule 5—ACMA recognition certificates

(subsection 5(1))

1 Definitions

(1) In this Schedule:

accredited assessor means a person who holds:

- (a) General Assessor Accreditation; or
- (b) Specialist Assessor Accreditation.

component: see subclause (2).

examination: see subclause (2).

exempt person: see clause 4.

General Assessor Accreditation has the meaning given by the *Radiocommunications Accreditation (Amateur Radio Examinations) Rules 2023*.

Specialist Assessor Accreditation has the meaning given by the *Radiocommunications Accreditation (Amateur Radio Examinations) Rules 2023*.

(2) In this Schedule, subject to subclauses (3) to (5), an **examination** consists of the following (each a **component**):

- (a) a component directed towards testing a person's practical operation of an amateur station (**practical component**);
- (b) a component directed towards testing a person's understanding of the regulatory framework for the operation of an amateur station (**regulatory component**);
- (c) a component directed towards testing a person's understanding of the theory underlying the operation of an amateur station (**theoretical component**).

Note: An accredited assessor may be obliged to comply with requirements in relation to examinations, and the components of examinations, under accreditation rules made under subsection 266(1) of the Act.

(3) If a person:

- (a) has both:
 - (i) completed the regulatory component of an examination conducted by an accredited assessor for the purpose of being given an ACMA recognition certificate (Advanced) or an ACMA recognition certificate (Standard); and
 - (ii) been assessed by that accredited assessor as having achieved a result of at least 70 per cent in the regulatory component; or
- (b) immediately before the commencement of this instrument, held a certificate of proficiency that related to amateur licences;

any subsequent examination of the person by an accredited assessor need not include a regulatory component.

(4) If a person:

- (a) has both:
 - (i) completed the practical component of an examination conducted by an accredited assessor; and
 - (ii) been assessed by that accredited assessor as having successfully completed the practical component; or
- (b) immediately before the commencement of this instrument, held a certificate of proficiency that related to amateur licences;

any subsequent examination of the person by an accredited assessor need not include a practical component.

- (5) If the ACMA has, under clause 4, given a person a written exemption from completing a component of an examination, any subsequent examination of the person by an accredited assessor need not include that component.

2 Application for ACMA recognition certificates

- (1) If a person either:
- (a) has both:
 - (i) completed an examination conducted by an accredited assessor; and
 - (ii) been assessed by that accredited assessor as having achieved a result of at least 70 per cent in both the regulatory component and the theoretical component of the examination, and as having successfully completed the practical component; or
 - (b) is an exempt person;
- the person may apply to the ACMA for an ACMA recognition certificate.
- (2) An application must be:
- (a) made in the form approved by the ACMA (if any);
 - (b) made in the method approved by the ACMA (if any); and
 - (c) accompanied by the charge (if any) determined under section 60 of the *Australian Communications and Media Authority Act 2005* in relation to such an application.
- (3) The ACMA may:
- (a) approve one or more forms for the purposes of paragraph (2)(a); and
 - (b) approve one or more methods for the purposes of paragraph (2)(b).

3 Decision on application

- (1) If a person applies for an ACMA recognition certificate in accordance with clause 2, the ACMA may:
- (a) give the person an ACMA recognition certificate (Advanced);
 - (b) give the person an ACMA recognition certificate (Foundation);
 - (c) give the person an ACMA recognition certificate (Standard); or
 - (d) refuse to give the person an ACMA recognition certificate.
- (2) Before making a decision under subclause (1), the ACMA must have regard to:
- (a) the results of each examination of the person conducted by an accredited assessor;
 - (b) any recommendation made in relation to the person by such an accredited assessor; and
 - (c) any other matter the ACMA considers relevant.
- (3) The ACMA must make a decision under subclause (1) within 15 business days of receiving an application under clause 2.
- (4) If the ACMA refuses to give a person an ACMA recognition certificate, the ACMA must notify the person in writing of the refusal and give a statement of reasons for the refusal.
- (5) For the avoidance of doubt, the ACMA may give a person more than one ACMA recognition certificate.

- (6) Schedule 6 applies to a decision under subclause (1) to refuse to give a person an ACMA recognition certificate.

4 Exempt person

- (1) A person is an *exempt person* if:
- (a) the person has applied to the ACMA in writing for an exemption from completing an examination on the basis of the person's existing qualifications; and
 - (b) the application is accompanied by the charge (if any) determined under section 60 of the *Australian Communications and Media Authority Act 2005* in relation to such an application; and
 - (c) the ACMA has, under subclause (2), given the person a written exemption from completing an examination.
- (2) If a person applies to the ACMA in writing for an exemption from completing an examination on the basis of the person's existing qualifications, the ACMA may:
- (a) give the person a written exemption from completing an examination; or
 - (b) give the person a written exemption from completing a component of an examination; or
 - (c) refuse to give the person a written exemption.

Note 1: If the ACMA gives a person a written exemption from completing a component of an examination, the person is not an exempt person, and will still need to comply with paragraph 2(1)(a) in relation to the remainder of the examination before applying for an ACMA recognition certificate.

Note 2: The ACMA may publish documents setting out its policy in relation to giving a written exemption under this clause as a recognition of a person's existing qualifications.

- (3) If the ACMA refuses to give a person a written exemption, the ACMA must notify the person in writing of the refusal and give a statement of reasons for the refusal.
- (4) Schedule 6 applies to a decision under subclause (2):
- (a) to give a person a written exemption from completing a component of an examination;
 - (b) to refuse to give a person a written exemption.

Schedule 6—Review of decisions

(subclauses 1(8), 3(3) and 4(5) of Schedule 4, and subclauses 3(6) and 4(4) of Schedule 5)

1 Definitions

(1) In this Schedule:

complete exemption refusal means a decision mentioned in paragraph 4(2)(b) or (c) of Schedule 5.

component has the same meaning as in Schedule 5.

examination has the same meaning as in Schedule 5.

original decision: see subclause (2).

reconsidered decision means a decision made under subclause 2(4).

reviewable decision: see subclause 2(5).

(2) If a provision of this instrument provides that this Schedule applies to a decision, the decision is an ***original decision***.

2 Reconsideration and review

(1) If the ACMA gives written notice to a person about an original decision, the person may request the ACMA to reconsider the original decision.

(2) A request under subclause (1) must:

- (a) be made in the form approved by the ACMA (if any);
- (b) be made in the method approved by the ACMA (if any);
- (c) be accompanied by the charge (if any) determined under section 60 of the *Australian Communications and Media Authority Act 2005* in relation to such an application;
- (d) set out the reasons for the request; and
- (e) be given to the ACMA within 28 days after the person is notified of the original decision.

(3) The ACMA may:

- (a) approve one or more forms for the purposes of paragraph (2)(a); and
- (b) approve one or more methods for the purposes of paragraph (2)(b).

(4) The ACMA must, within 20 business days after a request is received under subclause (1), reconsider the original decision and:

- (a) affirm the original decision; or
- (b) if the original decision was made under subclause 1(2) of Schedule 4 – make a fresh decision to assign a different call sign to the person; or
- (c) if the original decision was made under subclause 3(1) of Schedule 4 – make a fresh decision not to cancel the assignment of a call sign; or
- (d) if the original decision was made under subclause 4(2) of Schedule 4 – make a fresh decision to re-assign the call sign; or
- (e) if the original decision was made under paragraph 3(1)(d) of Schedule 5 – make a fresh decision to give the person one of the following:
 - (i) an ACMA recognition certificate (Advanced);
 - (ii) an ACMA recognition certificate (Foundation);

- (iii) an ACMA recognition certificate (Standard); or
- (f) if the original decision is a complete exemption refusal – make a fresh decision to give the person one of the following:
 - (i) written exemption from completing an examination;
 - (ii) written exemption from two or fewer components of an examination.

Note: A **complete exemption refusal** is a decision to refuse to give a person a written exemption from completing an examination, or a decision to give a person a written exemption from completing a component of an examination.

- (5) Each of the following reconsidered decisions is a **reviewable decision**:
 - (a) a decision to affirm an original decision;
 - (b) if the original decision was a complete exemption refusal – a reconsidered decision to give the person written exemption from two or fewer components of an examination.

Note: A **complete exemption refusal** is a decision to refuse to give a person a written exemption from completing an examination, or a decision to give a person a written exemption from completing a component of an examination.

- (6) The ACMA must, within 20 business days after the reconsidered decision is made, give the person written notice of:
 - (a) the reasons for the reconsidered decision; and
 - (b) if the reconsidered decision is a reviewable decision – the person’s right to have the reconsidered decision reviewed under subclause (7).
- (7) If the reconsidered decision is a reviewable decision, the person may apply to the AAT for review of the reconsidered decision.

Schedule 7—Recognised qualifications and recognised overseas qualifications – transitional provisions

(subsection 9(5))

Recognised qualifications and recognised overseas qualifications– transitional provisions

- (1) A certificate of proficiency that was issued:
 - (a) in relation to operation of an amateur advanced station, for the purposes of section 119 of the Act; and
 - (b) before the commencement of this Schedule;is taken to be declared as a recognised qualification (Advanced Type).

Note: Subsection 9(3) may apply to such a certificate.
- (2) A certificate of proficiency that was issued:
 - (a) in relation to operation of an amateur foundation station, for the purposes of section 119 of the Act; and
 - (b) before the commencement of this Schedule;is taken to be declared as a recognised qualification (Foundation Type).

Note: Subsection 9(3) may apply to such a certificate.
- (3) A certificate of proficiency that was issued:
 - (a) in relation to operation of an amateur standard station, for the purposes of section 119 of the Act; and
 - (b) before the commencement of this Schedule;is taken to be declared as a recognised qualification (Standard Type).

Note: Subsection 9(3) may apply to such a certificate.
- (4) If, immediately before the commencement of this Schedule, a qualification or overseas licence was:
 - (a) included in Table A or Table B of the Tables of Equivalent Qualifications and Licences, as existing at that time; and
 - (b) listed in that Table for the purpose of operating an amateur advanced station in Australia;then the qualification or overseas licence is taken to be declared as a recognised qualification (Advanced Type).

Note: Subsection 9(3) may apply to such a qualification.
- (5) If, immediately before the commencement of this Schedule, a qualification or overseas licence was:
 - (a) included in Table A or Table B of the Tables of Equivalent Qualifications and Licences, as existing at that time; and
 - (b) listed in that Table for the purpose of operating an amateur foundation station in Australia;then the qualification or overseas licence is taken to be declared as a recognised qualification (Foundation Type).

Note: Subsection 9(3) may apply to such a qualification.

- (6) If, immediately before the commencement of this Schedule, a qualification or overseas licence was:
- (a) included in Table A or Table B of the Tables of Equivalent Qualifications and Licences, as existing at that time; and
 - (b) listed in that Table for the purpose of operating an amateur standard station in Australia;

then the qualification or overseas licence is taken to be declared as a recognised qualification (Standard Type).

Note: Subsection 9(3) may apply to such a qualification.

- (7) In this Schedule, ***Tables of Equivalent Qualifications and Licences*** means the tables of equivalent qualifications and licences on the “Overseas amateurs visiting Australia” webpage of the ACMA’s website.

Note: The Tables of Equivalent Qualifications and Licences are available, free of charge, from the ACMA’s website at www.acma.gov.au.