



Radiocommunications Licence Conditions (PTS Licence) Amendment Determination 2009 (No. 1)¹

Radiocommunications Act 1992

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

Dated 2009

Member

Member

Australian Communications and Media Authority

1 Name of Determination

This Determination is the *Radiocommunications Licence Conditions (PTS Licence) Amendment Determination 2009 (No. 1)*.

2 Commencement

This Determination commences on the day after it is registered.

DRAFT FOR CONSULTATION

3 Amendment of *Radiocommunications Licence Conditions (PTS Licence) Determination 1997*

Schedule 1 amends the *Radiocommunications Licence Conditions (PTS Licence) Determination 1997*.

4 Application of amendments

The amendments made by Schedule 1 do not apply in relation to a PTS licence that:

- (a) authorises the holder to operate a land station in a PMTS Class A; and
- (b) was in force immediately before this Determination commences.

Note As a result of legislative amendments to which this Determination is related, the ACMA will not be able to issue or renew a PTS licence that authorises the holder to operate a land station in a PMTS Class A after this Determination commences. Current PTS licences of that kind will be replaced by other PTS licences if the holder wishes to seek a new licence when the holder's current PTS licence expires.

Schedule 1 Amendments

(section 3)

[1] Paragraph 2 (1) (b)

substitute

every PTS licence (PMTS B) is also subject to the conditions in Part 3.

[2] Paragraph 2 (1) (c)

omit

[3] Subsection 3 (1), definition of *licence*

substitute

licence means a PTS licence (PMTS B).

[4] Subsection 3 (1), definitions of *PTS licence (PACTS)* and *PTS licence (PMTS A)*

omit

[5] Subsection 3 (1), after definition of *PTS licence (PMTS B)*

insert before the note

repeater station means a station that is used for the reception and automatic retransmission of radio signals.

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- [6] **Section 4**
omit
 any land station
insert
 a station
- [7] **Subsection 5 (1)**
omit
 each land station
insert
 each station
- [8] **Subsection 5 (2)**
omit each mention of
 the ACA
insert
 the ACMA
- [9] **Part 3, heading**
substitute

Part 3 Conditions for PTS licence (PMTS B)

- [10] **Section 6**
omit
 every PTS licence (PMTS A) and
- [11] **Paragraph 7 (b)**
omit
 the ACA
insert
 the ACMA

[12] After section 7

insert in Part 3

8 Repeater stations

If the licensee operates a repeater station under a PTS licence, the licensee:

- (a) must not operate the station if its operation causes harmful interference to a service provided by another station; and
- (b) must operate the station to transmit using only the receive or transmit frequencies that are authorised by the PTS licence.

[13] Part 4

omit

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>.