



1900–1920 MHz and 2010–2025 MHz Bands Frequency Band Plan 2004

The AUSTRALIAN COMMUNICATIONS AUTHORITY makes this Frequency Band Plan under section 32 of the *Radiocommunications Act 1992*.

Dated *15 December* 2004



Australian Communications Authority

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Section 1

Note This Frequency Band Plan is introduced to enhance opportunities for apparatus licensing of Broadband Wireless Access (BWA) in the frequency bands it covers (1900–1920 MHz and 2010–2025 MHz). The objectives of this Frequency Band Plan are:

- to promote the deployment of BWA by retaining the primary allocation for the mobile service and for the fixed service where used for point-to-multipoint applications in the 1900–1920 MHz and 2010–2025 MHz bands
- to give priority to BWA by demoting the regulatory status of the allocation for fixed services where used for point-to-point applications from primary to secondary status in the 1900–1920 MHz and 2010–2025 MHz bands after 17 December 2005.

The secondary allocation to the fixed service where used for point-to-point applications in the 1900–1920 MHz and 2010–2025 MHz bands allows for continued use of these bands for this purpose where they do not affect the deployment of BWA.

1 Name of Frequency Band Plan

This Frequency Band Plan is the *1900–1920 MHz and 2010–2025 MHz Bands Frequency Band Plan 2004*.

2 Commencement

This Frequency Band Plan commences on the date of its notification in the *Gazette*.

3 Interpretation

- (1) In this Frequency Band Plan:

Act means the *Radiocommunications Act 1992*.

definitions determination means the determination made by the Australian Communications Authority under section 54 of the *Australian Communications Authority Act 1997*, as in force from time to time.

regulations means the *Radiocommunications Regulations 1993*.

spectrum plan means the *Australian Radiofrequency Spectrum Plan* made by the Australian Communications Authority under section 30 of the Act, as in force from time to time.

- (2) Unless the contrary intention appears, an expression used in this Frequency Band Plan that is defined in the spectrum plan, the definitions determination or the regulations has the same meaning in this Frequency Band Plan as it has in the spectrum plan, the definitions determination or the regulations.
- (3) However:
- (a) an expression defined in the spectrum plan and in the definitions determination or the regulations has the meaning given in the spectrum plan; and
 - (b) an expression defined in the definitions determination and in the regulations (but not in the spectrum plan) has the meaning given in the definitions determination.

Note The following expressions used in this Frequency Band Plan are defined in the spectrum plan:

- fixed service
- mobile service.

- (4) In this Frequency Band Plan, the range of numbers that identifies a frequency band is taken to include the higher, but not the lower, number.

Example

The 1900–1920 MHz frequency band is made up of radio frequencies that exceed 1900 MHz but do not exceed 1920 MHz.

4 Purpose of Frequency Band Plan

This Frequency Band Plan makes provision for the purposes for which the following frequency bands may be used:

- (a) 1900–1920 MHz;
- (b) 2010–2025 MHz.

5 Non-application to spectrum affected by section 36 or 153B of the Act

- (1) This Frequency Band Plan does not apply to spectrum that, before the commencement of this Frequency Band Plan:

- (a) was designated to be allocated by issuing spectrum licences; or
- (b) was declared to be subject to re-allocation.

Note On 11 October 2000, the Minister for Communications, Information Technology and the Arts declared the frequency band 1900–1920 MHz in parts of Australia as part of the spectrum subject to re-allocation by issuing spectrum licences.

- (2) This Frequency Band Plan ceases to apply to spectrum that, after the commencement of this Frequency Band Plan:

- (a) is designated to be allocated by issuing spectrum licences; or
- (b) is declared to be subject to re-allocation.

Note Under section 36 of the Act, the Minister may designate a particular part of the spectrum to be allocated by issuing spectrum licences. Under section 153B of the Act, the Minister may declare that a specified part of the spectrum is subject to re-allocation by issuing either spectrum licences or apparatus licences.

6 Purposes for which the 1900–1920 MHz frequency band may be used

- (1) Until the end of 17 December 2005, the 1900–1920 MHz frequency band may be used for the following primary services:

Primary Services	Fixed Service (point-to-point) (point-to-multipoint) Mobile Service
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- (2) On and after 18 December 2005, the 1900–1920 MHz frequency band may be used for the following primary and secondary services:

Primary Services	Fixed Service (point-to-multipoint) Mobile Service
Secondary Service	Fixed Service (point-to-point)

7 Purposes for which the 2010–2025 MHz frequency band may be used

- (1) Until the end of 17 December 2005, the 2010–2025 MHz frequency band may be used for the following primary services:

Primary Services	Fixed Service (point-to-point) (point-to-multipoint) Mobile Service
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- (2) On and after 18 December 2005, the 2010–2025 MHz frequency band may be used for the following primary and secondary services:

Primary Services	Fixed Service (point-to-multipoint) Mobile Service
Secondary Service	Fixed Service (point-to-point)