

# Application for a permit for non-standard and/or unlabelled equipment

Part 7 of the Radiocommunications Equipment (General) Rules 2021



## Information for applicants

The Australian Communications and Media Authority (the ACMA) has made the [Radiocommunications Equipment \(General\) Rules 2021](#) (the General Equipment Rules) following amendments to the [Radiocommunications Act 1992](#).

The General Equipment Rules prohibit the operation, possession, or supply of non-standard and unlabelled equipment, unless the person holds a permit that authorises them to operate, possess, or supply the equipment (or where an exemption applies).

The General Equipment Rules must be directed towards achieving any or all of the objectives listed in subsection 156(3) of the Radiocommunications Act. When deciding whether to issue a permit, the ACMA will consider the purpose for which the permit is sought and how this purpose is relevant to achieving any of the objectives of the General Equipment Rules. The ACMA will also consider the overall object of the Radiocommunications Act.

The ACMA may consult with relevant stakeholders before deciding whether to issue a permit. The ACMA may also seek further information from the applicant before making a decision.

## About the application process

Part 7 of the General Equipment Rules outlines the application process for a permit, the decision-making process for a permit, and the process to vary, suspend, or cancel a permit.

Subsection 38(1) of the General Equipment Rules provides that a person may apply in writing for a permit. This can be done by completing this application form and paying the application fee.

Permits can be issued for one or more of the following:

1. to cause radio emissions to be made by a device that does not comply with one or more specified applicable standards (subsection 38(4)(a));
2. to possess a device that does not comply with one or more specified applicable standards (subsection 38(4)(b));
3. to supply a device that does not comply with one or more specified applicable standards (subsection 38(4)(c));  
or
4. to supply a device without a label applied to it (subsection 38(4)(d)).

If the application is for equipment or a device that does not comply with one or more standards (items 1–3 above), the application must identify that standard or standards (see subsection 38(5) of the General Equipment Rules).

After considering the application for a permit, the ACMA will decide whether to issue the permit. If the ACMA refuses to issue the permit, the applicant will be notified in writing and given a statement of reasons for the refusal.

If the ACMA issues the permit, the permit will commence on the day it is issued and will remain in effect until the specified expiration date, unless the permit is cancelled prior to that expiration date. The applicant may specify the period for which they require a permit in Section 5 of this form. The ACMA considers 12 months to be an appropriate maximum period in most circumstances.

If the ACMA issues a permit, the ACMA may prescribe one or more conditions in the permit. It is a condition of every permit that the holder complies with the Radiocommunications Act.

Part 7 of the General Equipment Rules also provides for permits to be varied. This can be done by the ACMA or by an application from a permit holder.

## How to apply

An application for a permit must be in writing. There are 2 steps:

1. Before lodging a permit application, applicants should contact the ACMA to request an invoice:

- phone 1300 850 115
- email [info@acma.gov.au](mailto:info@acma.gov.au).

The ACMA will process the application once the fee has been paid. The fees associated with this permit are outlined in the Radiocommunications (Charges) Determination 2022.

2. Please submit your application, including any relevant supporting information or documentation, to the ACMA by email at [info@acma.gov.au](mailto:info@acma.gov.au) or by mail to:

Customer Service Centre  
Australian Communications and Media Authority  
PO Box 78  
Belconnen ACT 2616

## Enquiries

Applicants can contact the ACMA on 1300 850 115 or by email at [info@acma.gov.au](mailto:info@acma.gov.au) to discuss the application process.

## Privacy and how this information is used

The information that must be provided on or with this form is being sought for the purpose of considering applications for the issuing of permits under the Radiocommunications Equipment (General) Rules 2021 and *the Radiocommunications Act 1992*.

The ACMA may also make the information provided in this application available to other Government agencies and departments in accordance with Part 7A of the *Australian Communications and Media Authority Act 2005*.

Any application provided to the ACMA may be released under the *Freedom of Information Act 1982*.

The ACMA may also be required to release applications for other reasons, including for the purpose of parliamentary processes or where otherwise required by law.

The collection of personal information in this form (such as your name and contact details) will be handled by the ACMA in accordance with the Australian Privacy Principles, which are set out in Schedule 1 to the Privacy Act. Personal information is collected to enable the ACMA to assess applications for a permit under Part 7 of the General Equipment Rules. The ACMA may use the personal information to contact you if additional information is required about the application.

Further information on the Privacy Act can be found in the [ACMA's Privacy Policy](#). It contains details about how you may access personal information about you that is held by the ACMA and seek the correction of such information. It also explains how you may complain if you think the ACMA may have breached the Privacy Act and how the ACMA will deal with such a complaint.

**NOTE: Please print clearly. Illegible, unclear or incomplete application forms may be returned or delayed.**

## Section 1: Applicant's details

Name of applicant

ACN or ARBN (if applicable)

Registered business or trading name

ABN (if applicable)

Postal address

POSTCODE

Contact person

NAME
POSITION
TELEPHONE (    )
MOBILE
EMAIL

Address to appear on permit

POSTCODE

## Section 2: Agent's details

Name

ACN or ARBN (if applicable)

Registered business or trading name

ABN (if applicable)

Postal address

POSTCODE

Contact person

NAME
POSITION
TELEPHONE (    )
MOBILE
EMAIL

Address to appear on permit

POSTCODE

### Section 3: Type of permit

Applicants **MUST** specify one or more actions that the permit would authorise, if issued.

Please tick one or more of the following boxes for the type of permit required:

- A permit to cause radio emissions to be made by a device that does not comply with one or more specified applicable standards.
- A permit to possess a device that does not comply with one or more specified applicable standards.
- A permit to supply a device that does not comply with one or more specified applicable standards.
- A permit to supply a device without a label applied to it.

### Section 4: Basis for permit

If the application is made for equipment or a device that does not comply with one or more specified applicable standards, the applicant **MUST** specify at least one of the standards that are not complied with.

Provide an attachment addressing the following:

1. Specify the standard(s) with which the equipment or device is non-compliant (include the standard number).
2. Explain why the equipment or device does not comply with the standard(s) mentioned.
3. Explain the purpose for obtaining the permit with reference to the action(s) specified in response to Section 3.
4. Where applicable, comment on the purpose of the permit in relation to any of the following objectives listed in subsection 156(3) of the Act. The objectives of subsection 156(3) of the Act are outlined below:
  - ensuring the electromagnetic compatibility of equipment
  - containing interference to radiocommunications
  - containing interference to any uses or functions of equipment
  - establishing for the uses or functions of equipment an adequate level of immunity from electromagnetic disturbances caused by the use of other equipment
  - protecting the health or safety of individuals from any adverse effect likely to be attributable to radio emissions resulting from a reasonably foreseeable use (including a misuse) of radiocommunications transmitters
  - ensuring that persons who operate equipment have access to information about the equipment
  - ensuring that radiocommunications transmitters are not supplied to persons intending to operate those transmitters unless those persons are authorised by or under this Act to operate those transmitters
  - ensuring that designated radiocommunications receivers are not supplied to persons intending to operate those receivers unless those persons are authorised by or under this Act to operate those receivers
  - an objective specified in the legislative rules
  - an objective that is incidental or ancillary to any of the above objectives.
5. Any other information relating to the reason for the permit, that you consider relevant to the ACMA's decision.

### Section 5: Equipment details

Provide an attachment addressing all relevant information about the equipment or the device for which the permit is sought.

Provide details about each of the below where relevant:

- Number of items
- Type/model designation

- Manufacturer
- Country of manufacture
- Supplier/importer
- Serial number(s)
- Period for which permit is required
- Description and function of the equipment or device
- Transmitter RF output power(s)
- Emission(s)
- Frequencies
- RF radiation or dissipation mechanism
- Any other information about the equipment you consider relevant to the ACMA's decision

## Section 6: Equipment location

Complete this section if you intend to operate the equipment or device.

Provide an attachment addressing the following:

1. The address where the equipment or device will be operated.
2. The location coordinates for where the equipment or device will be operated, required to an accuracy within 10 metres (specify the geodetic system used).
3. A map of the site (either a copy of an existing map or a sketch map) showing the exact relationship of the antenna site to identifiable features. The location of the antenna site should be accurately identified by an 'X'. Applications will require additional processing time where Australian map grid coordinates are not provided.
4. Any other information relating to the location, you consider relevant to the ACMA's decision.

## Section 7: Declaration

I declare that:

1. I have the authority to sign this application.
2. The information provided in this application and in any enclosures is true and correct in every detail.
3. The applicant acknowledges that this application does not constitute an application for a radiocommunications licence or licences, and separate action by the applicant will be required if radiofrequency spectrum access is sought.
4. The applicant acknowledges that it is the applicant's responsibility to ascertain the suitability and availability of spectrum for its purposes.
5. I am aware that under the *Criminal Code Act 1995*, it is an offence to knowingly give false or misleading information or documents to a Commonwealth entity (see sections 137.1 and 137.2 of the Criminal Code).

SIGNATURE
DATE

PRINT FULL NAME
POSITION IN ORGANISATION