



The Manager
Infrastructure and Equipment Safeguards Section
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne Victoria 8010

Reference: AST 2022-002

Re: Proposed changes to radiocommunications equipment regulation – November 2022 paper.

My working career prior to leaving the ACMA in 2006 involved licensing, equipment testing and developing radio communications standards. Indeed the standards in most cases going through this proposed change. Since 2006, through my company as a part time consultant and my voluntary work for ARCIA and WIA, I have maintained an active interest in radio communications and regulation. As the WIA representative and chair of Standards Australia committees RC004 and RC006 which developed many of the standards listed, I would like to provide the following comments.

Question 1

Do you have comments on the proposal to incorporate the content of the ACMA's 13 radiocommunications mandatory technical standards and the RLN into the General Equipment Rules?

The three ITUs frequency regions, in which land based spectrum often differs in its provision for services and applications, coupled with global supply leads to problems when product supply is not suitably filtered by clear, efficient and effective regulatory arrangements for the local market.

Incorporating everything with such detail into the equipment rules and the fact that it is not written in plain English makes things even more complicated without even considering suppliers from countries where English is not their native language. The previous ACMA website at least provided a guide as to what the legislation meant in plain English but since the web site was changed to meet overall Government guidelines, about 90 percent of the technical content used by suppliers was removed so there is little hope that it will be understood.

Too much legalese in the rules plus low levels of ACMA auditing and resultant high levels of non-compliant equipment will likely disadvantage those who actually know what is required and do the right thing and result in spectrum pollution and ongoing interference issues.

Question 2

Do you have thoughts on the proposal to repeal the Radiocommunications (121.5 MHz and 243.0 MHz Emergency Position Indicating Radio Beacons) Standard 2014?

The standard was kept in place in order to define such beacons. The ACMA standard was retained in order to restrict the importation, supply and use of 121.5MHz devices. There are safety issues that could/would arise from import and use of these devices as the people buying them, would have an expectation that if they operate one someone would be monitoring and save them.

Repealing it would seem to allow the supply of said devices. Unless these beacons are no longer produced anywhere in the world, the standard must remain to restrict them being imported and sold.

Question 3

Do you have any issues with the proposed adoption of the European Telecommunications Standards Institute standards specified in Appendix A?

Yes I believe there are three standards that need further attention.

Prescribed standards table - Item 2 – HF CB and Handphone Equipment Standard

Compliance with the ETSI standard, which permits the use of FM modulation, would allow a device that's not compliant with the CB class license which only authorises the use of AM or SSB modulation for HF CB transceivers.

Below the table in Clause 14 Modification of ETSI EN 300 433, item 3 for FM is still referenced.

It would also be illegal to possess or operate an HF CB transceiver, utilising FM modulation, as it could not be licensed nor is it authorised to be possessed or used under the CB class license.

In addition suppliers of HF CB transceivers, utilising FM modulation, could possibly be prosecuted by the ACCC for supplying a device that is not fit for purpose as it cannot legally be possessed or operated.

As the class licence relies on equipment supply regulation to ensure that frequencies power levels and modulation schemes are correct I recommend that the standard not be added or alternatively, make sure that there is a proviso added to the rules identifying the issue and warning that supply of FM enabled devices is illegal.

Prescribed standards table - Item 4 – Radiocommunications (Paging Service Equipment) Standard 2014

Whilst both the AS/NZS paging standards have been withdrawn I have obtained advice from Standards Australia that they remain available to be referenced by legislation and can be adopted.

I support adopting the ETSI 300 224:2017 standard, but on its own it creates two problems.

The receiver tests would appear to be an increase in the regulatory burden for suppliers, which is contrary to government policy. It adds many paging receiver performance tests that were not previously required in AS/NZS 4769.1, which technically should have been covered off in a regulatory impact statement and also it does not cater for the AS/NZS 4769.2 AM paging systems.

The ETSI standard does however relax the maximum temperature requirement from 60 degrees to 55 which means retesting of high power transmitters for the local market would not be required.

To solve the two problems outlined, I suggest that you continue to list the two withdrawn AS/NZS standards thereby introducing the proposed change to add the ETSI standard without ignoring supply regulation for AM equipment or disadvantaging existing suppliers.

Prescribed standards table - Item 5 – Rad/comms (UHF CB Radio Equipment) Standard 2011 (No.1)

I made a submission to the FYSO that it was now time the ACMA fully converted this band to 12.5 kHz operation but it was not accepted by ACMA at this stage. But there is a pressing argument for changes to the current UHF CB equipment standards requirements to reduce costs for suppliers.

AS/NZS 4365:2011 was developed based on test methods from the then AS/NZS 4295 land mobile standard which followed ETSI (international) test methods. However AS/NZS 4295 was revised at industry request to follow instead the ETSI 300 086 (regional) standards methods and limits. This has created an additional cost for industry in having to retest aspects by the old methods and limits which in some cases might require design changes due to the different deviation limiting test methods, etc.

If the “amended” rules permitted compliance with the **Prescribed standards table - Item 1** transmitter clauses, limited to 5 watts power but in all other aspects required that the equipment complied with AS/NZS 4365:2011 (No 1) then that would avoid additional costs for multi-role devices as in practice the UHF CBRS band sits in the middle of normal land mobile apparatus licenced spectrum. There is market demand for this multi-service requirement, particularly in regional and rural markets and obviously it is more practical to access this dual service functionality in one device.

Question 4

Do you have comments on the proposed remaking of the Protected Symbols Determination 2013, including the removal of reference to the C-Tick and A-Tick?

Supported.

Question 5

Do you have thoughts on the proposed replacement of the interim EME Technical Report IEC TR 63170 in the General Equipment Rules with IEC/IEEE 63195-1 and IEC/IEEE 63195-2?

No comment.

Question 6

Do you have any issues with the proposed amendments to the significant event provisions to allow delegated ACMA staff to declare a significant event?

Supported.

I am happy to provide further information should you have questions about the responses above.

Yours sincerely

Noel Higgins

Director Analyse Solve & Test Pty Ltd.

15 December 2022