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Response from RASA to the ACMA consultation on **Remaking the Amateur Licence Conditions Determination**, May 2025.

On the 14th of April 2025 the ACMA opened a consultation period for changes to the Amateur LCD. We understand that this is a necessary part of the adjustment process on the transition to a class license. We have examined the proposed changes in the ACMA document and have no issue with the majority of the recommendations made.

There are four items that we submit to the ACMA:

Item 1. Entertainment provisions

This item is in reference to the ACMA proposed removal of the restriction to: ***‘Transmitting a message that contains any form of entertainment.’***

We concur that this restriction in its previous form is outdated and for most part unenforceable. The application of jingles and musical sound bites in conjunction Amateur news broadcasts should not be the subject of complaints to the ACMA. However, we seek some clarity in the amendment as to how far this change is intended to reach. For example, would this extend to enablement to transmit pre-recorded or live music of any duration? Such an event could still be construed as being disruptive to the hobby. Is the lifting of this restriction intended to be limited specific forms entertainment or widespread in nature? A core function of RASA is to inform the sector of changes and provide clarifications of rule variations by the ACMA. We would like to have a better understanding of the intended reach of this proposal.

Item 2. Inadvertent retransmission of Foundation or Standard operators.

Section 7 of the draft LCD, under **Conditions – purposes and transmissions** states the following:

- (7) A person must not operate an amateur station to transmit a signal to another amateur station through:
 - (a) an amateur repeater station, unless the person is authorised to transmit on the repeater output of the amateur repeater station; or
 - (b) two or more amateur repeater stations (the **interim stations**) that are capable of transmitting to one or more of the interim stations unless the person is authorised to use the repeater output of each of the interim stations; or
 - (c) a third amateur station that is not an amateur repeater station unless the person is authorised to transmit on the third amateur station’s transmission frequency; or
 - (d) two or more other amateur stations that are not amateur repeater stations (the **interim stations**), unless the person is authorised to transmit on the transmission frequency of each of the interim stations.

In practical terms we believe this section to be unnecessary, confusing and unenforceable. With modern networks and repeater links an operator transmitting on an authorised frequency may not have control or knowledge as to what or where their transmission is being linked to at any given moment.

It is our position that when an operator is transmitting on a frequency, mode and power level consistent with their qualification, then they are fully compliant. If they are deliberately or inadvertently being linked to a device that re-transmits to another frequency outside of their normal allocation, then they are not responsible for that re-transmission and remain compliant.

It still remains the responsibility of any owner of a repeater or retransmission device to maintain its output frequency and power. However under the present callsign policy, it is not possible for the device owner to discern whether the input transmission is from a Foundation, Standard or Advanced operator and therefore has no capacity to restrict individual operators based upon their personal qualification.

The existing regulation creates anomalous situations. For example, a Foundation operator is legitimately accessing a 2 metre band DSTAR repeater for a contact. During this time a time an Advanced operator on a 23 cm DSTAR repeater chooses to establish a link to that same 2 Metre repeater. In such circumstances, the Foundation operator would be unaware that they are appearing on 23cm and making them non-compliant under Section 7. Therefore it is unreasonable to deem the Foundation operator responsible for such relay events.

Section 7 no longer reflects the reality of contemporary communications. It is our position that the entirety of sub-Section 7 should be removed from the LCD.

There is a precedent for this situation. A Foundation operator may transmit 5 watts into a repeater device even though the repeater output greatly exceeds their permissible power. Using a high power repeater does not make a Foundation operator non-compliant. The operator has no control over that power output level, in the same way they have little or no control over the frequency of that output device.

Item 3. Additional conditions for the prevention of misleading conduct

Section 6 of the draft LCD, under **Conditions – purposes and transmissions** states the following:

- (6) 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:
 - (i) operated using an automatic mode; or
 - (ii) operated using a computer controlled mode; or
 - (iii) an amateur repeater station; or
 - (iv) an amateur beacon station; 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; and
 - (c) a transmission from the station can be terminated promptly if the transmission causes interference to another service.

The meaning of this section is clear and has been fit for purpose and wording should remain unchanged. In light of recent technological developments it is our position that this section should be complimented with an additional section.

Background:

We are entering an era where developments in AI technology can create situations previously impossible. This technology is becoming more prevalent and inevitably Amateur operators will have access to it.

Specifically, it is possible to sample a voice and transmit speech in a way that many will believe is coming from a different person. This act is a deliberate misrepresentation. We are aware of instances where this has already happened on Amateur transmissions within Australia. Certainly we saw examples of this misrepresentative technology in use on social media during the approach of the 2025 Federal election

Furthermore, autonomous AI sources are now capable of taking control of a transceiver and having contacts with other stations who may believe that they are in contact with a human. It is already possible to set up an automated station to make a succession of radio contacts on multiple bands, while its human owner is otherwise occupied or absent entirely. Distant stations may be entirely unaware that they are communicating with an AI device, via speech or even Morse Code transmission mode.

This we believe is a form of misrepresentation that present legislation does not yet acknowledge. Technology used this way has the capacity to undermine trust in Amateur station integrity, particularly during national and international Amateur Radio contesting.

This new LCD document is intended to be valid for several years. While we understand that legislation will not stop the actions of bad individuals, we have an opportunity here to incorporate a rule which will prevent the normalisation and general use of AI misrepresentation into the future.

We propose the following section addition to the LCD:

- () A person shall not produce or enable transmissions that falsely represent being a natural person, or imitate the identity of a natural person, unless:
- (a) The transmission is an automated identification of an amateur station
 - (b) The content of the transmission is readily identifiable as not originating from a natural person.

This wording has been selected so that it does not exclude existing automated transmissions such as FT8 digital modes, short scripts and macros used by operators and voice repeater, beacon and link identifications. The intent is to prevent autonomous AI misrepresentation as being a natural person.

Item 4. Use of AX prefix on Special Occasions

Section 14 of the proposed LCD includes the following sub-section

- (4) If a call sign commences with the letters VK, the person may substitute those letters with the letters AX when complying with subsections (1) and (2) 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.

Our position is that the limitations created by fixed dates only in the legislative document establish a lack of flexibility for what may be a future Special Event. We recommend that the wording of sub-section 4 be changed to include provision for the Minister or delegate of the Minister to approve the use of the AX prefix on exceptional occasions, in addition to the three dates already specified.

Recent examples of where this could have been applied are the death and funeral of Queen Elizabeth 2nd and the coronation of King Charles 3rd. An approaching example of an Exceptional occasion is the upcoming Olympics event in Brisbane.

We propose the wording of **sub-section 4 (d)** be changed to the following:

- (4) If a call sign commences with the letters VK, the person may substitute those letters with the letters AX when complying with subsections (1) and (2) on the following dates each year:
 - (a) 26 January;
 - (b) 25 April;
 - (c) 17 May;
 - (d) Ad hoc Special Event dates authorised by the Minister or ministerial delegate.

This concludes our proposed amendments to the **Amateur Licence Conditions Determination, 2025**. We the management team at the Radio Amateur Society of Australia wish to thank the ACMA for this opportunity to contribute to the preparation of this new legislative device.