

INFRINGEMENT NOTICE

UNDER

PARAGRAPH 270(1)(f) OF THE RADIOCOMMUNICATIONS ACT 1992

PART 5 OF THE REGULATORY POWERS (STANDARD PROVISIONS) ACT 2014

Infringement Notice number: **053-C102719**

To: Caretech Systems Pty Ltd
ACN 090 749 581

Of: L 23, 71 Eagle Street, Brisbane QLD 4000

Email: [REDACTED]

Attention: [REDACTED]

I, Melissa Moroney, an infringement officer authorised under paragraph 270(2)(a) of the *Radiocommunications Act 1992* (the **Radiocommunications Act**) for the purposes of issuing an infringement notice under the provisions mentioned in subsection 270(1) of the Radiocommunications Act, having reasonable grounds to believe that Caretech Systems Pty Ltd ACN 090 749 581 (**Caretech**) has committed one contravention of subsection 160(5) of the Radiocommunications Act (Breach of equipment rules and permit conditions), a civil penalty provision, which is subject to an infringement notice under Part 5 of the *Regulatory Powers (Standard Provisions) Act 2014* (**Regulatory Powers Act**),

HEREBY give an infringement notice (**Notice**) under paragraph 270(1)(f) of the Radiocommunications Act and Part 5 of the Regulatory Powers Act, in relation to the contravention, to Caretech.

Details of the alleged contravention

It is alleged that Caretech contravened subsection 160(5) of the Radiocommunications Act (**the civil penalty provision**) by contravening a prohibition contained in section 25 of the *Radiocommunications Equipment (General) Rules 2021* (**the Equipment Rules**) by supplying an unlabelled device.

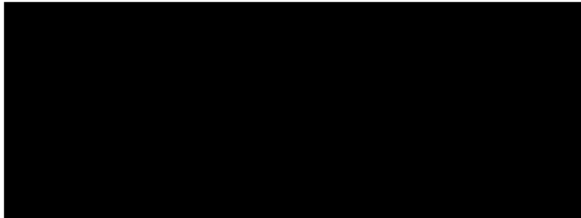
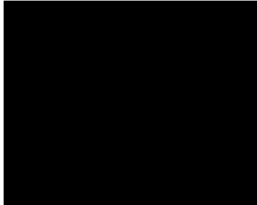
Schedule 1 to this Notice sets out brief details of the alleged contravention of the civil penalty provision.

Amount of penalty

The total amount (**the penalty**) specified in this Notice for the alleged contravention is **\$19,800**, calculated in accordance with paragraph 104(2)(b) of the Regulatory Powers Act, as shown in Table 1 in Schedule 1 to this Notice.

Payment of penalty

The penalty should be paid to the Australian Communications and Media Authority (**ACMA**), on behalf of the Commonwealth, by deposit into the following account by 10 April 2026. Please include the narration [REDACTED] with your payment.



Request for an extension to pay

You may apply to have the period in which to pay the penalty extended. To be effective the application for an extension must occur on or before 10 April 2026 or the date of any extensions that have been granted by the ACMA. This should be addressed to myself in the first instance at [REDACTED] You can apply for an extension more than once.

If the application to extend the period in which to pay is not granted, the period in which to pay will end on the day that is the last day of the period in which to pay or the day that is 7 days after the day Caretech received the decision not to extend, whichever is the later.

If the penalty is paid

If the penalty is paid to the ACMA, on behalf of the Commonwealth, on or before 10 April 2026 or the date of any extensions that have been granted, and the Notice has not been withdrawn, Caretech is not liable to be prosecuted in court and proceedings seeking a pecuniary penalty will not be brought in relation to the alleged contravention.

Payment of the penalty is not an admission of guilt or liability.

If the penalty is not paid

If you do not pay the penalty on or before 10 April 2026 or the date of any extensions that have been granted, Caretech may be prosecuted in a court seeking a pecuniary penalty order in relation to the alleged contravention. The penalties that a court can impose are potentially significantly higher than can be specified in an infringement notice (see Table 1 in Schedule 1 to this Notice).

Withdrawal of this Notice

The Chair of the ACMA may withdraw this Notice. To be effective, the withdrawal must occur on or before 10 April 2026 or the date of any extensions that have been granted.

If you believe that the Notice should be withdrawn, you should write to the Chair of the ACMA setting out the basis/reasons for this position, on or before 10 April 2026 or the date of any extensions that have been granted. This should be addressed to myself in the first instance. The Chair of the ACMA may take this into consideration when deciding whether or not to withdraw this Notice.

If this Notice is withdrawn, Caretech may be prosecuted in a court seeking a pecuniary penalty order, in relation to the alleged contravention. The penalties that a court can impose are

potentially significantly higher than can be specified in an infringement notice (see Table 1 in Schedule 1 to this Notice). If the Notice is withdrawn after the penalty is paid, the penalty will be refunded.

Enquiries concerning this Notice

If you have any enquiries or questions about this Notice, contact me on [REDACTED] or by email at [REDACTED]

DATE: 11 March 2026



Melissa Moroney
Authorised Infringement Officer
Australian Communications and Media Authority

SCHEDULE 1

BRIEF DETAILS OF THE ALLEGED CONTRAVENTION IS SET OUT BELOW, IN ACCORDANCE WITH SECTION 104 OF THE REGULATORY POWERS ACT.

1. Background

- 1.1. Caretech is a registered company under the *Corporations Act 2001*, which among other things, supplies nurse call systems to aged care facilities in Australia.
- 1.2. Following the receipt of information on 18 February 2025, the ACMA commenced investigation into whether Caretech had contravened the Radiocommunications Act by contravening a prohibition contained in section 25 of the Equipment Rules.
- 1.3. The ACMA found that Caretech had imported receiver and transmitter devices and supplied these devices without a Regulatory Compliance Mark (**RCM**).
- 1.4. This infringement notice relates to a contravention committed in relation to the supply of a transmitter device on 25 March 2025.

2. Matters giving rise to the Notice

- 2.1. Information provided by Caretech showed that it supplied a transmitter device known as a '915R Resident Pendant' on 25 March 2025.
- 2.2. Caretech did not dispute that it imported and supplied the transmitter device without the RCM.
- 2.3. The transmitter device is considered short-range equipment.
- 2.4. The Short-Range Equipment Standard is a prescribed general standard for short-range equipment (by subclause 3(2) of Part 2 of Schedule 5 of the Equipment Rules).
- 2.5. Part 2 of Schedule 3 of the Equipment Rules requires the importer of a device to which a general standard applies to apply the RCM (subclause 3(6) of Part 2 of Schedule 3 of the Equipment Rules).
- 2.6. Subsection 25(6) of the Equipment Rules imposes a prohibition on the supply of a device unless the RCM has been applied to the device in accordance with Part 2 of Schedule 3 of the Equipment Rules.

3. Relevant civil penalty provision of the Radiocommunications Act

- 3.1. Section 160 Breach of equipment rules and permit conditions.
- 3.2. Subsection 160(5) of the Radiocommunications Act provides that:

If:

- (a) a person is subject to a prohibition imposed by the equipment rules; and
 - (b) the prohibition does not consist of contravening a condition of the permit;
- the person must not contravene the prohibition.

Civil penalty: 500 penalty units


3.3. The ACMA has reasonable grounds to believe that Caretech contravened subsection 160(5) of the Radiocommunications Act on 25 March 2025 by the supplying the transmitter device without the RCM.

3.4. Subsection 160(5) of the Radiocommunications Act is a civil penalty provision subject to an infringement notice under Part 5 of the Regulatory Powers Act (paragraph 270(1)(f) of the Radiocommunications Act).

4. The amount of the penalty

4.1. The amount specified in this Notice is **\$19,800**, calculated in accordance with subsection 104(2) of the Regulatory Powers Act, as set out in the table below.

Table 1: Penalty for alleged contravention of the Radiocommunications Act

Date and location of contravention	Provision of Radiocommunications Act contravened	Number of contraventions	Penalty unit ¹	Maximum penalty a court could impose for each contravention	Penalty imposed
25 March 2025 	Subsection 160(5)	1	60 units at \$330 per unit	\$165,000	\$19,800
Total		1		\$165,000	\$19,800

¹ At the time of the alleged contraventions, the amount of a penalty unit was \$330, as set by section 4AA of the *Crimes Act 1914*.