COMMONWEALTH OF AUSTRALIA
AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Radiocommunications Act 1992

SPECTRUM LICENCE FOR THE 850 MHz BAND

This licence is issued under Part 3.2 of the *Radiocommunications Act 1992* ('the Act') to the person named at Item 1 of Part 1, Licence Schedule 1.

1. The person named at Item 1 of Part 1, Licence Schedule 1 of this licence ('the licensee'), or a person authorised under subsection 68 (1) of the Act, is authorised, under this licence, to operate radiocommunications devices in accordance with the following:

   (a) the Act;
   (b) the core conditions set out in Licence Schedule 2;
   (c) the statutory conditions set out in Licence Schedule 3;
   (d) the other conditions set out in Licence Schedule 4.

2. This licence comes into force at the start of the date shown at Item 5 of Part 1, Licence Schedule 1 and remains in force until the end of the date shown at Item 7 of Part 1, Licence Schedule 1.

3. The statements in this licence that relate to renewal of the licence are set out in Part 3, Licence Schedule 1.

Definitions

4. In this licence, unless the contrary intention appears:

AAS means an antenna system where the amplitude and/or phase between multiple antenna elements is continually adjusted, resulting in an antenna pattern that varies in response to short term changes in the radio environment.

Act means the *Radiocommunications Act 1992*, as in force from time to time.

area-adjacent spectrum licences means spectrum licences that authorise the operation of radiocommunications devices in the geographic areas adjacent to each of the geographic areas described in Tables 1 and 2 of Part 2 of Licence Schedule 1.

frequency-adjacent spectrum licences means spectrum licences that authorise the operation of radiocommunications devices in the frequency bands adjacent to each of the frequency bands described in Table 1 of Part 2 of Licence Schedule 1.

harmful interference has the same meaning as in the spectrum plan made under subsection 30 (1) of the Act, as in force from time to time.

HCIS identifier means an identifier used to describe a geographic area in the HCIS.

Hierarchical Cell Identification Scheme or HCIS means the cell grouping hierarchy scheme used to describe geographic areas in the *Australian Spectrum Map Grid 2012* published by the ACMA, as existing from time to time.

Note: The *Australian Spectrum Map Grid 2012* can be accessed, free of charge, on the ACMA website at: www.acma.gov.au.

ITU Radio Regulations means the Radio Regulations published by the International Telecommunication Union, as in force from time to time.

Note: The Radio Regulations can be accessed, free of charge, on the ITU website at: www.itu.int.

Licence Schedule means a Schedule to this licence.

mean power, in relation to a radiocommunications transmitter, means the average power of the transmitter measured during an interval of time that is at least 10 times the period of the lowest modulation frequency.

Definitions (cont)

non-AAS receiver means a radiocommunications receiver without AAS.

non-AAS transmitter means a radiocommunications transmitter without AAS.

occupied bandwidth, in relation to a radiocommunications transmitter, means the bandwidth of a frequency band, having fixed upper and lower frequency limits, that is necessary to contain not less than 99% of the true mean power of the transmitter's radio emission at any time.

total radiated power is the integral of the power transmitted in different directions over the entire radiation sphere. It is measured considering the combination of all radiating elements on an antenna panel or individual device.

unwanted emission, in relation to the operation of a radiocommunications transmitter authorised by this licence, means a radio emission outside the lower and upper frequency limits of the frequency bands described in Table 1 of Part 2 of Licence Schedule 1 of this licence.

upper or lower frequency limits, in relation to a geographic area, means the maximum and minimum frequencies, respectively, specified in Part 2 of Licence Schedule 1 for that geographic area.

5. Unless the contrary intention appears, terms and expressions used in this licence have the meaning given to them by any determination made under section 64 of the *Australian Communications and Media Authority Act 2005*, as in force from time to time.

Note: A number of terms used in this licence, are defined in the Act and have the meanings given to them by the Act, including:

- ACMA
- core condition
- frequency band
- radiocommunications device
- radiocommunications receiver
- radiocommunications transmitter
- radio emission
- Register
- renewal application period
- renewal application period statement
- renewal decision-making period
- renewal decision-making period statement
- renewal statement
- spectrum licence
- spectrum licence tax
- spectrum plan

Definitions (cont)

6. Unless the contrary intention appears, in this licence:

   (a) the value of a parameter in Licence Schedules 2 and 3 must be estimated with a level of confidence not less than 95% that the true value of the parameter will always remain below the requirement specified; and
   (b) a reference to a part of the spectrum, a frequency band or a frequency range includes all the frequencies that are greater than but not including the lower frequency, up to and including the higher frequency.

Licence Schedule 1 Licence details, bands and areas

Part 1 Licence Details

Item	***Licensee Details***	
1	*Name of licensee*	xxxx
2	*Address of licensee*	xxxx
3	*Client number*	
	Licence Details	
4	*Band release*	850 MHz Band
5	*Date of licence effect*	18/06/2028
6	*Date of licence expiry*	30/06/2044
7	*Licence number*	
8	*Date of licence issue*	

Part 2 Frequency bands and geographic areas

For Core Condition 1, this licence authorises the operation of radiocommunications devices in the frequency bands specified in column 3 and within the corresponding geographic areas specified in column 2 of Table 1.

Each frequency band consists of the bandwidth between the lower and upper frequencies, where the lower frequency limit is exclusive and upper frequency limit is inclusive. The geographic areas in column 2 of Table 1 are described by the sequence of HCIS identifiers in Table 2.

Table 1: Frequency bands and geographic areas for this licence

Identifier (column 1)	Geographic areas (column 2)	Frequency bands (column 3)			
		Lower band (MHz)		Upper band (MHz)	
		Lower limit	Upper limit	Lower limit	Upper limit

Licence Schedule 1 Licence details, bands and areas (cont)

Table 2: Description of the geographic areas for this licence

Geographic areas (column 1)	HCIS identifiers (column 2)

Note: The HCIS is described in the *Australian Spectrum Map Grid 2012*. The *Australian Spectrum Map Grid 2012* can be accessed, free of charge, on the ACMA website at www.acma.gov.au.

Part 3 Statements

Renewal statement

The licence may be renewed at the discretion of the ACMA.

Renewal application period statement

The renewal application period for this licence is the period:

(a) commencing at the start of 1 July 2039; and
(b) ending at the end of 31 December 2039.

Renewal decision-making period statement

The renewal decision-making period for this licence is the period:

(a) commencing at the start of 1 January 2040; and
(b) ending at the end of 31 December 2041.

Public interest statement

No statement.

Licence Schedule 2 Core Conditions

Frequency bands and geographic areas

1. This licence authorises the operation of radiocommunications devices in the frequency bands and within the geographic areas set out in Part 2 of Licence Schedule 1.

Emission limits outside the frequency bands

2. Core Conditions 3 to 15 apply in relation to those frequencies that are outside each of the frequency bands set out in Part 2 of Licence Schedule 1. For a frequency band set out in Part 2 of Licence Schedule 1, Core Conditions 3 to 15 apply within the geographic area specified for the frequency band.

3. Where a written agreement specifying the maximum permitted level of radio emission for frequencies described in Core Condition 2 exists between:

   (a) the licensee; and

   (b) all the affected licensees of frequency-adjacent spectrum licences and area-adjacent spectrum licences;

   the licensee must comply with that specified maximum permitted level of radio emission.

4. Subject to Core Condition 5, where there is no written agreement for the purposes of Core Condition 3 in force, or where Core Condition 3 does not apply, the licensee must comply with Core Conditions 6 to 15.

5. Where a radiocommunications transmitter:

   (a) is authorised to operate under both this spectrum licence and another licence (the other licence) in another frequency band (the other band); and

   (b) the holder of this spectrum licence and the holder of the other licence:

      (i) are the same person; or

      (ii) are not the same person, and the holder of the other licence, by written agreement, authorises the holder of this spectrum licence to operate the transmitter under the other licence for the purposes of this condition;

   the radiocommunications transmitter, when operating under this spectrum licence:

   (c) must comply with the unwanted emission limits in a particular frequency range that are specified in the other licence and that would be applicable to the transmitter's operation in the other band, to the extent that those limits differ from the unwanted emission limits described in Core Conditions 9 and 10 of this spectrum licence for that particular frequency range; and

(d) may exceed the unwanted emission limits described in Core Conditions 9 and 10 of this spectrum licence in respect of operation in frequency bands set out in the other licence.

Note 1: Under paragraph 5(c), operation of a radiocommunications transmitter must comply with the unwanted emission limits specified in the other licence if those limits are different to the unwanted emission limits for the same frequency range as specified in Core Conditions 9 and 10. This requirement only applies to frequency ranges for which unwanted emission limits in Core Conditions 9 and 10 apply. For the purposes of paragraph 5(c), the applicable unwanted emission limits in the other licence are those that apply to the particular frequency range that the transmitter is operating in

Note 2: The purpose of paragraph 5(d) is to allow the radiocommunications transmitter to exceed the unwanted emissions limits Core Conditions 9 and 10 within the frequency bands authorised by the other licence.

Note 3: Under paragraph 5(a) "authorised to operate" also means that the radiocommunications transmitter meets the registration requirements as applicable for a transmitter operated under the other licence.

Unwanted emission limits outside the frequency bands

6. (1) The licensee must ensure that a radiocommunications transmitter that is operated under this licence in the frequency range 869 MHz-889 MHz does not exceed the unwanted emission limits in Core Conditions 7 to 10.

(2) The licensee must ensure that a radiocommunications transmitter that is operated under this licence in the frequency range 824 MHz-844 MHz does not exceed the unwanted emission limits in Core Condition 11 and 12.

(3) The licensee must ensure that a radiocommunications receiver that is operated under this licence does not exceed the unwanted emission limits in Core Conditions 13 to 15.

Radiocommunications transmitters operating in 869 MHz-889 MHz frequency range

7. The unwanted emission limits in Table 1, measured over the measurement bandwidth, apply to non-AAS transmitters operating in the frequency range 869 MHz-889 MHz from emissions falling into the frequency range 849 MHz-899 MHz;

where:

f_{offset} is the frequency offset from the upper or lower frequency limits for the spectrum licence. The closest -3 dB point of the specified bandwidth closest to the upper and lower frequency limits for the spectrum licence is placed at f_{offset}.

Table 1: Unwanted emissions limits in 849 MHz to 899 MHz for transmitters operating in 869 MHz to 889 MHz - non-AAS transmitters

Frequency offset measurement filter -3 dB point from upper/lower limit of licence	Mean power per transmitter port (dBm)	Measurement bandwidth
0 MHz $\leq f_{offset} <$ 5 MHz	-7 dBm - 7/5 (f_{offset}/MHz) - 0.05) dB	100 kHz
5 MHz $\leq f_{offset} <$ 10 MHz	-14	100 kHz
$f_{offset} \geq$ 10 MHz	-16	100 kHz

8. The unwanted emission limits in Table 2, measured over the measurement bandwidth, apply to radiocommunications transmitters with AAS operating in the frequency range 869 MHz-889 MHz from emissions falling into the frequency range 849 MHz-899 MHz;

   where:

   f_{offset} is the frequency offset from the upper or lower frequency limits for the spectrum licence. The closest -3 dB point of the specified bandwidth closest to the upper and lower frequency limits for the spectrum licence is placed at f_{offset}.

Table 2: Unwanted emissions limits in 849 MHz to 899 MHz for transmitters operating in 869 MHz to 889 MHz - transmitters with AAS

Frequency offset measurement filter -3 dB point from upper/lower limit of licence	Total radiated power per cell/sector (dBm)	Measurement bandwidth
0 MHz $\leq f_{offset} <$ 5 MHz	2 dBm - 7/5 (f_{offset}/MHz) dB	100 kHz
5 MHz $\leq f_{offset} <$ 10 MHz	-5	100 kHz
$f_{offset} \geq$ 10 MHz	-7	100 kHz

9. The unwanted emission limits in Table 3, measured over the measurement bandwidth, apply to non-AAS transmitters operating in the frequency range 869 MHz-889 MHz for emissions falling outside the frequency range 849 MHz-899 MHz.

Table 3: Unwanted emissions limits outside 849 MHz to 899 MHz transmitters operating in 869 MHz to 889 MHz - non-AAS transmitters

Frequency range (f)	Mean power per transmitter port (dBm)	Measurement bandwidth
9 kHz < f ≤ 150 kHz	-36	1 kHz
150 kHz < f ≤ 30 MHz	-36	10 kHz
30 MHz < f ≤ 1 GHz	-36	100 kHz
1 GHz < f ≤ 12.75 GHz	-30	1 MHz

10. The unwanted emission limits in Table 4, measured over the measurement bandwidth, apply to radiocommunications transmitters with AAS operating in the frequency range 869 MHz-889 MHz for emissions falling outside the frequency range 849 MHz-899 MHz.

Table 4: Unwanted emissions limits outside 849 MHz to 899 MHz for transmitters operating in 869 MHz to 889 MHz - transmitters with AAS

Frequency range (f)	Radiated maximum true mean power (dBm EIRP)	Measurement bandwidth
9 kHz < f ≤ 150 kHz	-27	1 kHz
150 kHz < f ≤ 30 MHz	-27	10 kHz
30 MHz < f ≤ 1 GHz	-27	100 kHz
1 GHz < f ≤ 12.75 GHz	-21	1 MHz

Radiocommunications transmitters operating in 824 MHz-844 MHz frequency range

11. The unwanted emission limits in Table 5, measured over the measurement bandwidth, apply for radiocommunications transmitters operating in the frequency range 824 MHz-844 MHz, at $\mathbf{f_{offset}}$ < max(occupied bandwidth (measured in MHz) + 5 MHz, 10 MHz);

    where:

    $\mathbf{f_{offset}}$ is the frequency offset from the upper or lower frequency limits for the spectrum licence. The closest -3 dB point of the specified bandwidth closest to the upper and lower frequency limits for the spectrum licence is placed at f_{offset}.

Table 5: Unwanted emission limits for transmitters operating in 824 MHz to 844 MHz - frequency offset less than max(occupied bandwidth + 5 MHz, 10 MHz)

Frequency offset measurement filter -3 dB point from upper/lower limit of licence	Mean power per transmitter port (dBm)	Measurement bandwidth
0 MHz $\leq f_{offset} <$ 1 MHz	-13	50 kHz
1 MHz $\leq f_{offset} <$ 5 MHz	-10	1 MHz
5 MHz $\leq f_{offset} <$ max(Occupied BW, 6)	-13	1 MHz
max(Occupied BW, 6) $\leq f_{offset} <$ max(Occupied BW + 5, 10)	-25	1 MHz

12. The unwanted emission limits in Table 6, measured over the measurement bandwidth, apply for radiocommunications transmitters operating in the frequency range 824 MHz - 844 MHz at $f_{offset} \geq$ max(occupied bandwidth (measured in MHz) + 5 MHz, 10 MHz);

    where:

    f_{offset} is the frequency offset from the upper or lower frequency limits for the spectrum licence. The closest -3 dB point of the specified bandwidth closest to the upper and lower frequency limits for the spectrum licence is placed at f_{offset}.

Table 6: Unwanted emissions limits for transmitters operating in 824 MHz to 844 MHz - frequency offset greater than or equal to max(occupied bandwidth + 5 MHz, 10 MHz)

Frequency range (f)	Mean power per transmitter port (dBm)	Measurement bandwidth
9 kHz < f $\leq$ 150 kHz	-36	1 kHz
150 kHz < f $\leq$ 30 MHz	-36	10 kHz
30 MHz < f $\leq$ 1 GHz	-36	100 kHz
1 GHz < f $\leq$ 12.75 GHz	-30	1 MHz

Radiocommunications receivers

13. Subject to Core Condition 14, the unwanted emissions limits in Table 7, measured over the measurement bandwidth for the relevant frequency range, apply to non-AAS receivers:

    (a) for all receivers operating in the frequency range 869 MHz-889 MHz;

    (b) for receivers operating in the frequency range 824 MHz-844 MHz - outside the frequency range 849 MHz-899 MHz.

14. For a radiocommunications receiver mentioned in Core Condition 12(b), where the antenna or transceiver array boundary connectors support both the radiocommunications receiver and a radiocommunications transmitter:

    (a) the unwanted emission limits in Table 7 do not apply; and

    (b) the unwanted emission limits in Table 3 apply, measured over the measurement bandwidth, for receivers operating in the frequency range 824 MHz-844MHz, outside the frequency range 849 MHz-899 MHz.

Table 7: Unwanted emissions limits for non-AAS receivers

Frequency range (f)	Total radiated power (dBm)	Measurement bandwidth
30 MHz < f ≤ 1 GHz	-57	100 kHz
1 GHz < f ≤ 12.75 GHz	-47	1 MHz

15. The unwanted emissions limits in Table 4, measured over the measurement bandwidth for the relevant frequency range, apply to radiocommunications receivers with AAS operating in the frequency range 824 MHz-844 MHz, outside the frequency range 849 MHz-899 MHz.

Emission limits outside the geographic areas

16. Core Conditions 17 to 20 apply in relation to those areas outside the geographic areas set out in Part 2 of Licence Schedule 1.

17. Where a written agreement specifying the maximum permitted level of radio emission for areas described in Core Condition 16 exists between:
    (a) the licensee; and
    (b) all the affected licensees of frequency-adjacent spectrum licences and area-adjacent spectrum licences;
    the licensee must comply with that specified maximum permitted level of radio emission.

18. Where there is no written agreement for the purposes of Core Condition 17 in force, or where Core Condition 17 does not apply, the licensee must comply with Core Conditions 19 and 20.

Licence Schedule 2 Core Conditions (cont)

Unwanted emissions limits outside the geographic areas

19. The licensee must ensure that the maximum permitted level of radio emission for an area outside the geographic area within which the licence authorises the operation of radiocommunications devices, caused by the operation of radiocommunications transmitters with AAS under the licence, does not exceed a total radiated power, per registered device, of 42 dBm per 30 kHz.

20. The licensee must ensure that the maximum permitted level of radio emission for an area outside the geographic area within which the licence authorises the operation of radiocommunications devices, caused by the operation of non-AAS transmitters under the licence, does not exceed a total conducted power of 33 dBm per 30 kHz.

Licence Schedule 3 Statutory Conditions

Liability to pay charges

1. The licensee must comply with all its obligations (if any) to pay:
   (a) charges fixed by determinations made under section 60 of the *Australian Communications and Media Authority Act 2005*; and
   (b) spectrum access charges fixed by determinations made under section 294 of the Act; and
   (c) amounts of spectrum licence tax.

Third party use

2. (1) The licensee must notify any person whom the licensee authorises, under section 68 of the Act, to operate radiocommunications devices under this licence of that person's obligations under the Act, in particular:
   (a) the registration requirements under Part 3.5 of the Act for operation of radiocommunications devices under this licence (if applicable); and
   (b) any rules made by the ACMA under subsection 68(3) of the Act.

   (2) Any person other than the licensee who operates a radiocommunications device under this licence must comply with rules made by the ACMA under subsection 68(3) of the Act.

Radiocommunications transmitter registration requirements

3. A person must not operate a radiocommunications transmitter under this licence unless:
   (a) the transmitter has been exempted from the registration requirements, under Statutory Condition 4 below; or
   (b) both:
      (i) the requirements under Part 3.5 of the Act relating to registration of the transmitter have been met; and
      (ii) the transmitter complies with the details about it that have been entered in the Register.

Exemption from registration requirements

4. The following kinds of radiocommunications transmitters are exempt from the registration requirement in Statutory Condition 3:
   (a) a radiocommunications transmitter that operates in frequency band listed in Schedule 1 Table 1 with a radiated power of less than or equal to 30 dBm EIRP per 1 MHz; and
   (b) a radiocommunications transmitter that operates in a frequency listed in Schedule 1 Table 1 as part of a group of radiocommunications transmitters, each of which has a radiated power always less than or equal to 30dBm EIRP per 1 MHz.

Note 1: 'Group of radiocommunications transmitters' is defined in the *Radiocommunications (Unacceptable Levels of Interference - 850/900 MHz Band) Determination 2021*. This can be accessed, free of charge, on the Federal Register of Legislation at www.legislation.gov.au.

Note 2: The *Radiocommunications (Unacceptable Levels of Interference – 850/900 MHz Band) Determination 2021* may be replaced as a result of the sunsetting provisions in the *Legislation Act 2003* or for other reasons.

Residency

5. (1) The licensee must not derive any income, profits or gains from operating radiocommunications devices under this licence, or from authorising others to do so, unless:
   (a) the licensee is an Australian resident; or
   (b) the income, profits or gains are attributable to a permanent establishment in Australia through which the licensee carries on business.

   (2) A person (the ***authorised person***) authorised under section 68 of the Act in relation to this licence must not derive income, profits or gains from operating radiocommunications devices under this licence, unless:
   (a) the authorised person is an Australian resident; or
   (b) the income, profits or gains are attributable to a permanent establishment in Australia through which the authorised person carries on business.

Residency (*cont*)

(3) In this condition:

Australian resident has the same meaning as in the *Income Tax Assessment Act 1997*.

permanent establishment has the same meaning as in:

(a) if the licensee or authorised person (as appropriate) is a resident of a country or other jurisdiction with which Australia has an agreement within the meaning of the *International Tax Agreements Act 1953* – that agreement; or

(b) in any other case – the *Income Tax Assessment Act 1997*.

Licence Schedule 4 Other Conditions

Definitions

1. In this Licence Schedule 4:

   managing interference includes but is not limited to:

   (a) investigating the possible causes of interference;
   (b) taking all steps reasonably necessary to resolve disputes about interference;
   (c) taking steps (or requiring persons authorised to operate radiocommunications devices under this licence to take steps) reasonably likely to reduce interference to acceptable levels;
   (d) negotiating with other persons to reduce interference to acceptable levels.

Responsibility to manage interference

2. The licensee must manage interference between:
   (a) radiocommunications devices operated under this licence; and
   (b) radiocommunications devices operated under this licence and under each other spectrum licence held by the licensee.

Co-site radiocommunications devices

3. If:
   (a) interference occurs between:
      (i) a radiocommunications device operated under this licence; and
      (ii) another radiocommunications device operated under another licence (the ***other licence***);
   when the measured separation between the phase centre of the antenna used with each device is less than 200 metres; and
   (b) that interference is not the result of operation of a radiocommunications device in a manner that does not comply with the conditions of the relevant licence; and
   (c) either the licensee or the holder (or authorised third party) of the other licence wishes to resolve the interference;
   the licensee must manage interference with:
   (d) the holder of the other licence; or
   (e) if a site manager is responsible for managing interference at that location, that site manager.

Licence Schedule 4 Other conditions (cont)

Information for Register

4. The licensee must give the ACMA all information as required by the ACMA from time to time for inclusion in the Register.

   Note: Licensees should assist the ACMA in keeping the Register accurate and up to date by informing the ACMA of changes to device registration details as soon as possible.

International coordination

5. The licensee must ensure that operation of a radiocommunications transmitter under this licence does not cause harmful interference to a radiocommunications receiver that operates in accordance with the ITU Radio Regulations and is located in a country other than Australia.

Electromagnetic energy (EME) requirements

6. The licensee must comply with each condition (the ***applied conditions***) in Parts 2, 3 and 4 of the *Radiocommunications Licence Conditions (Transmitter Licence) Determination 2025* (the ***Transmitter Licence Determination***), as in force from time to time, or the equivalent Parts of any instrument made under subsection 110A(2) of the Act as a replacement of the Transmitter Licence Determination (the ***replacement determination***), as in force from time to time, as if the applied conditions apply to, and are included in, this licence. Each definition in, and each other provision in Parts 2, 3 and 4 of, the Transmitter Licence Determination or the equivalent Parts of the replacement determination has the same or equivalent effect in relation to this condition as it does in relation to the applied conditions.

Coordination with the Mid-West Radio Quiet Zone (RQZ)

7. Before seeking to register a radiocommunications transmitter for use in or around the RQZ, the licensee must follow the procedures set out in Radiocommunications Assignment and Licensing Instruction (RALI) MS 32, as in existence from time to time, where a reference to the 'RQZ Band Plan' in RALI MS 32 is taken to be a reference to the *Radiocommunications (Australian Radio Quiet Zone Western Australia) Frequency Band Plan 2023* or, if another instrument replaces that band plan, the other instrument.

   Note: RALI MS 32 can be accessed, free of charge, on the ACMA website at www.acma.gov.au.

Licence Schedule 4 Other conditions (cont)

Coordination with the Mid-West Radio Quiet Zone (RQZ) (*cont*)

8. In Condition 7 of this Licence Schedule 4, RQZ has the same meaning as in:
   (a) the *Radiocommunications (Australian Radio Quiet Zone Western Australia) Frequency Band Plan 2023*, as in force from time to time; or
   (b) if another instrument replaces that band plan – the other instrument, as in force from time to time.

Harmful interference

9. The licensee must ensure that operation of a radiocommunications transmitter that is exempt from registration under Statutory Condition 4 of Licence Schedule 3 does not cause harmful interference to other radiocommunications devices operated under a different spectrum licence or an apparatus licence.

Licence Schedule 5 Licence Notes

Variation to licence conditions

1. The ACMA may, with the written agreement of the licensee, vary this licence by including one or more further conditions, or by revoking or varying any conditions of this licence, provided that the conditions, as varied, still comply with the requirements of Subdivision C of Division 1 of Part 3.2 of the Act.

2. The ACMA may, by written notice given to the licensee, vary this licence by including one or more further conditions (other than core conditions), or by revoking or varying any conditions (other than core conditions) of this licence, provided that the conditions, as varied, still comply with the requirements of Subdivision C of Division 1 of Part 3.2 of the Act.

Determination of unacceptable levels of interference

3. The ACMA has made the *Radiocommunications (Unacceptable Levels of Interference - 850/900 MHz Band) Determination 2021* that sets out the unacceptable levels of interference for the purpose of registering radiocommunications transmitters to be operated under this licence, and which is to be used for the issuing of certificates by accredited persons under subsection 145(3) of the Act.

Note 1: Although not mandatory, the registration of receivers to be operated under this licence is recommended because one of the matters ACMA will take into account in settling interference is the time of registration of the receiver involved in the dispute.

Note 2: The *Radiocommunications (Unacceptable Levels of Interference - 850/900 MHz Band) Determination 2021*, can be accessed, free of charge, on the Federal Register of Legislation at www.legislation.gov.au.

Note 3: The *Radiocommunications (Unacceptable Levels of Interference – 850/900 MHz Band) Determination 2021* may be replaced as a result of the sunsetting provisions in the *Legislation Act 2003* or for other reasons.

Licence Schedule 5 Licence Notes (cont)

Guidelines

4. The ACMA has issued written Radiocommunications Advisory Guidelines (the ***guidelines***) under section 262 of the Act about the following:
   (a) coordinating the operation of radiocommunications transmitters under this licence with radiocommunications receivers operated under other licences: see the *Radiocommunications Advisory Guidelines (Managing Interference from Spectrum Licensed Transmitters - 850/900 MHz Band) 2021*; and
   (b) coordinating the operation of radiocommunications receivers operated under this licence with radiocommunications transmitters operated under other licences: see the *Radiocommunications Advisory Guidelines (Managing Interference to Spectrum Licensed Receivers - 850/900 MHz Band) 2021*.

   Note 1: These guidelines can be accessed, free of charge, on the Federal Register of Legislation at www.legislation.gov.au.

   Note 2: The guidelines may be replaced as a result of the sunsetting provisions in the *Legislation Act 2003* or for other reasons.

5. The guidelines should be read in conjunction with the *Radiocommunications (Unacceptable Levels of Interference - 850/900 MHz Band) Determination 2021* (see Licence Note 3). That determination sets out the unacceptable levels of interference for the purpose of registration of radiocommunications transmitters to be operated under this licence. The guidelines should be followed by licensees (and accredited persons) in the planning of services and the resolution of interference cases. The ACMA will consider these guidelines during the settlement of interference disputes. Each case will be assessed on its merits.

Suspension and cancellation of spectrum licences

6. The ACMA may by written notice given to a licensee, suspend or cancel a spectrum licence in accordance with Division 3 of Part 3.2 of the Act.

Renewal

7. The ACMA may renew spectrum licences in accordance with Division 3A of Part 3.2 of the Act and the licence statements set out in Part 3 of Licence Schedule 1.

8. A person may apply for renewal in accordance with section 77A of the Act. The application must be made within the renewal application period statement set out in Part 3 of Licence Schedule 1.

9. The ACMA must make its decision within the renewal decision-making period set out in Part 3 of Licence Schedule 1.

Licence Schedule 5 Licence Notes (cont)

10. If the ACMA renews a spectrum licence, the conditions of the new spectrum licence need not be the same as those of the licence it replaces.

Trading

11. (1) A licensee may assign or otherwise deal with the whole or any part of a spectrum licence provided that it is done in accordance with any rules determined by the ACMA under section 88 of the Act.

(2) An assignment under section 85 of the Act of the whole or any part of a spectrum licence that involves any change to a spectrum licence does not take effect until the Register has been amended under Part 3.5 of the Act, to take it into account.

Appeals

12. An application may be made to the ACMA for reconsideration of a decision of a kind listed in section 285 of the Act. A person affected by and dissatisfied with any ACMA decision may seek a reconsideration of the decision by the ACMA under subsection 288(1) of the Act. This decision can be subject to further review by the Administrative Review Tribunal, subject to the provisions of the *Administrative Review Tribunal Act 2024*.

Labelling of radiocommunications transmitters

13. Licensees should affix identification labels containing the name and address of the licensee on all fixed transmitters operated under this licence.

Note: An example of an identification label would be one containing the following statement: "This device is the property of 'name'".

No protection from existing radiocommunications transmitters

14. The ACMA does not intend to afford protection to a radiocommunications device operated under this licence (***relevant device***) from:

(a) radiocommunications transmitters operated under spectrum licences, which were already in force before this licence was issued, that were registered on the Register before the relevant device was registered on the Register; or

(b) any other radiocommunications device operated under an apparatus licence and registered on the Register before the relevant device was registered on the Register, that is operating in accordance with the conditions of the apparatus licence.