Radiocommunications (Emergency Locating Devices) Class Licence 2026

The Australian Communications and Media Authority issues the following class licence under section 132 of the *Radiocommunications Act 1992*.

Dated:

Member

Member/General Manager

Australian Communications and Media Authority

Part 1 Preliminary

1 Name

This instrument is the *Radiocommunications (Emergency Locating Devices) Class Licence 2026*.

2 Commencement

This instrument commences at the start of the day after the day it is registered on the Federal Register of Legislation.

Note: The Federal Register of Legislation is available, free of charge, at www.legislation.gov.au.

3 Authority

This instrument is made under section 132 of the *Radiocommunications Act 1992*.

4 Repeal

The *Radiocommunications (Emergency Locating Devices) Class Licence 2016* (F2016L01399) is repealed.

5 Interpretation

(1) In this instrument:

aircraft has the meaning given by the *Civil Aviation Act 1988*.

aircraft EPIRB means each of the following:

(a) a satellite distress beacon that is on an aircraft;

(b) an EPIRB that is on an aircraft.

Note: A single thing may be, or incorporate, both a satellite distress beacon (which transmits to a satellite) and an EPIRB (which transmits terrestrially), depending on how the thing operates.

AS/NZS 4280.1 means:

(a) the Australia/New Zealand Standard *AS/NZS 4280.1:2022 Global maritime distress and safety system (GMDSS), Part 1: Cospas-Sarsat EPIRB – Emergency position indicating radio beacon operating on 406 MHz – Operational and performance requirements, methods of testing and required test results (IEC 61097-2 (Ed.4.0) MOD)*, published by Standards Australia; or

(b) if a later document published by Standards Australia is expressed to replace the document mentioned in paragraph (a) – the later document.

Note: AS/NZS 4280.1 may be obtained, for a fee, directly from the website of Standards Australia or a distributor listed on the Standards Australia website: www.standards.org.au. AS/NZS 4280.1 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

AS/NZS 4280.2 means:

(a) the Australia/New Zealand Standard *AS/NZS 4280.2:2023 406 MHz Satellite Personal Locator Beacons (PLBs)*, published by Standards Australia; or

(b) if a later document published by Standards Australia is expressed to replace the document mentioned in paragraph (a) – the later document.

Note: AS/NZS 4280.2 may be obtained, for a fee, directly from the website of Standards Australia or a distributor listed on the Standards Australia website: www.standards.org.au. AS/NZS 4280.2 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

AS/NZS 4869.1 means:

(a) the Australia/New Zealand Standard *AS/NZS 4869.1:2006 (R2015) Maritime Survivor Locating Systems (MSLS) – Operating on 121.5 MHz*, published by Standards Australia; or

(b) if a later document published by Standards Australia is expressed to replace the document mentioned in paragraph (a) – the later document.

Note: AS/NZS 4869.1 may be obtained, for a fee, directly from the website of Standards Australia or a distributor listed on the Standards Australia website: www.standards.org.au. AS/NZS 4869.1 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

AS/NZS 4869.2 means:

(a) the Australia/New Zealand Standard *AS/NZS 4869.2:2010 Stand alone maritime survivor locating systems (MSLS) – Operating on frequencies other than 121.5 MHz*, published by Standards Australia; or

(b) if a later document published by Standards Australia is expressed to replace the document mentioned in paragraph (a) – the later document.

Note: AS/NZS 4869.2 may be obtained, for a fee, directly from the website of Standards Australia or a distributor listed on the Standards Australia website: www.standards.org.au. AS/NZS 4869.2 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

AS/NZS 4869.3 means:

(a) the Australia/New Zealand Standard *AS/NZS 4869.3:2015 Maritime survivor locating systems (MSLS) – Maritime survivor locating devices (MSLD) – Operating on frequencies 156.575 MHz and/or 161.975MHz/162.025 MHz (RTCM 11901.1:2012, MOD)*, published by Standards Australia; or

(b) if a later document published by Standards Australia is expressed to replace the document mentioned in paragraph (a) – the later document.

Note: AS/NZS 4869.3 may be obtained, for a fee, directly from the website of Standards Australia or a distributor listed on the Standards Australia website: www.standards.org.au. AS/NZS 4869.3 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

AS/NZS 4869.4 means:

(a) the Australia/New Zealand Standard *AS/NZS 4869.4:2015 Maritime survivor locating systems (MSLS) – Maritime low power personal locating devices employing Automatic Identification System*, published by Standards Australia; or

(b) if a later document published by Standards Australia is expressed to replace the document mentioned in paragraph (a) – the later document.

Note: AS/NZS 4869.4 may be obtained, for a fee, directly from the website of Standards Australia or a distributor listed on the Standards Australia website: www.standards.org.au. AS/NZS 4869.4 is also available to be viewed, on prior request, at an ACMA office, subject to licensing conditions.

device compliance day, for a radiocommunications device, means:

(a) if the device was manufactured in Australia and paragraph (c) does not apply – the day it was manufactured; or

(b) if the device was imported and paragraph (c) does not apply – the day it was imported; or

(c) if the station was manufactured in Australia or imported, and altered or modified in a material respect in Australia after it was manufactured or imported – the day it was so altered or modified.

distress situation means a situation where a person is threatened by grave and imminent danger, and requires immediate assistance.

Note: See Article 32.9 of the Radio Regulations. The Radio Regulations are available, free of charge, from the website of the International Telecommunication Union at www.itu.int.

EPIRB-AIS (short for Emergency Position Indicating Radio Beacon – Automatic Identification System) means a radiocommunications device that:

(a) is principally or solely used to alert that a person is in distress; and

(b) operates on 406 MHz; and

(c) is, or includes, a radiocommunications transmitter that uses AIS-SART and that is used as an aid in locating the radiocommunications device.

homing signal means a radiocommunication that is intended to be used as an aid in locating a radiocommunications transmitter.

Note 1: The radiocommunication may aid aircraft, vessels or persons on land to locate the radiocommunications transmitter.

Note 2: The radiocommunication does not need to be made by the radiocommunications transmitter being located.

MSLS transmitter (short for maritime survivor locating system transmitter) means a radiocommunications transmitter that:

(a) is portable; and

(b) transmits a locating signal; and

(c) is not a satellite distress beacon; and

(d) is intended to be used in the short-range retrieval of individuals engaged in marine activities where a system for locating an individual may be required; and

(e) is designed to alert when a person falls into water, or when a person activates the transmitter, to signal a need for assistance from a vessel or facility; and

(f) complies with one or more of the following:

(i) AS/NZS 4869.1;

(ii) AS/NZS 4869.2;

(iii) AS/NZS 4869.3;

(iv) AS/NZS 4869.4;

(v) a standard made by Standards Australia that:

(A) applies to the transmitter; and

(B) was made before the device compliance day for the transmitter.

Note 1: An MSLS transmitter is part of what is sometimes referred to as a man-overboard (MOB) system.

Note 2: For paragraph (b) and locating signals, see Article 32.61 of the Radio Regulations. The Radio Regulations are available, free of charge, from the website of the International Telecommunication Union at www.itu.int.

Examples for paragraph (d): Marine activities include on-deck activities on a vessel, or on-shore activities where falling into water is a risk.

radar has the meaning given by the Radio Regulations.

Note: The Radio Regulations are available, free of charge, from the website of the International Telecommunication Union at www.itu.int.

Radar-SART means a SART that transmits a radar-locating signal on a frequency in the 9.2 GHz to 9.5 GHz frequency band.

SART (short for search and rescue transponder) means a self-contained, waterproof search and rescue station intended for emergency use at sea.

satellite distress beacon: see subsection (2).

testing and training frequency means each of the following:

(a) 121.4 MHz;

(b) 121.65 MHz;
(c) 121.775 MHz.

Note 1: A number of other expressions used in this instrument are defined in the Act, including the following:
(a) ACMA;
(b) apparatus licence;
(c) equipment rules;
(d) import;
(e) operate;
(f) radiocommunication;
(g) radiocommunications device;
(h) radiocommunications transmitter;
(i) receiver licence;
(j) transmitter licence;
(k) vessel.

Note 2: The definition of 'aircraft' is different to the definition in the Act.

Note 3: Other expressions used in this instrument may be defined in a determination, made under subsection 64(1) of the *Australian Communications and Media Authority Act 2005*, that applies to this instrument, including:
(a) Act;
(b) AIS-SART;
(c) Automatic Identification System (AIS);
(d) COSPAS-SARSAT System;
(e) earth station;
(f) EPIRB;
(g) mobile-satellite service;
(h) Radio Regulations;
(i) station.

(2) An earth station in the mobile-satellite service is a ***satellite distress beacon*** if:
(a) the emissions of the station are intended to facilitate search and rescue; and
(b) one or more of the following applies, on its terms, to the station:
(i) AS/NZS 4280.1;
(ii) AS/NZS 4280.2.

(3) In this instrument, unless the contrary intention appears, a reference to a part of the spectrum or frequency band includes all frequencies that are greater than but not including the lower frequency, up to and including the higher frequency.

Note: This means the lower number in the reference to the part of the spectrum or frequency band is not included in the part or band.

(4) Unless the contrary intention appears, no condition in this instrument limits any other condition in this instrument.

6 References to other instruments

In this instrument, unless the contrary intention appears:
(a) a reference to any other legislative instrument is a reference to that other legislative instrument as in force from time to time; and
(b) a reference to any other kind of instrument or writing is a reference to that other instrument or writing as in force, or existing, from time to time.

Note 1: For references to Commonwealth Acts, see section 10 of the *Acts Interpretation Act 1901*; and see also subsection 13(1) of the *Legislation Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

Note 2: All Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation.

Note 3: See section 314A of the Act.

Part 2 Class licence

7 Class licence

Specific devices

(1) Subject to subsection (3) and the conditions in Part 3 and Part 5, this instrument authorises a person to operate the following radiocommunications devices:
  (a) a satellite distress beacon, other than an aircraft EPIRB;
  (b) an EPIRB-AIS;
  (c) an MSLS transmitter;
  (d) an AIS-SART;
  (e) a Radar-SART

Radiocommunications devices for search and rescue training

(2) Subject to subsection (3) and the conditions in Part 4 and Part 5, this instrument authorises a person to operate a radiocommunications device, other than a radiocommunications device specified in subsection (1), for the purpose of facilitating search and rescue training.

Radiocommunications devices not authorised

(3) This instrument does not authorise the operation of a radiocommunications device by a person where:
  (a) either:
    (i) the operation of the device by the person is authorised by an apparatus licence; or
    (ii) the operation of the device by the person would be authorised by an apparatus licence, but for the person operating the device in contravention of a condition of that licence; and
  (b) the apparatus licence authorises the person to operate the device for the purpose of facilitating search and rescue (whether or not the apparatus licence expressly provides for that purpose).

Note 1: If the apparatus licence does not expressly provide for a purpose of operation, the purpose may be found by identifying the type of transmitter licence or receiver licence that authorises operation of the radiocommunications device, or by another means.

Note 2: Operation of a radiocommunications device is authorised by an apparatus licence only if it is in accordance with the conditions of the licence (see subsection 97(4) of the Act).

Part 3 Conditions for specific devices

8 Operation of devices for specific purposes only

A person must not operate a radiocommunications device otherwise than for one or more of the following purposes:

(a) facilitating search and rescue;

(b) self-testing the device;

(c) operational testing of the device.

Note 1: If a condition in this Part also requires a radiocommunications device to be operated for a particular purpose not mentioned in this section, to comply with this instrument the device must be operated for both that purpose and a purpose in this section.

Note 2: If a condition in this Part requires a radiocommunications device only to be operated for one of the purposes mentioned in this section, to comply with this instrument the device must not be operated for the other purposes mentioned in this section.

Note 3: A radiocommunications device to which this Part applies will usually have a self-test function, which is designed to test the operation of the device with a limited transmission that does not engage search and rescue activities. Operational testing involves testing the operation of the device otherwise than using the self-test function.

Note 4: Self-testing a radiocommunications device, and operational testing of the device, should follow any manufacturer's instructions for that testing, and should follow any policy for that testing published by the Australian Maritime Safety Authority on its website at www.amsa.gov.au.

9 Operation of satellite distress beacon or EPIRB-AIS

(1) A person must not operate a satellite distress beacon or an EPIRB-AIS (each a ***beacon***) unless the person operates the beacon:

(a) in accordance with each of the following:

(i) for the purpose of facilitating search and rescue; and

(ii) for the purpose of transmitting to the COSPAS-SARSAT System; and

(iii) on a frequency between 406 MHz and 406.1 MHz; or

(b) in accordance with each of the following:

(i) for the purpose of facilitating search and rescue; and

(ii) for the purpose of transmitting a homing signal; and

(iii) on 121.5 MHz or 243 MHz; or

(c) if the beacon is an EPIRB-AIS – both:

(i) for the purpose of facilitating search and rescue; and

(ii) on 161.975 MHz or 162.025 MHz; or

(d) if the beacon is a satellite distress beacon – in accordance with each of the following:

(i) for the purpose of self-testing the beacon;

(ii) the performance requirements for self-testing in a document mentioned in subsection (2);

(iii) on 121.5 MHz or 243 MHz, or on a frequency between 406 MHz and 406.1 MHz; or

(e) if the beacon is an EPIRB-AIS – in accordance with each of the following:

(i) for the purpose of self-testing the beacon;

(ii) the performance requirements for self-testing in a document mentioned in subsection (2);

(iii) on one of the following frequencies:

(A) 121.5 MHz;

(B) 161.975 MHz;
(C) 162.025 MHz;
(D) 243 MHz;
(E) a frequency between 406 MHz and 406.1 MHz; or

(iv) using a distinct identifier in accordance with both:
(A) Recommendation ITU-R M.585 *Assignment and use of identifiers in the maritime mobile service*, published by the Radiocommunications Sector of the International Telecommunication Union, as existing on the device compliance day for the beacon;
(B) Recommendation ITU-R M.1371 *Technical characteristics for an automatic identification system using time division multiple access in the VHF maritime mobile frequency band*, published by the Radiocommunications Sector of the International Telecommunication Union, as existing on the device compliance day for the beacon; or

(f) in accordance with each of the following:
(i) for the purpose of operational testing of the beacon;
(ii) if the beacon is a satellite-distress beacon – on a frequency specified in paragraph (a) or (b);
(iii) if the beacon is an EPIRB-AIS – on a frequency specified in paragraph (a), (b) or (c);
(iv) the person has, before operating the beacon, obtained the approval of the Australian Maritime Safety Authority.

Note 1: Recommendations ITU-R M.585 and ITU-R M.1371 are available, free of charge, from the website of the International Telecommunication Union at www.itu.int.

Note 2: Before self-testing a device, the person operating the device should consider the Australian Maritime Safety Authority's beacon testing policy, which is available, free of charge, from its website at www.amsa.gov.au.

Note 3: For the purposes of subparagraph (f)(iv), the Australian Maritime Safety Authority may have regard to its beacon testing policy before giving approval. That policy is available, free of charge, from the Australian Maritime Safety Authority's website at www.amsa.gov.au.

Note 4: For the purposes of the International Convention on Maritime Search and Rescue (1979), the Australian Maritime Safety Authority is the rescue coordination centre for the international region that includes Australia.

Note 5: For paragraph (b) and homing signals, see Article 32.62 of the Radio Regulations. The Radio Regulations are available, free of charge, from the website of the International Telecommunication Union at www.itu.int.

(2) For the purposes of subparagraphs (d)(ii) and (e)(ii), the documents are:
(a) AS/NZS 4280.1;
(b) AS/NZS 4280.2;
(c) C/S T.001 *Specification for COSPAS-SARSAT 406 MHz Distress Beacons*, published by the International Cospas-Sarsat Programme;
(d) C/S T.018 *Specification for second-generation COSPAS-SARSAT 406-MHz Distress Beacons*, published by the International Cospas-Sarsat Programme.

Note: C/S T.001 and C/S T.018 are available, free of charge, from the website of the International Cospas-Sarsat Programme at www.cospas-sarsat.int.

10 Operation of MSLS transmitter

(1) A person must not operate an MSLS transmitter otherwise than on the following frequencies:
   (a) 121.5 MHz;
   (b) 156.525 MHz;
   (c) 161.975 MHz;
   (d) 162.025 MHz.

(2) A person must not operate an MSLS transmitter for the purposes of self-testing the transmitter, or operational testing of the transmitter, unless the person uses a distinct identifier in accordance with Recommendation ITU-R M.1371 *Technical characteristics for an automatic identification system using time division multiple access in the VHF maritime mobile frequency band*, published by the Radiocommunications Sector of the International Telecommunication Union, as existing on the device compliance day for the transmitter.

Note 1: Recommendation ITU-R M.1371 is available, free of charge, from the website of the International Telecommunication Union at www.itu.int.

Note 2: The definition of ***MSLS transmitter*** incorporates AS/NZS 4869.1, AS/NZS 4869.2, AS/NZS 4869.3 and AS/NZS 4869.4. Each of these includes requirements for self-testing the transmitter.

11 Operation of AIS-SART

(1) A person must not operate an AIS-SART otherwise than on the following frequencies:
   (a) 161.975 MHz;
   (b) 162.025 MHz.

(2) A person must not operate an AIS-SART for the purposes of self-testing the AIS-SART, or operational testing of the AIS-SART, unless the person uses a distinct identifier in accordance with Recommendation ITU-R M.1371 *Technical characteristics for an automatic identification system using time division multiple access in the VHF maritime mobile frequency band*, published by the Radiocommunications Sector of the International Telecommunication Union, as existing on the device compliance day for the AIS-SART.

Note: Recommendation ITU-R M.1371-5 is available, free of charge, from the website of the International Telecommunication Union at www.itu.int.

(3) A person must not operate an AIS-SART for the purposes of self-testing the AIS-SART, or operational testing of the AIS-SART, otherwise than in accordance with IEC 61097-14 *Global maritime distress and safety system (GMDSS) – Part 14: AIS search and rescue transmitter (AIS-SART) – Operational and performance requirements, methods of testing and required test results*, published by the International Electrotechnical Commission, as existing on the device compliance day for the AIS-SART.

Note: IEC 61097-14 is available, for a fee, from the website of the International Electrotechnical Commission at www.iec.ch. IEC 61097-14 is also available to be reviewed, on prior request, at an ACMA office, subject to licensing conditions.

12 Operation of Radar-SART

(1) A person must not operate a Radar-SART otherwise than on a frequency in the 9.2 GHz to 9.5 GHz frequency band.

Note: Radar-SARTs do not have the capability for self-testing.

(2) A person must not operate a Radar-SART for the purposes of operational testing of the Radar-SART otherwise than in accordance with both:

(a) the Annex to Resolution A.802(19), adopted on 23 November 1995 by the Assembly of the International Maritime Organization;

(b) IEC 61097-1 *Global maritime distress and safety system (GMDSS) – Part 1: Radar transponder – Marine search and rescue (SART) – Operational and performance requirements, methods of testing and required test results*, published by the International Electrotechnical Commission.

Note 1: The Annex to Resolution A.802(19) is available, free of charge, from the website of the International maritime Organization at www.imo.org.

Note 2: IEC 61097-1 is available, for a fee, from the website of the International Electrotechnical Commission at www.iec.ch. IEC 61097-1 is also available to be reviewed, on prior request, at an ACMA office, subject to licensing conditions.

13 Operation only in distress situation

If a person operates a radiocommunications device for the purpose of facilitating search and rescue, the person must not operate a radiocommunications device otherwise than:

(a) to activate an emergency signal; and

(b) in response to a distress situation.

Part 4 Conditions for general devices

14 Operation only for training and testing

A person must not operate a radiocommunications device otherwise than:

(a) for one of the following purposes:

(i) training in the operation and use of the device, where the training relates to search and rescue;

(ii) testing the device, where the device is, or is intended to be, primarily used for search and rescue training; and

(b) on a testing and training frequency.

Note 1: Before operating a radiocommunications device in accordance with this section, a person should notify the Australian Maritime Safety Authority about the proposed operation. Contact details are available from the Australian Maritime Safety Authority's website at www.amsa.gov.au.

Note 2: This condition does not apply to the radiocommunications devices to which the conditions in Part 3 apply.

Part 5 Conditions for all radiocommunications devices

15 Compliance with standards and equipment rules

(1) A person must not operate a radiocommunications device unless the device complies with:

(a) if the device compliance day for the device occurred before 17 June 2021 – any standard applicable to it, as in force on the device compliance day;

(b) otherwise – any equipment rules applicable to it, as in force on the device compliance day for the device.

(2) A person must not operate a radiocommunications device, or a group of radiocommunications devices, if the electromagnetic energy emitted by the device, or the group of devices, exceeds the general public exposure limits, specified in the ARPANSA Standard, in a place accessible by the public.

(3) In paragraph (1)(a), ***standard*** has the meaning given by section 5 of the Act, as in force immediately before 17 June 2021.

Note: Part 1 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* commenced on 17 June 2021. It amended the Act to replace standards with equipment rules. See also item 42 of that Schedule.