

Remaking the emergency locating devices class licence

Consultation paper

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Background

Under Part 4 of Chapter 3 of the *Legislation Act 2003*, unless an exemption applies, most legislative instruments ‘sunset’. That is, they are automatically repealed on 1 April or 1 October that first occurs 10 years after they are registered. This is an automatic process applying to the legislative instruments affected regardless of their content.

The below instrument is due to sunset:

Name of instrument	Sunset date
Radiocommunications (Emergency Locating Devices) Class Licence 2016 (2016 class licence)	1 October 2026

Preliminary view

We have formed the view that the 2016 class licence is operating effectively and efficiently. It continues to form a necessary and useful part of the legislative framework.

We propose to remake the 2016 class licence in a new instrument before its sunset date, with only minor changes, so that its ongoing effect is preserved. We also propose to rename it the Radiocommunications (Emergency Locating Devices) Class Licence 2026 (2026 class licence).

These proposed amendments are intended to clarify and regularise well-established operational practices and modernise the drafting.

Overview of the 2016 class licence

The 2016 class licence was made under subsection 132(1) of the *Radiocommunications Act 1992*.

It authorises the operation of a range of emergency locating devices that are categorised either as:

- satellite distress beacons – also known as emergency position-indicating radio beacon stations (EPIRBs)
- locating aids.

It sets out the frequencies, technical parameters and operating conditions under which these devices may lawfully operate, ensuring that users do not need to hold an individual apparatus licence. By prescribing these conditions, the 2016 class licence protects the integrity of internationally recognised distress and safety frequencies, while enabling the effective functioning of Australia's search and rescue system.

In the case of a life-threatening emergency where standard 2-way communication devices (such as mobile telephones or radios) have failed, satellite distress beacons provide an effective means of locating people who are lost at sea, in remote land areas, or in the air.¹

Satellite distress beacons are the most effective and quickest way for people in such situations to indicate that they need assistance and, through the COSPAS–SARSAT System, to be located and provided with that assistance. Most boats travelling more than 2 nautical miles from land are required under maritime laws to carry a satellite distress beacon, although specific requirements differ according to jurisdiction.²

Locating aids are used to assist search and rescue operations where a transmitter, carried by a person or installed on a vessel, is within close range of an associated receiver.

Locating aids authorised by the 2016 class licence are Maritime Survivor Locating Systems (MSLS), Automatic Identification System – Search and Rescue Transmitters (AIS-SART) and Radar Search and Rescue Transmitters (Radar SART).

MSLS, also known as man-overboard systems, are short-range devices used in situations where a person may be at risk of falling into the sea. An MSLS transmitter is typically carried or worn by a person.

¹ Emergency locating devices for use on aircraft are authorised by the Radiocommunications (Aircraft and Aeronautical Mobile Stations) Class Licence 2016. The ACMA is consulting on the proposed remake of the instrument, the draft Radiocommunications (Aircraft and Aeronautical Mobile Stations) Class Licence 2026, until 21 July 2026.

² See [Distress beacons](#) for more information.

The Automatic Identification System (AIS) is a ship and shore-based, short-range broadcast system used to send and receive data about a ship's identity, position, course, speed, ship particulars and cargo information. AIS is used between ships, suitably equipped aircraft, and shore stations. AIS-SART are transmitters that use AIS to assist in determining the location of a vessel in distress.

Radar-SARTs are self-contained, waterproof devices that transmit a radar locating signal on the 9 GHz band and are intended for emergency use at sea.

Proposed changes to the 2016 class licence

We consider that the 2016 class licence continues to operate effectively and remains a necessary part of the regulatory framework supporting search and rescue activities.

In remaking the 2016 class licence, we are proposing a small number of targeted updates to modernise the drafting, clarify existing definitions and provisions, and better reflect current operational practice. These changes are minor in nature and intended to improve clarity and certainty for users.

We propose to remake the 2016 class licence with the minor changes that are summarised in key categories below.

Structural and drafting updates

To improve navigability and align with modern drafting conventions, we propose to restructure the instrument into clear Parts.

Revised, removed or new definitions

We propose to remove the definition of ARPANSA Standard, since it is defined in the Radiocommunications (Interpretation) Determination 2025.

We also propose to remove the definition of MSLS (maritime survivor locating system) and instead enhance the definition of MSLS transmitter, which is the device authorised under this class licence.

Aircraft EPIRBs are not authorised by the 2016 class licence, as they are authorised by the Radiocommunications (Aircraft and Aeronautical Mobile Stations) Class Licence 2016. We propose to use a defined term, aircraft EPIRB, in the 2026 class licence for ease of reading and ensure regulatory responsibility remains aligned with aviation-specific frameworks. For clarity, we propose to also define the term 'aircraft'.

We propose to amend the definition of distress situation to align more closely with terminology in Article 32.9 of the International Telecommunication Union (ITU) Radio Regulations.

Standards and technical updates

We propose to update references to superseded standards by moving from AS/NZS 4280.1:2003 to AS/NZS 4280.1:2022, and from AS/NZS 4280.2:2003 to AS/NZS 4280.2:2023.

We propose changes to enable future versions of the AS/NZS 4869 MSLS standards³ to be captured in the 2026 class licence.

³ AS/NZS 4869.1:2006 (R2015) Maritime Survivor Locating Systems (MSLS) – Operating on 121.5 MHz, AS/NZS 4869.2:2010 Stand-alone maritime survivor locating systems (MSLS) – Operating on frequencies other than 121.5 MHz, AS/NZS 4869.3:2015 Maritime survivor locating systems (MSLS) – Maritime survivor locating devices (MSLD) – Operating on frequencies of 156.575 MHz and/or 161.975 MHz/162.025 MHz (RTCM 11901.1:2012, MOD), and AS/NZS 4869.4:2015 Maritime survivor locating systems (MSLS) – Maritime low-power personal locating devices employing Automatic Identification System.

Of note, Standards Australia may, over time, consider adopting international standards. Any adoption of international standards would be accompanied by corresponding updates to the 2026 class licence, as appropriate.

We also propose to align compliance provisions with the post-2021 equipment rules framework, using a clear cut-off date of 17 June 2021, consistent with the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Single provision for EPIRB frequencies

EPIRBs covered by the class licence are satellite distress beacons (other than aircraft EPIRBs) and EPIRB-AIS.

We propose to include all EPIRBs in one section that would retain the current list of the frequencies that EPIRBs are authorised to use. It would also make it clear that EPIRBs with AIS capability (EPIRB-AIS) are authorised to operate on 2 specified AIS frequencies, in addition to the other frequencies authorised for EPIRBs.

This approach brings all EPIRB-related conditions together in a single place, rather than separate sections for each device. It is intended to improve clarity and reduce unnecessary complexity in the class licence.

Device testing

We propose to introduce new provisions in the 2026 class licence to provide explicit authority for self-testing of emergency locating devices, and operational testing of emergency locating devices.

Emergency locating devices should only be activated when a ship, aircraft or person is in a distress situation. However, in between the manufacturers' recommended maintenance and battery replacement cycles, devices can be tested by the owner using the self-test capability to ensure its continued functionality. In certain, limited situations, operational testing of emergency locating devices may also be necessary and can be undertaken in line with the Australian Maritime Safety Authority's (AMSA) policies. The EPIRB policy currently requires approval from AMSA before undertaking any operational testing of those devices.

The new provisions outline, for each type of device, the specific frequencies on which self-testing or operational testing can take place, as well as any applicable performance standards, distinct identification requirements and AMSA policies that should be complied with. All emergency locating device testing should be undertaken in accordance with the manufacturer instructions.

Emergency locating devices are commonly manufactured and configured to operate in accordance with the applicable performance standards, distinct identification requirements and AMSA policies.

The proposed changes align the instrument with actual operational practice, remove ambiguity, and provide legal clarity on spectrum use for testing arrangements.

Changes are expected to AMSA's testing policies in the near future. Where appropriate, these will be reflected within the 2026 class licence.

Testing and training frequencies

We propose to introduce a new definition into the 2026 class licence – testing and training frequency – to reflect established operational practice and support more predictable use of testing and training frequencies.

Under the proposed definition, testing and training frequency would mean one of the following frequencies:

- 121.4 MHz
- 121.65 MHz
- 121.775 MHz.

These frequencies are already in use for testing and training activities, and equipment used by industry and emergency responders is commonly configured to operate on them. The proposed change provides explicit authority for the use of these frequencies for search and rescue testing and training purposes, to align with operational practice.

Testing and training frequencies are not to be used for distress signalling.

AMSA should be notified in advance about any proposed testing and/or training operations conducted under section 14 of the proposed 2026 class licence.

Other minor changes

Finally, we propose a range of minor machinery and drafting changes to modernise the instrument, including:

- correcting typographical or grammatical errors
- retitling, reordering, renumbering and rewording conditions and sections
- consolidating conditions and sections
- removing duplicate or obsolete provisions
- removing obsolete terms from provisions, such as ‘sound’ in ‘sound an alert’
- updating references to legislation or bodies.

Summary

Overall, the proposed amendments are largely machinery and clarifying in nature. They are intended to:

- update references to contemporary standards
- improve legal clarity
- reflect current operational practice
- ensure the 2026 class licence is fit for modern emergency locating technologies.

These changes are reflected in the draft 2026 class licence, available on the consultation page.

Invitation to comment

Making a submission

We invite comments on the issues set out in this consultation paper.

[Online submissions](#) can be made by uploading a document. Submissions in PDF, Microsoft Word or Rich Text Format are preferred.

Submissions by post can be sent to:

The Manager
Spectrum Licensing Policy Section
Australian Communications and Media Authority
PO Box 13112
Melbourne VIC 8010

The closing date for submissions is **COB, Tuesday 21 July 2026**.

Consultation enquiries can be emailed to SLPSConsultations@acma.gov.au.

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