

Radiocommunications Licence Conditions (Area-Wide Licence) Determination 2019

Radiocommunications Act 1992

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under paragraph 107(1)(f) of the *Radiocommunications Act 1992*.

Dated

Member

Member/General Manager

1. Name of Determination

This Determination is the *Radiocommunications Licence Conditions (Area-Wide Licence) Determination 2019*.

1. Commencement

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

Note:    The Federal Register of Legislation may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au/).

1. Authority

This Determination is made under paragraph 107(1)(f) of the *Radiocommunications Act 1992.*

1. Scope
   1. This Determination sets out a condition to which an area-wide licence is subject.
   2. However, if the condition in this Determination is inconsistent with a condition specified in the licence, the condition specified in the licence applies.
2. Interpretation
   1. In this Determination, unless the contrary intention appears:

***Act*** means the *Radiocommunications Act 1997*.

***licensee*** means:

(a) the holder of an area-wide licence; or

(b) a person authorised by the holder of an area-wide licence to operate a station under the licence.

Note 1:  In accordance with paragraph 13(1)(b) of the *Legislation Act 2003*, other expressions in this Determination have the same meaning as in the Act, including:

* + - frequency band
    - Register.

Note 2:  In accordance with section 64 of the *Australian Communications and Media Authority Act 2005*, other expressions in this Determination have the same meaning as in the *Radiocommunications (Interpretation) Determination 2015*, including:

* area-wide licence
* area-wide station
* mobile station.
  1. In this Determination, unless otherwise specified, the range of numbers that identifies a frequency band includes the higher, but not the lower, number.

1. Condition

For paragraph 107(1)(f) of the Act, every area-wide licence is subject to the condition in section 7.

1. Location of area-wide stations

(1) Subject to subsection (3), the ACMA or any other person may request, in writing, from a licensee the following information:

(a) the location of all area-wide stations operated under the licence on the day the request is made;

(b) the maximum total radiated power for each such area-wide station.

(2) The licensee must provide the information within ten business days of receiving the request.

(3)   The licensee need not provide the information if:

(a) the information is about an area-wide station that is a mobile station; or

(b) the information is included in the Register.

Note:  The information may be included in the Register if the licence is subject to a condition of the kind referred to in subsection 10(5A), 10(6A) or 10(7A) of the *Radiocommunications (Register of Radiocommunications Licences) Determination 2017.*

**Notes for consultation:**

**Further conditions are likely to be specified on a band-by-band basis following further public consultation.**