

Radiocommunications (RNSS Jamming Equipment) Permanent Ban 2022

The Australian Communications and Media Authority makes the following permanent ban under subsection 172(1) and section 174 of the *Radiocommunications Act 1992*.

Dated:

Member

Member/General Manager

Australian Communications and Media Authority

1 Name

This is the *Radiocommunications (RNSS Jamming Equipment) Permanent Ban 2022*.

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](http://www.legislation.gov.au).

3 Authority

This instrument is made under subsection 172(1) and section 174 of the Act.

4 Revocation

The *Radiocommunications (Prohibited Device) (RNSS Jamming Devices) Declaration 2014* [F2014L01776] is revoked with effect on the day this instrument commences.

Note 1: See item 49 of Schedule 4 to the *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020*.

Note 2: See section 174 of the Act.

5 Interpretation

(1) In this instrument, unless the contrary intention appears:

***Act*** means the *Radiocommunications Act 1992*.

***radionavigation-satellite service*** has the meaning given by the spectrum plan.

***RNSS frequency band*** means a frequency band for which the spectrum plan specifies the purpose of radionavigation-satellite services.

***RNSS jamming equipment***: see subsection (2).

***RNSS receiver*** means a radiocommunications receiver that receives radiocommunications using an RNSS frequency band.

***RNSS transmitter*** means a radiocommunications transmitter that transmits radiocommunications using an RNSS frequency band.

Note: A number of other expressions used in this instrument are defined in the Act, including the following:

(a) equipment;

(b) frequency band;

(c) operate;

(d) radiocommunication;

(e) radiocommunications receiver;

(f) radiocommunications transmitter;

(g) radio emission;

(h) spectrum plan.

(2) Subject to subsection (3), each of the following is ***RNSS jamming equipment***:

(a) equipment that is:

(i) designed to have an adverse effect on radiocommunications; and

(ii) capable of operating on a frequency within an RNSS frequency band (whether or not it is capable of operating on another frequency);

(b) equipment that is designed to block radio emissions between:

(i) an RNSS transmitter; and

(ii) an RNSS receiver;

whether or not the equipment is designed to have other purposes or consequences.

(3) Despite subsection (2), if equipment is designed to transmit information that can be used to determine both:

(a) the location of an RNSS receiver; and

(b) the local time at that location, when that location is determined;

the equipment is not ***RNSS jamming equipment***.

Note 1: The information mentioned in subsection (3) is sometimes called Positioning, Navigation and Timing information.

Note 2: The information mentioned in subsection (3) is necessary, but may not be sufficient to determine the location of an RNSS receiver, and the local time at that location, when that location is determined.

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.

7 Permanent ban

(1) A permanent ban is imposed on RNSS jamming equipment.

(2) The permanent ban in subsection (1) comes into force on the day this instrument commences.

Note: See section 173 of the Act.