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AMTA Submission

Australian Communications & Media Authority

Review of scientific licensing  
arrangements  
Consultation 39/2022



## About AMTA

The Australian Mobile Telecommunications Association (AMTA) is the peak industry body representing Australia's mobile telecommunications industry. Its mission is to promote an environmentally, socially and economically responsible, successful and sustainable mobile telecommunications industry in Australia, with members including the mobile network operators and service providers, handset manufacturers, network equipment suppliers, retail outlets and other suppliers to the industry. For more details about AMTA, see <http://www.amta.org.au>.



## Introduction

The Australian Mobile Telecommunications Association (AMTA) welcomes the opportunity to provide this submission in response to the ACMA’s Review of scientific licensing arrangements – consultation 39/2022.

In general, AMTA does not oppose the overall proposal for a transition from authorising certain testing and experimentation purposes under Scientific Non-Assigned Apparatus licences—with conditions specified in the *Radiocommunications Licence Conditions (Scientific Licence) Determination 2015*<sup>1</sup> (“the Scientific LCD”)—towards authorising the same under a Class Licence. However, we believe that the Register of Radiocommunications Licences (“the Register”) is a critical resource in interference management and investigation, and advise against the indiscriminate replacement of the non-assigned apparatus licences with class licences. We also note the exclusion of some bands from the frequencies over which ultra-wideband (UWB) transmitters may operate, and request the inclusion of spectrum-licensed bands to the list of excluded bands.

## Replacement of non-assigned apparatus licences with class licences

We understand that Scientific Non-Assigned licences currently do not specify any technical registration details such as site or frequency, and authorise scientific devices on a “no interference, no protection” basis, which already mirrors the features of class licences and the operation they authorise.

As a general concept, we do not support the wholesale replacement of non-assigned apparatus licences recorded in the Register with class licences. While the key site and frequency parameters are not recorded on non-assigned licences, they still have the potential to assist with interference tracing because they still indicate “who” may be carrying out operations with a potential for causing interference. For example, Scientific Non-Assigned licences provide the licensee name and their postal address, which may provide some indications as to who *may* be performing test transmissions in a particular suburb.

In particular, the ACMA’s *Review of scientific licensing arrangements—Consultation paper* (“the consultation paper”) acknowledges that around 70% of survey respondents indicated that they made use of their Scientific Non-Assigned licence for controlled emissions applications, i.e. into a

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<sup>1</sup> Available here: <https://www.legislation.gov.au/Details/F2018C00076>

non-radiating dummy load or within the confines of a screened room. This kind of operation will most likely be carried out at a fixed business premises, which could likely be linked to the licensee.

In the ACMA's experience, it has not been the case that Scientific Non-Assigned licensees have caused interference due to activities intended to be authorised by a Scientific Non-Assigned licence, but it must be borne in mind that the ACMA has less resources to investigate interference in the field than before. Furthermore, it's possible that holding a licence that has to be paid for annually and being recorded on the ACMA's Register encourages responsible operations, or acts as a deterrent to operating outside the conditions specified in the Scientific LCD. The transition to a class licence *may* remove this.

We also note the ACMA's statement regarding "*remov[al of] fees and reduction of regulatory burden on licensees, making it cheaper and easier for licensees to experiment and innovate*", we note that the fees for Scientific Non-Assigned licences are very low: a one-off issue charge of \$36, along with annual licence tax of \$41. The ACMA can email invoices and provides an online payment facility, so the costs and administrative burden are currently minimal, and it could hardly be argued that this presents any significant barrier to innovation and testing.

In short, we consider the Register to be a useful tool in both clearly instructing radiocommunications users what their responsibilities are and also supporting interference investigation activities. We submit to the ACMA that it continue to maintain the Register as an accurate-as-possible record of radiocommunications users, and advise against the wholesale replacement of the non-assigned apparatus licences with class licences.

## UWB in spectrum-licensed bands

For UWB transmitters, we would not wish to see any relaxation of the emission limits already in the Scientific LCD. We note that none of the limits in the draft class licence exceed those in the Scientific LCD, so we do not oppose the values presented in Schedule 2 of the draft class licence.

We note that the draft *Radiocommunications (Science and Research) Class Licence 2023* ("the draft Class Licence") includes a section 12 "Condition – consistency with frequency band plans". We understand that the ACMA have introduced this condition due to regulatory constraints imposed by section 137 of the Radiocommunications Act 1992 ("the Act"). However, it shows that the ACMA has no impediment to excluding spectrum bands from the Class Licence. Noting the certainty and exclusivity expected to be provided to spectrum licensees in spectrum-licensed spectrum space, we request that another condition be added to prohibit UWB transmitters within spectrum-licensed spectrum space; the Class Licence could refer to RALI SM26 for this purpose. We don't expect this suggested restriction to unduly impact scientific activities, since according to the consultation paper, the ACMA is not aware of any current uses of UWB technology under non-assigned licences.

In this section, we specifically refer to UWB transmitters, because we do not oppose transmission in spectrum-licensed bands that would be authorised by subsections 10(2) and 10(3) of the draft Class Licence, i.e. into dummy loads or within screened rooms and shielded enclosures.

We note that transmission that would be authorised by subsections 10(4) and 10(5) of the draft Class Licence is limited to certain “permitted frequencies”—listed in Schedule 1—within in the VHF High Band and 400 MHz Band, no part of which is spectrum-licensed. That said, we would obviously oppose the addition of any spectrum-licensed frequencies to the permitted frequencies in Schedule 1 at any time in the future.

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