**Commonwealth of Australia**

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**Notice under subsection 136(2) of the *Radiocommunications Act 1992***

NOTIFICATION OF PROPOSAL TO REVOKE THE *RADIOCOMMUNICATIONS (CELLULAR MOBILE TELECOMMUNICATIONS DEVICES) CLASS LICENCE 2014*

Notice is given under subsection 136(2) of the *Radiocommunications Act 1992* (the Act) that the Australian Communications and Media Authority (ACMA) proposes to revoke the *Radiocommunications (Cellular Mobile Telecommunications Devices) Class Licence 2014* (Cellular Devices Class Licence).

**Reasons for revocation**

The Cellular Devices Class Licence authorises the operation of radiocommunications devices that communicate with a station authorised under a public telecommunications service transmitter licence, and imposes conditions relating to operational requirements and technical parameters. Devices authorised to operate under the Cellular Devices Class Licence include cellular phone handsets as well as fixed and mobile data devices, such as eftpos machines and monitoring devices.

The *Legislation Act 2003* (LA) provides for a regime for the automatic repeal of certain legislative instruments approximately 10 years after they are registered on the Federal Register of Legislation. This process is referred to as sunsetting. To preserve the effect of an instrument, it will need to be remade prior to the sunset date. The purpose of sunsetting is to ensure that legislative instruments are kept up-to-date and only remain in force as long as they are needed (see section 49 of the LA).

The Cellular Devices Class Licence will sunset on 1 April 2025, unless revoked and remade before that date.

The ACMA is proposing to revoke the Cellular Devices Class Licence and remake it in substantially the same form, so that its ongoing effect is preserved. The ACMA is currently consulting on the [proposed new instrument](https://www.acma.gov.au/consultations/2023-10/proposal-remake-public-telecommunication-services-licence-condition-determination-and-cellular-mobile-telecommunication-devices-class-licence) to replace the Cellular Devices Class Licence.

This notice informs interested parties that the ACMA intends to revoke the Cellular Devices Class Licence and remake it substantially as is.

**Comments**

Under section 136 of the Act, the ACMA is inviting representations about the proposal to revoke the Cellular Devices Class Licence.

The Cellular Devices Class Licence is available at:

<https://www.legislation.gov.au/Details/F2021C00641>

The proposed new instrument and the associated consultation paper are available on the ACMA’s website at:

[Proposal to remake the Public Telecommunication Services Licence Condition Determination and the Cellular Mobile Telecommunication Devices Class Licence | ACMA](https://www.acma.gov.au/consultations/2023-10/proposal-remake-public-telecommunication-services-licence-condition-determination-and-cellular-mobile-telecommunication-devices-class-licence)

Interested persons are invited to make representations about the proposed revocation no later than **2 December 2023**. Representations should be in writing and should be addressed to:

The Manager

Wireless Broadband Section

Australian Communications and Media Authority

PO Box 78

Belconnen ACT 2616

or by email to: freqplan@acma.gov.au

Copies of the Cellular Devices Class Licence, proposed new instrument and associated consultation paper may be obtained from the ACMA’s Melbourne Office using the above contact details.