Response to submissions

Proposed amateur radio qualification and assessor accreditation arrangements

december 2023

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Executive summary

By deed with the ACMA, the University of Tasmania’s Australian Maritime College (AMC) currently issues amateur radio certificates of proficiency, conducts amateur radio examinations and makes call sign recommendations for amateur radio operators.

The AMC has decided not to extend this deed beyond February 2024. Accordingly, the ACMA will manage amateur radio qualifications and call sign assignment (with certain examination activities undertaken by accredited assessors).

During August and September 2023, we consulted on the implementation of proposed new arrangements for these functions. We proposed to start implementing parts of these arrangements in December 2023, so they are in place when the new amateur class licence begins in February 2024.

The arrangements include:

a qualification framework, to authorise people with appropriate qualifications to operate amateur radio stations

an accreditation scheme, to enable the ACMA to accredit assessors to conduct and assess theoretical and practical examinations for amateur radio

further amendments to the draft Radiocommunications (Amateur Stations) Class Licence 2023 (the amateur class licence). The ACMA consulted on the draft amateur class licence separately in September 2022.

consequential amendments to the:

draft Radiocommunications (Amateur Stations) Class Licence 2022 (the amateur class licence)

Radiocommunications Licence Conditions (Amateur Licence) Determination 2015 (the Amateur LCD)

Radiocommunications (Qualified Operators) Determination 2016 (the Qualified Operators Determination)

charges for providing amateur radio qualifications and call sign services by the ACMA, specifically for:

issuing AMCA recognition certificates

assessing applications for recognition of prior learning

issuing call signs.

This paper summarises the key issues and recommendations made in the submissions to the consultation and outlines our responses to the feedback received.

# Submissions to the consultation

We received 28 submissions in response to the paper, from the 2 amateur radio representative bodies (the Wireless Institute of Australia and the Radio Amateur Society of Australia), amateur clubs and individual amateur operators.

Submissions that were not made in confidence have been published on our website.

Some submitters raised issues that were out-of-scope of the consultation, including:

the call sign register

call sign assignment and call sign policy

higher power amateur operation

repeater and beacon stations

the amateur radio syllabi.

This paper provides our responses to the issues we sought comment on.

We have addressed many of the issues raised by submitters in relation to call signs, in the [*Response to submissions: proposed amateur class licence and high-power operation*](https://www.acma.gov.au/consultations/2022-09/proposed-amateur-class-licensing-arrangements-and-higher-power-operation-consultation-312022)paper. We will release our call sign policy and a call sign register in February 2024, when the amateur class licence commences. Further updates on higher-power amateur operation, repeater and beacon stations and amateur radio syllabi will be provided in the [five-year spectrum outlook](https://www.acma.gov.au/five-year-spectrum-outlook).

# Response to submissions – qualification framework and assessor accreditation scheme

## New amateur radio qualification framework

### Components of examinations

#### What we said

The existing 3 types of amateur radio qualifications – foundation, standard and advanced – will be retained. However, under the new qualification framework, the ACMA will issue ACMA recognition certificates instead of Certificates of Proficiency to new amateur operators.

There are 3 parts to an amateur radio examination: a regulatory component, a practical component and a theoretical component.

The proposed qualification framework outlined the 3 components of the examination and indicated which would need to be undertaken if the candidate had recognised domestic amateur radio qualifications.

***What stakeholders told us***

A submitter noted that currently, amateur radio examination candidates are required to demonstrate full competency in all items for the practical examination component. The submitter asserted that the qualification framework incorrectly implied that amateur operators would only need to achieve a mark of 70% to pass the practical component of the examination.

***Our response***

Consistent with the current arrangements at the AMC, candidates for the practical component of the examination will need to be considered competent, to the satisfaction of the assessor in all aspects of the examination, to pass that component. Candidates will need to achieve a 70% mark in both the regulatory and theoretical components of the examination, to pass these components.

We have updated the qualification framework to better outline what is required of candidates in all components of the examination. The new qualification framework will be available on the ACMA’s website before the commencement of the amateur class licence.

### Examinations

#### What we said

To sit an amateur radio examination, an interested candidate can contact an accredited assessor by searching the list of accredited assessors on the ACMA website or at an ACMA office. A candidate can also request that an accredited assessor with Specialist Assessor accreditation provide a special examination if their disability or other circumstances require reasonable adjustments to the way an examination is conducted.

Assessors are not allowed to conduct in-person examinations in private residences.

We proposed permitting remote examinations when:

the nearest accredited assessor is more than 50 km away from the candidate

the candidate has an illness, injury, vulnerability or impairment preventing them from attending an examination in person

the candidate’s day-to-day movements are restricted due to government public health directions.

Accredited assessors are expected to conduct examinations consistent with the Radiocommunications Accreditation (Amateur Radio Examinations) Rules 2023 (the Accreditation Rules) and Accredited Assessor Guidelines (the Guidelines). After an examination has been completed, an accredited assessor must provide a copy of the examination papers, results and any correspondence with the candidate to the ACMA. They should also communicate results to candidates.

***What stakeholders told us***

We received considerable feedback on this topic.

Overall, submitters responded positively to the proposal to give accredited assessors the ability to mark and assess examinations. However, many submitters opposed the restriction on conducting assessments in private residences. A few submitters stated that some private residences or households would be covered by insurance, which would enable accredited assessors to obtain public liability insurance cover for their activities.

We also received suggestions to provide a map on the ACMA website of where accredited assessors are located.

While some submitters welcomed the opportunity for both accredited assessors with General Assessor accreditation and Specialist Assessor accreditation to conduct remote examinations,[[1]](#footnote-2) many questioned the requirement for the nearest accredited assessor to be more than 50 km away from the candidate. Submitters explained that remote examinations help accredited assessors to limit their travel times and costs (including for venue hire and printing) and provide a way for both candidates and accredited assessors to conduct/undertake examinations, where otherwise it would not be practical to do so (for example, when candidates are unable to get in touch with nearby accredited assessors or to allow accredited assessors to address the restriction on conducting examinations in private residences).

One submitter also asked if there was a prescribed method for notifying results to candidates (email or phone) and suggested we change the wording from ‘The accredited assessor *will* arrange a time and location for the examination to take place’ to ‘may’ so that accredited assessors are not obliged to undertake an assessment if it is not convenient or practical to do so.

***Our response***

Noting that accredited assessors are volunteers, we are acutely aware of the responsibilities placed on them. There is no requirement or expectation for accredited assessors to take up public liability insurance policies to complete assessments, so we have suggested that accredited assessors undertake examinations in venues with adequate public liability cover. We will also not require accredited assessors to hire a venue to conduct assessments.

While it is not feasible for us to create a map to locate accredited assessors, we have now developed functionality so that candidates will be able to filter the public list of accredited assessors by state and territory, to help them find the nearest accredited assessor.

We will also no longer require candidates to be located over 50 km away from the nearest accredited assessor to conduct a remote examination – candidates can now contact any preferred accredited assessor. This will facilitate easier access to examinations for both candidates and accredited assessors. We have changed the qualification framework to reflect this.

Additionally, we have updated the qualification framework to clarify that accredited assessors have the option to use their preferred method for notifying candidates of their examination results. The new qualification framework will be available on the ACMA’s website before the commencement of the amateur class licence.

We have also changed the qualification framework to clarify that accredited assessors are volunteers and are not obliged to arrange an examination if it is not convenient or practical to them.

### ACMA recognition certificates and call signs

#### What we said

Upon successfully passing an amateur radio examination, a candidate can apply for an ACMA recognition certificate by completing an application on the ACMA website and paying the relevant charge. The ACMA must assess an application within 15 business days of receiving a complete application.

***What stakeholders told us***

Few submitters responded to this topic, however those that did supported the proposal. One submitter welcomed the move from a paper-based process and the set time period for the ACMA to assess an application for an ACMA recognition certificate.

Another submitter assumed that candidates for amateur repeaters and beacons would be able to apply for an ACMA recognition certificate.

***Our response***

Amateur repeater and beacon stations remain authorised under apparatus licences, which means an apparatus licence is required to operate them. Amateur operators with an existing amateur radio certificate of proficiency will not need to apply for an ACMA recognition certificate to apply to operate a repeater or beacon station under an apparatus licence. However, once the amateur class licence begins, amateur operators without an existing certificate of proficiency or recognised equivalent qualification will need to apply for an ACMA recognition certificate to apply to operate a beacon or repeater station under an apparatus licence. We will not be issuing any new certificates of proficiency relating to amateur radio once the amateur class licence commences.

Given there were no proposed changes suggested, this section in the qualification framework will remain as drafted.

### Recognised domestic qualifications

#### What we said

An applicant for an ACMA recognition certificate with an existing domestic amateur radio qualification may be exempted from some or all components of an examination.

***What stakeholders told us***

A few submitters referenced errors or inconsistencies in the tables in this section in the draft qualification framework. For example, Table 1 appears to imply that a holder of an Amateur Operator’s Limited Certificate of Proficiency (AOLCP) will need to undertake a theory assessment and a regulatory assessment, even though it is equivalent to the ACMA recognition certificate (Advanced).

Other submitters opposed including certain qualifications as recognised domestic qualifications, or stated that the tables do not cover other qualifications with overlapping syllabi or those that cover principles in more depth compared with the amateur radio syllabi.

We also received questions about the expected timeline for a syllabus review.

***Our response***

We will review the tables and amend any inconsistencies before publishing the finalised qualification framework.

While we do not discount that applicants with other qualifications not specified in the tables may have the knowledge and skills needed to operate an amateur radio station, we need to be satisfied that applicants have obtained a baseline understanding of the amateur radiocommunications specific syllabus. There is no way for the ACMA to easily verify the status of the qualification unless it aligns to the established amateur radio qualification levels.

Some minor changes have been made to the foundation, standard and advanced amateur radio syllabus, to incorporate changes to terminology to align with the amateur class licence. The syllabus will be made available on the ACMA’s website when the amateur class licence commences in February 2024.

We recognise that the content of the amateur radio syllabus is important for many amateur operators. Our priority is to maintain continuity of service for amateur operators so we do not propose any further reviews of the syllabus at this stage. Any future updates on a review of the amateur radio syllabus will be communicated through the [five‑year spectrum outlook.](https://www.acma.gov.au/five-year-spectrum-outlook)

## Online system for examinations and qualifications

***What we said***

We advised that we are currently developing an online accredited assessor portal for accredited assessors to apply for accreditation, download examination papers from a ‘question bank’ and provide completed papers to the ACMA. We also sought views on whether the ACMA should move to a wholly online examination system and indicated that the question bank would be unavailable for public viewing.

***What stakeholders told us***

Many submitters commented on this topic. There was broad support for an online examination system, but many opposed the use of a wholly online model. Submitters noted that a wholly online system could improve the secure delivery of examinations, allow timely feedback to candidates and create randomly generated papers. However, others noted that paper-based examinations should still be in place for candidates with limited computer access and/or disabilities, or to assist in delivering practical examinations.

Submitters also raised questions and suggestions about:

partially opening the question bank to the public, or publishing a limited set of questions to allow candidates to gauge the type of questions that will be asked during the examination

whether perusal times before written examinations were allowed

creating a beginner’s guide to assist those interested or new to amateur radio (for example, a ‘How to become an amateur radio operator’ video on the ACMA website)

providing a brief explanation of all applicable legislation and regulations pertaining to amateur radio

having another accredited assessor observing the candidate during an online examination, to ensure no cheating can occur

how online examinations may be provided to candidates with disabilities or poor internet connectivity/computer access.

***Our response***

Given the varied support for an online examination system and the potential impact on the frameworks being put in place for conducting amateur radio examinations, we do not intend to pursue the development of an online examination system at this stage.

The IT functionality system we are developing will allow accredited assessors to download examination papers and answer sheets, as well as provide examination results and relevant correspondence with the candidate to us electronically. We aim to create new question sets for the theoretical paper for each qualification level (foundation, standard and advanced) and for the regulatory examination every 3 months.

To maintain the integrity of the examination process, the question bank will not be available to the public and it will be the responsibility of the accredited assessor to ensure all papers and related documentation are only shared with the candidate during the examination.

The ACMA’s website contains links to all legislation relevant to amateur operators, including the amateur class licence.

For practical reasons, we do not consider it feasible to make a requirement that all accredited assessors have a second assessor to supervise a candidate undertaking an online examination. The Guidelines outline that Specialist Assessors may contact other Specialist Assessors or the ACMA for advice, which can include guidance about providing online examinations for special assessment purposes.

## Accreditation Rules

Fifteen submitters commented on the draft Accreditation Rules. Some submitters expressed general satisfaction or agreement with the rules, while others offered suggestions for certain clauses to be amended.

### Notice of accreditation

***What we said***

The ACMA will provide a notice of accreditation to existing AMC assessors after the Accreditation Rules have been made and once the assessor provides the ACMA with information, including their agreement to abide by the Guidelines and details of their current working with children or working with vulnerable people check.

***What stakeholders told us***A submitter sought to clarify whether the ACMA has the discretion to not re-accredit an AMC assessor during the transition to the new arrangements.

Some submitters also put forward suggestions to continue the current practice of issuing assessors with an Authorisation Card and implementing a tenure for accreditation (periodically requiring assessors to renew their accreditation and acknowledge they will continue to follow the Guidelines).

***Our response***

The ACMA has the ability to withdraw accreditation if an accredited assessor was found to have breached a condition of accreditation. Compliance with the Guidelines is a condition of accreditation under the Accreditation Rules. An assessor’s accreditation will remain unless the ACMA decides to withdraw their accreditation.

The ACMA may decide not to accredit an existing AMC assessor if they do not meet the requirements of accreditation outlined in the Accreditation Rules. Accreditation will not be given to an AMC assessor if the assessor does not wish to become accredited, and/or does not agree to comply with the Guidelines, and/or does not consent to their details being included on the full list of assessors, and/or does not have a valid working with children or vulnerable people check clearance (if required). The ACMA will contact existing AMC assessors in December 2023 to obtain the necessary information to consider their accreditation, before amateur class licence commences.

The ACMA has decided not to issue a card to accredited assessors, due to privacy considerations as this would require us to hold more personal information about assessors, including a current photograph. Instead, assessors under the ACMA can use their notice of accreditation to demonstrate they have accreditation through the ACMA.

**Qualifications and requirements for kinds of accreditation**

***What we said***

Both General and Specialist assessors will need to hold a recognised qualification (Advanced Type) or an ACMA recognition certificate (Advanced) and have a valid working with children or vulnerable people check clearance from the state or territory (if required) where the assessor will be conducting or assessing examinations.

Specialist Assessors will also need to hold a qualification granted by an Australian education organisation in education, teaching or assessment. The ACMA may also determine that a prospective assessor’s qualifications are equivalent to a qualification in education, teaching or assessing vocation-based training.

***What stakeholders told us***There were mixed views from submitters about the requirement for accredited assessors to hold an advanced qualification. One submitter recommended allowing amateur operators with standard qualifications to become assessors for foundation-level examinations, to provide opportunities for a wider range of amateur operators to be accredited assessors and reduce the workload for assessors who hold advanced qualifications.

Another submitter recommended removing primary and secondary teaching qualifications as they did not consider such qualifications provide adequate knowledge and experience to conduct specialist assessments.

***Our response***

To maintain consistency for amateurs, we have decided to keep the existing requirements that accredited assessors must hold an advanced qualification. This arrangement means that a candidate can contact any accredited assessor to undertake any level of examination.

### Working with Children and Vulnerable People Clearance Check

#### What we said

In the draft Accreditation Rules, we proposed to require that assessors maintain a valid and current Working with Children or Working with Vulnerable People Check Clearance (WWCVPCC) in their state or territory, as a condition of being an accredited assessor. This mirrors the current requirements of the AMC.

#### What stakeholders told us

One submitter expressed support for the requirement that accredited assessors hold a WWCVPCC.

Since consultation, the ACMA has been informed that assessors in New South Wales would not be eligible to successfully obtain a WWCVPCC, because the nature of the accredited assessor role does not fall within the specific legislative eligibility requirements for a WWCVPCC in New South Wales.

#### Our response

We consider it important that the amateur radio assessor and qualification framework has adequate measures and controls in place so that accredited assessors can safely undertake examinations, and children are protected during the examination and assessment process. Therefore, we have considered alternative methods to obtain appropriate verification of assessor’s backgrounds, prior to accreditation as an assessor.

Accordingly, we have changed the Accreditation Rules, to allow for the ACMA to decide on the most appropriate method of verification required for assessors to obtain accreditation – either maintaining a valid WWCVPCC or the assessor periodically providing an updated police check from their state or territory. The ACMA will publish more specific guidance on how often we will consider accredited assessors’ police clearances, and what we will consider when a result is returned from a police check, on our website in February 2024. As a general rule, where a valid WWCVPCC is able to be obtained by an assessor, we do not envisage requiring a police check.

At this stage, police checks will only be needed for new assessors located in NSW, who do not already have a valid NSW Working with Children Check Clearance.

In most instances, where the ACMA requires a police check, assessors will incur a cost for obtaining a police check. The ACMA will not reimburse assessors for this cost.

The Guidelines have also been updated to make clear that, for candidates who are under the age of 18, the examination must be undertaken in the presence of a parent or guardian.

### Record-keeping requirements

#### What we said

In the draft Accreditation Rules, we proposed that an accredited assessor provide the ACMA with all records relating to each amateur radio examination they supervise including any written communication with the candidate to arrange the examination, each completed examination paper and a record of how the assessor notified the candidate of their results.

***What stakeholders told us***A submitter raised concerns about the burden for assessors of providing all correspondence with examination candidates and retaining copies of completed examination papers. A submitter also raised concerns that they had not retained records of previous interactions with examinations they had undertaken while assessors for the AMC.

***Our response***

While we recognise the additional burden this requirement may impose on assessors, we consider it necessary that records are provided to ensure the specifics for each examination is recorded. Retaining examinations and their results is necessary for us to meet requirements under the *Archives Act 1983*.

The expectation is that assessors only provide copies of correspondence related to organising an examination with a candidate, rather than all previous interactions between the assessor and the candidate. We have updated the Guidelines to outline more clearly what is required by assessors.

### Withdrawing accreditation

#### What we said

In considering whether to withdraw an accredited assessor’s accreditation, we proposed that the ACMA may consider the following matters:

whether the accredited assessor has conducted or assessed examinations within the last 2 years

if the accredited assessor has, on more than one occasion, incorrectly assessed a person in relation to an amateur radio examination

whether an accredited assessor has breached a condition of their accreditation.

***What stakeholders told us***A submitter raised concerns about an accredited assessor having their accreditation withdrawn if an examination is not marked correctly, particularly if there are existing mistakes in the examination paper. Another submitter added that they doubted how an accredited assessor could incorrectly mark or award a result of at least 70% or above if answer sheets were provided to accredited assessors.

***Our response***

While we recognise that an accredited assessor may incorrectly mark an examination in error and that at times some questions can be found to be inaccurate, the Guidelines now state that the ACMA will only consider withdrawing an assessor’s accreditation if the accredited assessor has incorrectly assessed an examination on more than one occasion. The ACMA will consider the specific circumstances of each case when deciding whether to withdraw a person’s accreditation.

If a person’s accreditation has been withdrawn, the Accreditation Rules provide that a person may seek review of the ACMA’s decision to withdraw accreditation under section 285 of the *Radiocommunications Act 1992*.

## Accredited Assessor Guidelines

We received considerable feedback on the draft Guidelines. Minor updates to the Guidelines have been made to ensure that processes better align to current AMC practices.

### General guidelines

***What we said***

An accredited assessor must conduct the examination at a suitable venue, which excludes a private residence. An accredited assessor must also not charge for any services provided and not receive any fees or compensation from any other person for any act done in relation to being an accredited assessor.

While there can be more than one accredited assessor involved in an examination, under the Guidelines only one accredited assessor must be responsible for the preparation and proper conduct of the examination.

***What stakeholders told us***Many submitters were concerned with the requirement to not conduct an examination in a private residence. There was also a request for a definition of a private residence to be outlined in the Guidelines.

With regard to services provided by accredited assessors, submitters asked whether accredited assessors were able to charge candidates for venue hire and suggested that the ACMA could establish a nominal fee to allow cost recovery for certain services, such as printing costs of examination papers.

Submitters also claimed that the requirement to only have one accredited assessor in charge of the overall examination would reduce the opportunity for cross-checking and allow candidates without sufficient knowledge to pass an examination.

A recommendation to specify in the Guidelines that a minor should not be left alone with an adult or accredited assessor was also provided.

***Our response***

There is no obligation for accredited assessors to hire a suitable venue to conduct an examination. As noted above, we have changed the Guidelines to provide better access to remote examinations. If there is no suitable venue available, accredited assessors may use alternative processes such as remote examinations, or public venues such as council rooms or public libraries to conduct examinations. Similarly, accredited assessors are not obliged to print examination papers when conducting remote assessments. We have amended the Guidelines to make this clearer.

We have carefully considered the merits of having only one accredited assessor in charge of the overall examination, and will maintain this requirement to ensure flexibility for accredited assessors and accessibility for examination candidates.

We acknowledge submitters’ views that restrictions on holding examinations in private residences can impact accessibility for amateur radio candidates. We consider it appropriate to continue to limit accredited assessors from undertaking examinations in their private residence for the safety and security of both accredited assessors and candidates.

However, we have added further guidance in the Guidelines to about the meaning of ‘private residence’. As noted above, we have also extended accredited assessors’ ability to access remote examinations, including in circumstances where no suitable venue can be identified.

Maintaining children’s safety when undertaking amateur radio assessments is of great importance. We have updated the Guidelines to indicate that all candidates aged under 18 must be supervised by a parent or guardian during assessments.

### Examination papers

#### What we said

An accredited assessor must not claim compensation for the cost of printing from the ACMA or an examination candidate. All examination papers from pre-determined question pools must be kept in a safe and secure location before and after an examination, and completed examination papers (both passed and failed) must be provided to the ACMA.

***What stakeholders told us***Submitters sought clarification on whether accredited assessors could retain copies of examination papers to accommodate last minute candidates or candidates wishing to upgrade to the next qualification level in the same session. They also asked if completed examination papers could be provided to the ACMA via post.

Some submitters also suggested opening the pool of questions to candidates and the public to allow candidates to see the style of questions that will be asked during an examination.

***Our response***

The Guidelines do not require examination papers to be printed. Assessors may conduct remote or in-person assessments electronically (for example, using a laptop). It is at the discretion of the assessor whether they would prefer the candidate to complete the assessment using a physical examination paper.

Stockpiling past examination papers is not permitted under the Guidelines. It is the responsibility of an assessor to check each candidate’s details before they undertake an examination. We will not allow completed papers to be routinely posted, to minimise any delay in providing results to candidates. We will allow posting only under special circumstances, and the onus will be on the assessor to demonstrate why posting examination papers, rather than providing them electronically, is required.

### Practical component

#### What we said

An accredited assessor can request to obtain the practical assessment sheet from the ACMA. To satisfy the practical component of the examination, the assessor must ensure the candidate has completed all of the tasks in the practical assessment sheet to the assessor’s satisfaction and that the practical component of the examination has been conducted with integrity.

***What stakeholders told us***A submitter queried whether the ACMA would provide practical assessment sheets to accredited assessors for every application, or if the sheets would be issued to accredited assessors for future use.

***Our response***

Similar to the theoretical and regulatory examinations and answer sheets, assessors will be able to download practical assessment sheets from the online accredited assessor portal.

### Re-sit examination

***What we said***

An accredited assessor should advise the ACMA when they plan to conduct a re-sit examination.

***What stakeholders told us***One submitter proposed that, instead of an assessor needing to inform the ACMA that a candidate has previously attempted the same level of examination, candidates should be able to sit another examination on the spot or immediately after the initial examination.

Submitters also noted concerns that the Guidelines do not specify a minimum period for how long a candidate should wait before re-sitting an examination, and that a candidate may approach a different assessor to re-sit (who may not be aware that the candidate is a re-sit candidate).

***Our response***

Candidates wanting to re-sit an examination will only be able to 3 months after the initial examination. This is because we will release a new pool of questions every 3 months. We have updated the Guidelines and the Qualification Framework to more clearly specify this.

The ACMA will maintain a record of all completed examination papers, including those of candidates who did not obtain a pass mark, because assessors are required to provide all completed papers, results and candidate correspondence to the ACMA. Assessors are also required to check and verify each candidate’s details before the examination and provide this information to the ACMA (immediately before the start of the examination). All information and records provided to the ACMA will be treated in accordance with government records management policy. The accredited assessor should also ask the candidate if they have undertaken an examination in the last 3 months or if they are undertaking a re-sit examination. This information will be provided to the ACMA by the accredited assessor. When a candidate applies for an ACMA recognition certificate, we will check our records to ensure that the candidate has not completed the same examination paper twice.

Candidates will not need to re-sit an examination with their previous accredited assessor. However, assessors will ask each candidate when their last examination was to ensure that candidates are not undertaking a re-sit of the same examination paper.

The 3-month waiting period will not apply to successful candidates wanting to undertake a theoretical examination to upgrade their qualifications. For example, a candidate who sat and successfully passed a foundation examination may undertake a standard examination immediately after.

### Remote assessments

#### What we said

Similar to the draft amateur radio qualification framework, we proposed a 50 km distance limit between the nearest accredited assessor and candidate for remote assessments.

***What stakeholders told us***We received numerous requests to remove the 50 km limit for remote assessments, and allow them for all candidates. We were also asked to clarify whether all remote assessments required prior approval by the ACMA.

***Our response***

We will no longer impose a 50 km distance limit on remote assessments.

We will also remove the requirement for accredited assessors to seek the ACMA’s approval for remote assessments. Accredited assessors should follow the Guidelines when deciding whether to conduct a remote examination.

### Social media guidelines

#### What we said

Accredited assessors should refrain from making comments on the actions of the ACMA on social media when acting in their capacity as accredited assessors.

***What stakeholders told us***A submitted expressed that this could prevent accredited assessors from criticising the ACMA or stop accredited assessors from providing feedback about the assessment process.

***Our response***

Accredited assessors should not represent themselves as being part of or employed by the ACMA. We welcome any feedback about the assessment process, but ask that accredited assessors speak directly to the ACMA and refrain from making comments on the actions of the ACMA on social media when acting as accredited assessors.

### Recognition of Prior Learning

***What we said***

As proposed in the draft amateur radio qualification framework, our consideration of prior learning will take into account:

whether the prior learning is listed in Table 4 and Table 5 of the Qualification Framework[[2]](#footnote-3), and

how many years have passed since the applicant undertook the relevant past training or education, achieved the relevant qualification, or obtained the relevant experience, and

how many years have passed since the applicant applied the relevant past training or education.

We also proposed that applicants will be required to present evidence that their qualifications and verifiable experience can be directly correlated to the relevant syllabus, and that the syllabus in their prior qualifications either meets or exceeds the syllabus of the qualification level they are seeking to be recognised.

***What stakeholders told us***Some submitters agreed or were satisfied with the proposed recognition of prior learning processes, while others noted that some domestic qualifications were not mentioned or recognised for exemption in the consultation material. These included domestic qualifications that:

were obtained before the introduction of the Australian Qualifications Framework; or

covered similar or equivalent theoretical, practical or technical components.

Additionally, some submitters considered recognition of prior learning to only recognise an applicant’s prior theoretical knowledge and recommended an applicant be required to be tested for their practical knowledge or undertake a regulatory examination, even if their prior learning was recognised.

We also received a recommendation from a submitter to require applicants to demonstrate residency in the country where they undertook their prior learning. This was due to concerns that applicants were circumventing Australian examinations by opting for cheaper overseas licensing pathways.

Other submitters noted the complex and time-intensive nature of recognition of prior learning assessments, and recommended only Specialist Assessors, or those with acceptable professional education qualifications and experience undertake these assessments. Submitters also provided suggestions for the ACMA to obtain staff or third parties with prior knowledge and experience conducting recognition of prior learning assessments.

***Our response***

We recognise that there are countries that also test for practical operating experience, and the draft qualification framework provides scope for an accredited assessor to determine whether an applicant should undergo a practical examination.

Consistent with the current AMC arrangements, we will not require applicants seeking recognition of prior learning to demonstrate residency in the respective countries being sought for recognition of prior learning.

To assist us in our consideration of prior learning, we intend to use the services of current AMC Advisers who have the requisite experience and knowledge in recognition of prior learning assessments. They will make recommendations to the ACMA about recognition of prior learning.

## Harmonised Amateur Radio Examination Certificate as a ‘recognised qualification (Advanced type)’

***What we said***

Overseas visiting amateurs holding recognised qualifications and licences as specified in Table C of the amateur class licence will be able to operate in Australia for 365 days, in accordance with the corresponding Australian qualification, and use the call sign issued by their overseas jurisdiction. To continue operating after the end of the 365-day period, overseas amateurs will be required to obtain an Australian amateur qualification and call sign.

Australia also participates in the Conference of Postal and Telecommunications Administration’s (CEPT) Recommendation T/R 61-02 (Harmonised Amateur Radio Certificates) (HAREC). Our current approach is for amateurs with HAREC licences to undertake an Australian amateur examination or apply for recognition of prior learning if intending to reside in Australia for more than 365 days. The alternative approach as proposed in the consultation paper, is to recognise amateurs with HAREC licences as a ‘recognised qualification (Advanced type)’, which will allow operation under the amateur class licence for more than 365 continuous days without needing to obtain an Australian amateur qualification.

***What stakeholders told us***There was majority support from submitters towards recognising HAREC as an equivalent ‘recognised qualification (Advanced type)’. This means allowing all amateurs with HAREC licences to operate under the amateur class licence for more than 365 days without requiring further examinations to be undertaken. One submitter suggested that overseas amateur operators should undertake a regulatory examination to ensure understanding of the Australian amateur radio regulatory context.

Submitters also provided mixed opinions on allowing overseas visiting amateurs to operate for 365 days. One submitter considered 365 days to be too long, while another recommended that this be limited to 3 to 5 years of continued residency in Australia.

***Our response***

In line with the CEPT’s HAREC recommendation and the high level of support received through the consultation, we propose to recognise HAREC licences as equivalent to the advanced licence, allowing HAREC licensees to operate under the amateur class licence without needing to obtain an ACMA recognition certificate (Advanced). Overseas amateurs with HAREC licences can also apply for an ACMA recognition certificate should they wish, although this is not required.

Consequently, we will not impose the proposed charge for considering an application for recognition of prior learning made by a person who holds a HAREC licence.

We note that some submitters also commented on other overseas reciprocal-licensing and qualification arrangements and whether these could also be considered a ‘recognised qualification’ under the amateur class licence. As outlined in the consultation paper, other overseas reciprocal-licensing and qualification arrangements will need to be revisited to ensure their accuracy and relevance. Given our current focus on ensuring the smooth operation of new arrangements from February 2024, this will be best undertaken when a review of the syllabi is conducted, since any major changes to the syllabi may impact our reciprocal arrangements. Accordingly, non‑HAREC recognition of prior learning processes and charges remain as proposed in the consultation.

# Response to submissions – class licence and supporting arrangements

## Consequential amendments to the draft class licence

***What we said***

In the consultation paper, we advised that we would make some changes to the draft amateur class licence, including but not limited to:

removing references to ‘call sign entity’

implementing restrictions on connecting to a public telecommunications network

including a clause about the use of amateur stations in emergency services operations and training.

***What stakeholders told us***Few submitters responded to this issue in the consultation paper. Those that did stated that the proposed amendments were reasonable.

A suggestion was put forward to remove all references to ‘call sign entity’, as this could enable the ACMA to outsource call sign functions in the future, and references to restrictions on connection to a public telecommunications network as a suggested amendment to the draft amateur class licence were also made.

Another suggested amendment to the draft amateur class licence was to amend Clause 8 ‘Qualified persons’, as the submitter considered the clause was ambiguous as to what constitutes an Australian resident.

***Our response***

We have removed all references to a call sign entity in the amateur class licence.

In preparing the amateur class licence, provisions about restrictions on connection to a public telecommunications network in a manner analogous to the provisions in Amateur LCD were unable to be incorporated. This is because under class-licensing arrangements, obligations relate to the operator’s use of the transmitter. A reference to restrictions on connection to a public telecommunications network will be included in revised amateur operating procedures, which are being updated to reflect class-licensing arrangements and will be published on the ACMA website in February 2024.

Section 14 of the amateur class licence outlines conditions for the operation of an amateur station for emergency services operations and training.

## Preventing renewal of existing non-assigned amateur apparatus licences

***What we said***

We intend to make a new legislative instrument under subsection 103A(5) of the Radiocommunications Act to prevent the renewal of existing non‑assigned amateur apparatus licences.

***What stakeholders told us***Eight submitters responded to this topic, with the majority viewing the proposed instrument as reasonable or necessary to facilitate the transition to the amateur class licence.

One submitter suggested that the ACMA could further clarify the transition from non‑assigned amateur licences to class licences and the shift from an Amateur Operator’s Certificate of Proficiency (AOCP) to an ACMA recognition certificate. This could entail explaining the legal and cultural shift to a framework that allows an amateur to operate a station under the amateur class licence without needing to apply or pay for an individual licence, as long as all conditions in the amateur class licence were met. The submitter also provided positive feedback from the amateur community about the ACMA amateur newsletters and website information and encouraged their continuation.

***Our response***

We have made the instrument to implement class licensing for amateur radio – the Radiocommunications (Amateur Stations) Class Licence 2023. In an [October 2023 amateur radio update](https://acma.createsend1.com/t/d-e-vihzuk-l-r/), we also outlined how non‑assigned apparatus-licensed amateurs can renew their licence and the ACMA’s refund process.

We have made the Radiocommunications (Amateur Licences – Renewal Statement) Determination 2023, which prevents the renewal of existing non‑assigned amateur apparatus licences.

The transition to an ACMA recognition certificate from an AOCP was implemented because the term ‘Certificate of Proficiency’, as defined in the Radiocommunications Act, is linked with transmitter licences.[[3]](#footnote-4) Non-assigned apparatus-licensed amateurs with AOCPs at the time the amateur class licence begins will not need to apply for an ACMA recognition certificate, as we will provide a letter to confirm that they are authorised to operate under the amateur class licence. This letter will also outline their qualification level and call sign. The letter for advanced level non‑assigned amateurs will also include relevant CEPT requirements, to demonstrate to an overseas CEPT-affiliated jurisdiction their ability to operate amateur stations in Australia. We intend to send the letters in January 2024, ahead of the amateur class licence commencing in February 2024.

For non-assigned amateur licensees, the transition to the amateur class licence allows licensees to continue doing the same activities as under the non‑assigned framework, while reducing the financial burden from the regular renewal of individual licences. Those operating under a class licence do not have to pay any licence taxes and charges to operate under the class licence.

## Consequential amendments to the Amateur LCD, Qualified Operators Determination and Charges Determination

***What we said***

As a result of the transition to the new qualification framework and amateur class licence, we proposed consequential amendments to some legislative instruments, including the:

Amateur LCD

Qualified Operators Determination

Radiocommunications (Charges) Determination 2022 (Charges Determination).

***What stakeholders told us***We received several questions and suggestions in relation to amateur radio clubs, including:

* a change to the wording of a proposed clause in the Amateur LCD, to require that ‘a person operating an amateur beacon or repeater station must be a qualified person’, as many repeaters and beacons are operated and licensed by clubs
* how existing non-assigned apparatus licences and call signs held by clubs would be managed with the transition to the amateur class licence, and if club licences can be transferred to a nominated advanced-level amateur

what transition arrangements would be in place to accommodate remote use of club call signs by members.[[4]](#footnote-5)

One submitter indicated that limited detail was provided about restrictions on connection to a public telecommunications network.[[5]](#footnote-6) This submitter expected any amendments suggested would retain the status quo.

Another submitter queried whether the definitions of amateur stations in the Radiocommunications (Interpretation) Determination 2015 (Interpretation Determination) would be amended as they refer to transmitter licences.

***Our response***

The Amateur LCD has been amended to include a condition requiring that a person operating an amateur beacon station, or an amateur repeater station must be a qualified person (meaning they have certain specified qualifications).

Amateur radio clubs can continue to hold their assigned call signs, and the process for transferring call signs will be outlined in the call sign policy document.

Under the amateur class licence, amateur radio clubs will need to revise their arrangements to record member details when operating stations remotely. For example, instead of a licence number, a member’s call sign and qualification level could be included in the arrangements.

The current arrangements will be retained. An amateur radio club may own and operate amateur stations and can be assigned call signs, and the applicant for a call sign assignment must be an advanced-level qualified amateur. It is up to amateur radio clubs to allow members to use their amateur station and call sign. If a member who holds a standard- or foundation-level qualification is permitted by the amateur radio club to operate a club station, they must operate the station in accordance with the conditions specified for their qualification level.

# Response to submissions – charges outlined in the draft 2023–24 Fees Cost Recovery Implementation Statement

***What we said***

To support the ACMA’s management of amateur radio qualifications and call signs, we intend to recover for our costs for issuing ACMA recognition certificates, assessing applications for recognition of prior learning, and assigning call signs. The proposed charges were also outlined in the [draft 2023–24 Fees Cost Recovery Implementation Statement](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwi91cXS04CCAxVOa2wGHVElC94QFnoECAkQAQ&url=https%3A%2F%2Fwww.acma.gov.au%2Fconsultations%2F2023-08%2Fproposed-2023-24-fees-service&usg=AOvVaw2rF-T965cjOw8JyIYm5V8q&opi=89978449) (Fees CRIS).

***What stakeholders told us***Some submitters considered the proposed charges to be reasonable. Others had questions and concerns about:

the proposed charge for special event call signs and issuing an ACMA recognition certificate

charges for applying to be assigned a contest call sign[[6]](#footnote-7)

charges for licence variations and renewal

costs incurred by assessors and clubs for undertaking amateur radio examinations

the likelihood of fee increases in the future

the possibility of an online system to minimise ACMA staff involvement and costs

whether a candidate who sits and passes an examination and then chooses to sit and pass a higher examination level in the same session will be required to pay one fee for the highest ACMA recognition certificate obtained

how the ACMA determined the time needed for each type of call sign application

the relationship between the hourly ACMA rate and the Consumer Price Index (CPI).

We also received suggestions to only implement a $45.20 fee for an ACMA recognition certificate application (including assignment of a call sign) and for a new fee to be charged every 10 years for each call sign held by an amateur operator.

***Our response***

The 50 minutes stated for the ACMA to process an application for a ‘special event call sign’ was incorrect; the correct time taken is 14 minutes. We have amended the Fees CRIS to reflect this.

Contest call signs (call signs with the prefix VK, VJ or VL, followed by 1 number, followed by a single letter) are considered to be in the same category as the other time-limited call signs – special event, VK0 and VK9 call signs. Since they are similar in nature to special event call signs, we had included them as a sub-category of special event call signs. For clarity and consistency with terminology currently used by amateurs, we have included a separate reference to contest call signs in the amateur class licence and the Charges Determination. The charge associated with consideration of an application for a contest call sign is the same as an application for the other time-limited call signs – $52.75. This charge is similar to the current AMC price for this service. The ACMA will assign contest call signs when the amateur class licence commences in February 2024.

Additionally, the cost for applying for a call sign to be assigned is based on the type of call sign being sought and does not differ for a new or existing amateur operator.

We do not propose any new charges to reassign ongoing use of amateur operators’ 2‑letter or 3-letter call signs. This is because the ACMA will not need to consider any further information from amateurs to reassign these call signs, except for them confirming every 5 years that they continue to use the call sign.

However, the ACMA intends to consult on new charges for considering an application to reassign a special event, contest and VK0 or VK9 call signs. This is because it will require additional work to assess the new information provided by the amateur holding the call sign with the ACMA’s call sign policy. The ACMA plans to consult on these charges through the 2024–25 draft fees for service Cost Recovery Implementation Statement.

The ACMA will publish a call sign policy in February 2024 that will provide further clarification about the reassignment process.

We have not specified a charge for licence variation in the Fees CRIS, because individual licences will no longer be issued under the amateur class licence. Similarly, no licence renewal fees have been provided as amateur operators who are qualified to operate under the amateur class licence will not be required to renew their non-assigned amateur apparatus licence or pay any licence taxes and charges to operate under the amateur class licence.

In line with the Australian Government Charging Framework, the ACMA will continue to consult with industry, through a Cost Recovery Implementation Statement, before introducing any charge increases. The standard and additional hourly rates, as well as business processes and staffing effort required to provide a service are reviewed annually by the ACMA to ensure the amounts charged to industry are an accurate reflection of the ACMA’s regulatory effort.

While we consider developing functionality to facilitate wholly online amateur operator examinations, we still need to verify examination and qualification records when deciding applications for call signs and ACMA recognition certificates. The proposed charges therefore account for these activities by ACMA staff.

Under the proposed scheme, there are no costs associated with amateur operators undertaking an examination with an accredited assessor. Provided an amateur operator adequately passes all components of an amateur operator’s examination, that candidate can apply for an ACMA recognition certificate. It is at the person’s discretion whether they apply for one or more ACMA recognition certificates.

The methodology for the calculation of the new charges is based on the ACMA’s hourly rate for services, multiplied by the estimated time taken to conduct the activity. Many fees and charges, including those for licences, cost recover the time taken for ACMA staff to consider applications.

The costs associated with each application have been calculated with reference to the estimated time for staff to consider and decide each application type. This includes considering and verifying information provided in the application and any further steps involved in communicating with applicants and providing a decision.

We have also removed the existing service and associated charge for sitting an amateur radio examination with the ACMA, noting that under our new qualification framework, volunteer accredited assessors, will conduct amateur radio examinations at no cost to the candidate.

To allow for additional flexibility in managing amateur radio call signs, the ACMA has also added an additional item to the Fees CRIS for issuing a replacement call sign at no charge. The ACMA will replace a call sign in accordance with our call sign policy and if exceptional circumstances exist.

1. Under the current AMC arrangements, only Specialist Assessors can conduct remote examinations. [↑](#footnote-ref-2)
2. Table 4 displays countries with which Australia has reciprocal licensing arrangements and Table 5 displays countries with no reciprocal arrangements but which have a certificate or licence accepted as equivalent to an Australian qualification. [↑](#footnote-ref-3)
3. Transmitter licences are a type of apparatus licence. These licences allow for use of certain equipment at a specific location or within a geographic area. [↑](#footnote-ref-4)
4. Some amateur radio clubs have arrangements that allow members to use club call signs. To facilitate this, some clubs record member details (such as licence numbers). [↑](#footnote-ref-5)
5. The Amateur LCD contains several provisions relating to the use of an amateur station connected to a public telecommunications network. [↑](#footnote-ref-6)
6. Contest call signs are used by amateurs during amateur radio contests. They begin with the prefix VK, followed by 1 number, followed by a single letter. [↑](#footnote-ref-7)