



The Manager
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Subject: Five-year spectrum outlook 2021–26 work program

I welcome the opportunity to comment on the proposed work program. Since leaving the ACMA in 2006 I have maintained an active interest in radio communications and regulation through my association with ARCIA and as the WIA representative on Standards Australia committees RC004 and RC006 which I chair. The government embarked, through changes to the Radiocommunications Act, on a process of change to adapt and simplify licensing and regulatory arrangements. This was done with the aim of better responding to new technologies, equipment supply, the changing needs for spectrum and the management of interference. When equipment rules were first promoted by the ACMA the prime example of their worth was stated as managing equipment performance simply, so that class licensing would remain effective. I also note that a graduated scale of response to non-compliance has since been introduced.

I don't propose to detail here how the ACMA compliance regime "works", but I do note that when the new rules made under the amended Radiocommunications Act to transition those arrangements take effect, it will add an extra layer of complexity. Due to the complicated and legalised nature of the existing ACMA regulation involving many cross references to other documents, some of which are now out of date and/or incorrect, there exists great potential for non-compliance through confusion. This is especially the case for people from non-English speaking backgrounds. To use an analogy: if a speed limit changes and the sign is obscured, you could hardly expect compliance to the new limit.

For many years the Standards Australia committee RC006 has been trying to amend the radio communications short range devices standard AS/NZS4268. The intent is for Australia to duplicate the process of directly referencing the Low Interference Potential Devices Class Licence (LIPD), as has been successfully done for New Zealand since the standard was first developed. This is achieved by directly referencing their General Users Radio Licence (GURL) for the requirements of short range radio communications devices.

The ACMA has already done this effectively through changes in 2019 to the S162 SRD standard but, practically speaking, because the ACMA's S162 standard has very low visibility to suppliers the majority of them seek out the AS/NZS standard, thinking that includes the applicable requirements and that it is up to date (which currently it is not). This is why RC006 embarked on the project to revise AS/NZS4268 to finalise the evolution of that standard by removing the content of Table 1 (which replicates the information included in the LIPD), and thereby requiring the reader to refer directly to the LIPD class licence. However after two years, including a one year delay for ACMA to make changes to the S162 standard and the LIPD Class licence, the project failed due to changed Standards Australia standards development policy. The committee was also advised by Standards Australia that the document could only be made as a guideline, not a Standard, if the technical content appearing in Table 1 were to be removed.

At the RC006 meeting in December 2020, in order to bring the committee up to date with issues relating to the project's failure I proposed the alternative of an amendment to the current Standard AS/NZS4268:2017 which would achieve the same aim. My proposal was accepted by Standards Australia. I then worked with ACMA spectrum planning and standards staff to identify both changes to existing items and new items that had been included in the three amendments to the LIPD since the current version of AS/NZS 4268 was published in 2017, as the information included in Table 1 of AS/NZS 4268:2017 was now out of date. The intention was to have Standards Australia include all of the identified changes in an amendment to AS/NZS 4268. (See Attachment A). However, Standards Australia would not allow me to include that updated information or text pointing out the changes. I then proposed the inclusion of a link to where such information might be found, but I have now been waiting for over eight weeks for policy approval by Standards Australia before I can even put this to the RC006 committee.

I therefore propose that ACMA, as an urgent work item for the FYSO, create an up-to-date version of Table 1 on the ACMA website by using the current LIPD class licence information. This should be done in landscape mode to make it more readable. This would allow suppliers of short-range devices to directly reference equipment requirements, and the AS/NZS standard

would remain effective. I also recommend that there be a flow chart included to simply guide suppliers through the process for gaining evidence of compliance. As I have indicated, the current AS/NZS4268:2017 standard is unlikely to be replaced now, but it still has some value in presenting a joint AS/NZS approach to the management of SRDs. Perhaps in time simpler rules might be developed, maybe even with reference to an AS/NZS guideline sponsored by ACMA.

Yours Sincerely

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ATTACHMENT A

Previously rejected by Standards Australia was the detailed amendment shown in A/ below and then the following much shorter text with indication of items changed in Table 1 of the standard compared to the Class licence.

“Table 1 information which was derived from the LIPD class licence is not up to date, so please consult schedule 1 of the current Class licence at <https://www.legislation.gov.au/Details/F2021C00090> and apply that information as though it were in Table 1. There are changes to items at rows 3,4,5,6,7,25,27,28,29,30,31,33,45,46,64,65,71,75,78 and additional items added in rows numbered 22A,23A,34A,35A,35B,39A,39B,39C,63A,63B,65A,66A,69A,71A and 78A.”

Even if accepted by Standards Australia, those amendments would only have addressed the situation now and not for future changes to the LIPD class licence. Standards Australia is currently considering whether an amendment proposal to reference an external link for information indicating what items in Table 1 have changed can be accepted. That proposal assumes that information is provided elsewhere, ideally from the ACMA website and kept up to date moving forward.

A/ The detailed AS/NZS 4268:2017 amendment proposed to and rejected by Standards Australia

Radio equipment and systems—Short range devices—Limits and methods of measurement

Summary

This amendment applies to the following elements:

- Transmitter Parameters - 6.1 General
- Table 1

Amendment Details

AS/NZS 4268:2017 is amended as follows. The amendments should be inserted in the locations as instructed.

Element	Instruction/new text
Clause 6.1	Delete the last sentence of the second paragraph and replace with “Table 1 information is not up to date for some Rows and other Rows have been added, so please consult the LIPD class licence for the latest requirements and refer to amended Figure 1 for guidance. The link to the Class licence is https://www.legislation.gov.au/Details/F2021C00090 “ Replace current figure 1 with figure 1 attached
Table 1	Add a Note 8 at the end of Table 1 containing the following text. “Additional details of technical operating parameters and operational limitations are provided in the relevant item in Schedule 1 of the LIPD Class Licence”
Rows 3,4,5,6,7	For all, in the column headed other requirements add “Refer to Note 8”
Row 25	In column 3, at (a) delete “1.3mW” and insert “41 to 42, with a carrier frequency of:”

Row 30 In the column headed other requirements add after Note 1 “and Note 8”

(Editorial note For rows 27 to 31, I did not add the ERPs as Appendix B at B1 covers EIRP vs ERP)

Row 33 In test method column **and** other requirements column delete “Sections 627 and 635” and replace with “Sections 2573 and 2579”

Row 45 In the column headed other requirements at (a) delete text and replace with “Shall comply with ISO/IEC 18000-6:2013 and one of the following instruments: ISO/IEC 18000-61:2012; ISO/IEC 18000-62:2012; ISO/IEC 18000-63:2012; ISO/IEC 18000-64:2012.” **and** after (c) under the last item of text add “Refer to Note 8”

Row 46 In the column headed other requirements add “Refer to Note 8”

Row 64 In the column headed other requirements add below current text “Refer to Note 8”

Row 65 In the column headed class of transmitter delete the words “used indoors”

In the next column change upper frequency limit from 66000 to 71000

In the column headed other requirements delete all text and add “Refer to Note 8”

Row 71 In the column headed test method delete the standard “ETSI EN 302 264-1”

In the column headed other requirements at (a) replace text with “Refer to Note 8”

Row 75 In the column headed permitted operating frequency band replace the current entry with 529 to 694

In the column headed other requirements delete text then add “Refer to Note 8”

Row 78 In the column headed permitted operating frequency band replace the current entries with (a) 3100 to 4800 and (b) 6000 to 9000

In the column headed test method delete the words “ETSI EN 303 500: or”

In the column headed other requirements in (a) delete text “either: ETSI EN 303 500: or” then following the text at (c) add “Refer to Note 8”

Element Instruction/new text

Table 1 Add new rows as follows

22A	All transmitters	57000 to 64000	100mW		Refer to Note 8
23A	All transmitters	122000 to 122250	Refer to Note 8		Refer to Note 8

34A	Medical endoscopy capsule transmitters	430 to 440	Refer to Note 8		Refer to Note 8
35A	Medical body area network transmitters	2483.5 to 2500	Refer to Note 8		Refer to Note 8
35B	Low power active medical implant	2483.5 to 2500	Refer to Note 8		Refer to Note 8
39A	Telecommand or telemetry transmitters	(a) 169.4 to 169.4875 (b) 169.5875 to 169.8125	16.4 mW		Refer to Note 8
39B	Telecommand or telemetry transmitters	169.4875 to 169.5875	16.4 mW		Refer to Note 8
39C	Fixed telecommand or telemetry transmitters	928 to 935	25 mW		Refer to Note 8
63A	Data communications transmitters used indoors in or on controlled premises	24250 to 24700	Refer to Note 8		Refer to Note 8
63B	Data communications transmitters used indoors or outdoors in or on controlled premises	24700 to 25100	Refer to Note 8		Refer to Note 8
65A	Fixed point-to-point links used outdoors	57000 to 71000	Refer to Note 8		Refer to Note 8
66A	Radio-determination transmitters	10500 to 10550	2 W		Refer to Note 8
69A	Radio-determination transmitters	76000 to 77000	Refer to Note 8		Refer to Note 8
71A	Radio-determination transmitters	30-12400	Refer to Note 8		Refer to Note 8
78A	Ultra-wideband transmitters onboard aircraft	6000 to 8500	Refer to Note 8		Refer to Note 8

This "draft" replacement for Figure 1 recognises the alternative compliance paths contained in the ACMA S162 standard.

