

Proposal to allow the Radiocommunications (27 MHz Handphone Stations) Class Licence 2015 to sunset Consultation paper

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Canberra

Level 3
40 Cameron Avenue
Belconnen ACT

PO Box 78
Belconnen ACT 2616

T +61 2 6219 5555
F +61 2 6219 5353

Melbourne

Level 32
Melbourne Central Tower
360 Elizabeth Street
Melbourne VIC

PO Box 13112
Law Courts
Melbourne VIC 8010

T +61 3 9963 6800
F +61 3 9963 6899

Sydney

Level 5
The Bay Centre
65 Pirrama Road
Pymont NSW

PO Box Q500
Queen Victoria Building
NSW 1230

T +61 2 9334 7700
F +61 2 9334 7799

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Background

Under Part 4 of Chapter 3 of the *Legislation Act 2003*, most legislative instruments ‘sunset’. That is, they are automatically repealed on the 1 April or 1 October that first occurs 10 years after they are registered. This is an automatic process applying to most legislative instruments regardless of their content.

The below legislative instrument is due to sunset:

Name of instrument	Sunset date
Radiocommunications (27 MHz Handphone Stations) Class Licence 2015	1 October 2025

Preliminary view

We have reviewed the Radiocommunications (27 MHz Handphone Stations) Class Licence 2015 (the class licence) and formed the preliminary view that it is no longer necessary.

We are proposing to not remake the class licence and allow it to sunset.

This is due to a lack of evidence of any active user base for handphone stations on 27 MHz frequencies (27 MHz handphone radios). The devices no longer appear to be manufactured or sold in Australia. It appears that alternative devices that operate on other frequencies have superseded the use of 27 MHz handphone radios.

However, if this consultation reveals a significant active user base of 27 MHz handphone radios on 27 MHz frequencies, we plan to remake the class licence with minor changes outlined in this paper.

Issues for comment

We invite comments on the issues set out in this paper, and the questions listed below.

Guidance on how to provide your feedback is outlined in the [Invitation to comment](#) section.

Questions

1. Do you currently use a 27 MHz handphone radio? If so, for what purposes?
2. Do you currently use a 27 MHz handphone radio that was manufactured prior to 2 March 1989?¹
3. If the class licence were to sunset, would you use other products outlined in this paper as an alternative to a 27 MHz handphone radio?
4. If the class licence were to be remade, are there changes you think should be made to it? What are those changes and why are they needed? Please provide a clear rationale and evidence where suitable.
5. Is there any other information you think is important for the ACMA to consider when deciding whether to let the class licence sunset?

¹ A number of frequencies in the class licence are only authorised to be used by radiocommunications devices manufactured before this date.

Brief details of what the legislative instrument does

Radiocommunications (27 MHz Handphone Stations) Class Licence 2015

The class licence is made under section 132 (1) of the *Radiocommunications Act 1992* (the Act).

The class licence authorises any person to operate a 27 MHz handphone station, and sets out the technical parameters, operating requirements, conditions and relevant standards that apply.

Allowing the class licence to sunset

A class licence is a standing authorisation that lets people operate common radio equipment on shared frequencies. They do not need to apply for an individual licence or pay any fees, provided conditions are met. Since there are no individual licences issued under a class licence, we cannot know how many devices are being operated under it.

To understand whether the class licence is necessary, we have conducted a desktop review to identify whether there is an active user base for handphone stations using 27 MHz handphone radios.

Lack of evidence supporting an active userbase

No known current use cases

In the past, 27 MHz handphone radios were seen as a useful and cheap way of talking to another person over short distances. These radios had been used by bushwalkers, state emergency services, or at sporting events and other group activities where communication over less than a kilometre was required.

From our review of forums of previous common users of 27 MHz handphone radios, it appears that 27 MHz handphone radios are no longer used for those purposes due to the emergence and uptake of smaller and more convenient devices. These alternative devices include:

- citizen band radios
- mobile phones
- satellite phones
- emergency locating devices, such as Emergency Position Indicating Radio Beacons.²

These alternative devices are authorised under different licences issued under, or legislative instruments made under, the Act.

The use, functionality (including SOS features and emergency applications) and coverage areas of mobile phones have also significantly improved over the past 2 decades. This makes many previous use cases for 27 MHz handphone radios obsolete.

There have also been no enquiries about or complaints to the ACMA relating to 27 MHz handphone radios for many years.

27 MHz handphone radios appear to no longer be sold in Australia

Our research shows that 27 MHz handphone radios no longer appear to be sold by online retailers in Australia. We reviewed the websites of retailers that would typically sell the device and were unable to find any reference to the use or sale of 27 MHz handphone radios. We also understand that 27 MHz handphone radios are no longer being manufactured.

Given there is no known current user base, and 27 MHz handphone radios appear to no longer be manufactured or sold in Australia, we have formed the view that the

² More information is available on the [ACMA website](#).

class licence no longer forms a necessary part of the legislative framework, and therefore should sunset.

A definition in the class licence is incorporated by reference in the Radiocommunications Equipment (General) Rules 2021 (equipment rules). If the class licence sunsets, we will make an amendment to the equipment rules to ensure they continue to operate properly.

What if the class licence is still required?

Through this consultation, we are seeking to understand if there is an active user base for 27 MHz handphone radios. Users are encouraged to respond to questions posed in this consultation paper and provide details regarding their current use.

If the response to this consultation reveals that there is a significant active userbase for 27 MHz handphone radios, we would remake the class licence to provide continuity of licensing arrangements. The class licence would be remade with minor changes that are considered necessary for the purposes of remaking the class licence. These proposed changes would:

- correct typographical or grammatical errors
- clarify the matters a specified person and an ACMA inspector must have regard to prior to issuing a direction in relation to a 27 MHz handphone radio
- insert new definitions to address any possible ambiguity within the class licence
- remove references to equipment rules that are no longer relevant to the operation of the class licence.

Invitation to comment

Making a submission

We are seeking your comments about our proposals and questions outlined in this paper.

[Online submissions](#) can be made by uploading a document. Submissions in PDF, Microsoft Word or Rich Text Format are preferred.

Submissions by post can be sent to:

The Manager
Spectrum Licensing Policy Section
Australian Communications and Media Authority
PO Box 13112
Law Courts
Melbourne VIC 8010

The closing date for submissions is **COB, Monday 17 March 2025**.

You can email consultation enquiries to SLPSConsultations@acma.gov.au.

Publication of submissions

We publish submissions on our website, including personal information (such as names and contact details), except for information that you have claimed (and we have accepted) is confidential.

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