Date Introduced: 22 September 1983
House: House of Representatives
Presented by: Hon. M.J. Duffy, M.P., Minister for Communications

Short Digest of Bill

Purpose

To repeal legislation dealing with management of the radio frequency spectrum in Australia, and provide for continuance of licences, issued under that legislation, following commencement of the Radiocommunications Bill 1983.

Background

The radio frequency spectrum in Australia is currently regulated by the Wireless Telegraphy Act 1905. Section 5 of that Act authorises licences. The categories of licences are still set out in the Wireless Telegraphy Regulations, although the scale of fees applicable has, since the Wireless Telegraphy (Amendment) Regulations 1982 were made, been that set out in the Radiocommunications Licence Fees Regulations 1982.

The Radiocommunications Bill 1983 would introduce a comprehensive scheme for management of the radio frequency spectrum. Innovations include the introduction of frequency reservation certificates for pre-allocation of a part of the spectrum to a prospective user, and standards for radiocommunications equipment design and operating performance.

These changes are reflected in a system of five types of licences, including transmitter permits, receiver permits, frequency reservation certificates, test permits and temporary permits. In contrast, the Wireless Telegraphy Act authorises licences under section 5 to "establish, erect, maintain, or use stations and appliances for the purpose of transmitting or receiving". The classification of licences in the Wireless Telegraphy Regulations is according to the location and purpose of the radiocommunications stations.
This Bill provides for repeal of the present legislation, for alteration of references to radiocommunications legislation in a number of other Acts, and for the eventual termination of licences issued under present legislation.

Main Provisions

The Bill would commence when all provisions of the Radiocommunications Bill 1983 have commenced.

Repeal of the existing legislation is provided by clause 4.

Provisions in other Commonwealth legislation mentioning wireless telegraphy legislation, such as a provision in the Crimes Act for cancellation of a transmitter licence where seditious matter has been broadcast, are amended as set out in the Schedule (clause 3).

Transitional provisions for transmitter and receiver licences continue the existing licences in force, to be deemed "licences" under the Radiocommunications Bill even though the respective parts of the Bill do not apply to them. Such licences may not be renewed.

Subclause 5(3) authorizes the Minister to declare new equivalent classifications for certificates of proficiency gained under the wireless telegraphy legislation.

For further information, if required, contact:

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