

Submission

to the

**Department of Broadband, Communications and
the Digital Economy**

on the

**Cellular mobile repeaters – proposed changes to
the Radiocommunications Regulations 1993**

Submission by:

**Communications Alliance and the
Australian Mobile Telecommunications Association**

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1. Introduction

The Associations

- 1.1 Communications Alliance Ltd is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including telecommunications carriers, carriage and internet service providers, content providers, search engines, equipment vendors, IT companies, consultants and business groups. Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance. For more details about Communications Alliance, see <http://www.commsalliance.com.au>.
- 1.2 The Australian Mobile Telecommunications Association (AMTA) is the peak industry body representing Australia's mobile telecommunications industry. Its mission is to promote an environmentally, socially and economically responsible, successful and sustainable mobile telecommunications industry in Australia, with members including the mobile Carriage Service Providers (CSPs), handset manufacturers, network equipment suppliers, retail outlets and other suppliers to the industry. For more details about AMTA, see <http://www.amta.org.au>.
- 1.3 The Associations welcome the opportunity to respond to the Department of Broadband, Communications and the Digital Economy (DBCDE) Discussion Paper on the cellular mobile repeaters – proposed changes to the Radiocommunications Regulations 1993.

2. Industry comments

The Associations would like to make the following comments on the DBCDE's proposed changes to the Radiocommunications Regulations for cellular mobile repeaters.

Regulatory options

- 2.1 The Associations support the approach as described by Option 4 to restrict the supply of cellular mobile repeaters under section 301 of the Radiocommunications Act 1992. The Associations believe that restricting such devices is necessary in order to protect the rights of spectrum licensees and minimise any potential interference.
- 2.2 The Associations support the *Draft amendment to the Radiocommunications Regulations 1993*.

Definitions

- 2.3 The Associations support the DBCDE's proposed definition for *cellular mobile repeater*. We note that this definition has been expanded upon from the industry's proposed definition provided in the earlier October 2011 Communications Alliance /AMTA submission to Australian Communications Media Authority (ACMA) in response to the ACMA's September 2011 discussion paper titled [Cellular mobile repeaters – a proposed regulatory approach](#). However, the Associations believe that the DBCDE's proposed definition is workable.
- 2.4 The Associations support the definition for *Mobile station* with a clarifying amendment to limit it to 'cellular radiocommunications transmitters'.

Proposed amended definition:

mobile station means a transmitter that is established for use:

- (a) in motion on land, on water or in the air; or
- (b) in a stationary position at unspecified points on land, on water or in the air,

to access a public mobile telecommunications service.

Examples

- 1 A cellular wireless modem operating in a laptop computer.

- 2 A hand-held cellular telephone with a radiating antenna in the handpiece.

Authorised persons

- 2.5 The Associations observe that while the proposed licence arrangements for the supply of cellular mobile repeaters appear to be complex, they are workable.

Importation of illegal devices

- 2.6 The Associations recognise the challenges presented by the supply of cellular mobile repeaters from internet vendors such as 'Mobile Repeater Australia' and 'Amplify Australia' (which despite their name, are located offshore outside the reach of the ACMA) is a broader issue than just that of these particular devices¹. The Associations commend the DBCDE in taking this first important and constructive step to regulate the supply of cellular mobile repeaters from suppliers based in Australia. Going forward, the Associations encourage the DBCDE to consider taking further steps to constrain the importation of illegal cellular mobile repeaters.

¹ ACMA presentation, Radcomms 2012, <http://www.slideshare.net/acmaSlideShare/supply-developments-mark-loney-acma>