

Radiocommunications Regulations (General User Radio Licence for Low Power FM Broadcasting Short Range Devices) Notice 2003 No. 2

Pursuant to Regulation 9 of the Radiocommunications Regulations 2001 ("the Regulations") made under section 116(1)(b) of the Radiocommunications Act 1989, and acting under delegated authority from the Chief Executive, I give the following notice.

Notice

1. Short title and commencement—(1) This notice is the Radiocommunications Regulations (General User Radio Licence for Low Power FM Broadcasting Short Range Devices) Notice 2003 No. 2.

(2) This notice comes into force on 1 July 2003.

2. General user radio licence—A general user radio licence is granted for the transmission on the frequencies specified in the licence by means of radiocommunication transmitters intended for local-area broadcasting and known as "Low Power FM Broadcasting Short Range Devices", or LPFM Broadcast, in accordance with the terms, conditions and restrictions of this notice.

3. Terms, conditions, and restrictions—(1) From 1 October 2003, within a 25km radius of any broadcast transmitter there must be no more than one low power FM transmitter broadcasting substantially the same programme (including simulcast or re-transmission) as that broadcast transmitter. Broadcast transmitter means a low power FM transmitter or any broadcast transmitter licensed pursuant to sections 48 or 116 of the Radiocommunications Act 1989.

(2) Low Power FM transmitter operators, at least once every three hours, must broadcast the contact details of the person responsible for the transmissions.

(3) Only transmissions that are broadcasting, as defined in the Broadcasting Act 1989, are permitted.

(4) Transmitters must conform to the Schedule to this notice and the requirements prescribed in notices made under Regulation 32 (1) (b) of the Regulations.

(5) Frequency use is on a shared basis and the chief executive does not accept liability under any circumstances for any loss or damage of any kind occasioned by the unavailability of frequencies or degradation to reception from other transmissions.

(6) Should interference occur to services licensed pursuant to a radio licence or a spectrum licence, including wireless public address systems, the chief executive reserves the right to require and ensure that any transmission pursuant to this general user radio licence change frequency, reduce power or cease operation.

Schedule

(1) The permitted transmitter carrier frequencies are:

Lower FM Band:

88.1 MHz, 88.2 MHz, 88.3 MHz, 88.4 MHz, 88.5 MHz, 88.6 MHz and 88.7 MHz

Upper FM Band:

106.7 MHz, 106.8 MHz, 106.9 MHz, 107.0 MHz, 107.1 MHz, 107.2 MHz, 107.3 MHz, 107.4 MHz, 107.5 MHz, 107.6 MHz and 107.7 MHz.

(2) Transmissions on the frequencies 88.5 MHz, 88.6 MHz and 88.7 MHz are not permitted within 120km of Auckland Skytower.

(3) The permitted designations of emissions are:

256KF8EHF (stereo)

180KF3EGN (mono)

(4) The maximum peak radiated power must not exceed - 3 dBW (500 mW) e.i.r.p.

(5) Notwithstanding the provisions of (4), the field strength must not exceed 112dBuV/m based on a measurement bandwidth of 100 kHz and a reference distance of 10 metres.

(6) Transmitter carrier stability (frequency tolerance) must be maintained within +/- 5kHz.

(7) External controls for the adjustment of the transmitter power are not permitted.

Dated at Wellington this Friday, the 20th day of June 2003.

SANJAI RAJ, Manager Business Services, Radio Spectrum Management, Ministry of Economic Development.

Explanatory Note

(This note is not part of the notice, but is intended to indicate its general effect).

This notice prescribes that, pursuant to regulation-making powers of the Radiocommunications Act 1989, a general user radio licence is granted for the transmission on the frequencies specified in the licence by means of radiocommunication transmitters intended for local-area broadcasting and known as "Low Power FM Broadcasting Short Range Devices", or LPFM Broadcast, in accordance with the terms, conditions and restrictions of this notice. This notice comes into force on 1 July 2003.

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