

Radiocommunications Regulations (General User Radio Licence for Fixed Radio Link Devices) Notice 2004

Pursuant to Regulation 9 of the Radiocommunications Regulations 2001 (“the Regulations”) made under section 116 (1) (b) of the Radiocommunications Act 1989 (“the Act”), 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 Fixed Radio Link Devices) Notice 2004.

(2) This notice comes into force on 1 July 2004.

2. General user radio licence—(1) A general user radio licence is granted for the transmission by means of radiocommunication transmitters, including those known as U-NII devices, using digital modulation techniques to typically provide high data rate fixed point-to-point communications for individuals, businesses and institutions, in accordance with the terms, conditions and restrictions of this notice.

3. Terms, conditions and restrictions—(1) Except as otherwise provided in this notice, the range of frequencies and other emission characteristics are those prescribed in the Schedule to this notice.

(2) Notwithstanding the provisions of the Schedule to this notice, the radiated power must not exceed that necessary to reliably maintain communications.

(3) Point-to-multipoint systems, omni-directional applications, and multiple co-located transmitters transmitting the same information are not permitted.

(4) Transmitters must conform to technical standards as 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 interference to reception.

(6) Notwithstanding the provisions of condition (5), 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, where reasonable evidence is provided to the chief executive of:

- (i) harmful interference being caused to licensed services operating outside the range of frequencies specified in this notice; or
- (ii) intentional harmful interference being caused to licensed services operating within the range of frequencies specified in this notice.

Schedule

Frequency Range:	5725 MHz to 5825 MHz
Emission Characteristics:	Digital modulation
Peak Transmitter Power:	1 watt (0dBW)
Peak Power Spectral Density:	<17dBm in any 1 MHz bandwidth
Peak Radiated Power:	200 Watts (23 dBW) e.i.r.p.

Dated at Wellington this 17th day of June 2004.

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.

(a) *This notice prescribes that, pursuant to regulation-making powers of the Radiocommunications Act 1989, a general user radio licence is granted for the transmission by means of radiocommunication transmitters, including those known as U-NII devices, using wide band digital modulation techniques to provide high data rate fixed point-to-point communications for individuals, businesses and institutions, in accordance with the terms, conditions, and restrictions of this notice. This notice comes into effect on 1 July 2004.*

(b) *Persons intending to operate transmitters pursuant to this licence should consult the publication **National Guidelines for Managing the Effects of Radiofrequency Transmitters** published by the Ministry for the Environment.*

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