

Document	Section	Number	Issue
POLDOC	Spectrum Band Plans	002	1
File Reference: RSM 1/4/1		Date of Issue: 16 March 2000	



RADIO SPECTRUM POLICY

CONSIDERATION OF NEW OR NON-STANDARD USES IN RESPECT OF THE RADIO LICENSING REGIME

1. Policy.

On receipt of an application for the grant of a radio licence for emissions that are not in accordance with an existing channel plan or band plan that has been adopted for use in New Zealand, or where a band is subject to review, the Ministry will issue an Engineering Consideration Document (ECD). Having considered the views of submitters and the policies of Government at the time, application(s) will then be considered in the context of any resulting determinations on related band and/or channel plans.

2. Specific Criteria.

A band and channel plan may take the following forms, in order of precedence:

- Schedules to pro-forma licences e.g. general licence schedule;
- Bandplan POLDOCS e.g. 10 GHz to 20 GHz Band Plan;
- Public Information Brochures e.g. PIB 22 and PIB 23;
- Radio Frequency Specifications e.g. RFS 29.

Where no plan exists, or an application is not in conformance with an existing plan, the Ministry will inform the applicant that this is the case. The Ministry will then, if appropriate, prepare an Engineering Consideration Document (ECD). When preparing the ECD, and any subsequent band or channel plans, the Ministry will, in accordance with regulation 15 of the Radiocommunications (Radio) Regulations 1993, consider:

- a) Any agreement between New Zealand and any other country or countries, being an agreement that makes provision for or in relation to radio transmission; and
- b) The public interest in achieving the maximum benefit from the radio spectrum; and
- c) The technical compatibility of the apparatus or use for which a licence is required with existing licensed apparatus or uses of apparatus.

The Ministry will instigate a process of consideration of the form outlined below:

1. Notification that an ECD is under preparation will be published in the *Gazette* and on the Radio Spectrum Management (RSM) internet web site noting the expected date of the release of the ECD.
2. The ECD will be published on the RSM internet web site with an invitation to comment, the contact details and a deadline for the submission of comments. Comments will be accepted in printed or electronic form.
3. After the period for comment has expired, the developed band and/or channel plans, if any, will be published on the RSM internet web site.

The Ministry will then consider any current applications in light of these plans. Applications received before or during the period of consideration will be assessed in accordance with the criteria of regulation 15 of the Radiocommunications (Radio) Regulations 1993, and then in the order of date received.

3. General.

The Radio Spectrum Management Group of the Ministry of Economic Development is responsible for:

- Ensuring that New Zealand is represented and New Zealand interests are adequately reflected in the ITU radio sector forums, recommendations, resolutions and regulations;
- Ensuring the outputs of the ITU radio sector are adopted in a national context; and
- Implementing and enforcing the Radiocommunications (Radio) Regulations 1993;

4. Background.

New Zealand is a signatory to the Final Acts of the ITU Plenipotentiary Conference (Minneapolis, 1998).

Article S5 of the IRR (1998) divides the radio spectrum into specific allocations by frequency band and world region. There may be different allocations depending on the region to which a nation belongs. New Zealand falls within ITU region 3¹ which includes Asia, Australia and the Pacific Ocean (excluding Hawaii and the Americas). Individual nations can modify the regional allocations by national footnote.

The ITU may allocate a frequency band to one or more recognised services e.g. Mobile, Fixed, Broadcasting, Mobile Satellite, Fixed Satellite, Broadcasting Satellite, Radionavigation, or Space services.

A nation may choose to implement a legal framework within which to effect the national administration of the radio spectrum. This may include limiting the allocations indicated in the IRR in any band to a subset of those services for national use.

Pursuant to the Radiocommunications Act 1989, the Radiocommunications (Radio) Regulations 1993 provide the administrative licensing framework for the radio spectrum in New Zealand. In support of the Radiocommunications (Radio) Regulations 1993, channel plans and band plans are developed to provide for the technical compatibility and viability of radio licences.

It is the Ministry's responsibility, in respect of the radio licensing regime, to determine which services may be provided in allocated bands.

Under the radio licensing regime, applications for licences will result in a licence being granted, or declined.

Approved By:

Manager Spectrum Planning

¹ A definition of the 3 regions is contained in RRS5 of the IRR (1998).