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NOTIFICATION OF PUBLICATION

ORDER

TELECOMMUNICATIONS AND
RADIOCOMMUNICATIONS REGULATIONS ACT
NO. 30 OF 2009

- RADIO APPARATUS LICENCE AND SPECTRUM LICENCE (FEES) REGULATION ORDER NO. 153 OF 2012

CONSTITUTION OF THE REPUBLIC OF VANUATU

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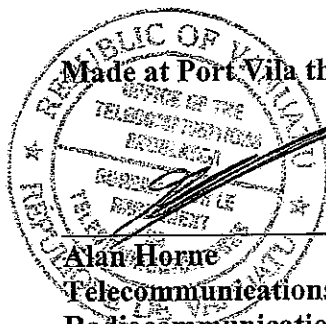


REPUBLIC OF VANUATU

**TELECOMMUNICATIONS AND
RADIOCOMMUNICATIONS REGULATIONS ACT
NO. 30 OF 2009**

**Radio Apparatus Licence and Spectrum Licence (Fees)
Regulation
Order No. 153 Of 2012**

In exercise of the powers conferred on me by subsections 7(3), 13(3) and 13(4) of the Telecommunications and Radiocommunications Regulation Act No. 30 of 2009, and with the approval of the Minister, I, ALAN HORNE, the Regulator make the following Regulations.



Made at Port Vila this 14th day of November 2012.

Alan Horne
**Telecommunications and
Radiocommunications Regulator**

PART I - PRELIMINARY

1. Definitions

In this Regulation, unless the contrary intention appears:

Act means the Telecommunications and Radiocommunications Regulation Act No. 30 of 2009;

administrative incentive pricing means the formula used to calculate fees that takes into account alternative uses of the spectrum band, its transmission characteristics and its geographical parameters;

prescribed means prescribed by the Regulator;

radio apparatus means any equipment that is capable of emitting radio-frequency signals;

radio apparatus licence means a licence required by subsection 12 (2) of the Act;

spectrum auctions means the method where spectrum is assigned and a spectrum licence is issued through auction to the highest bidder;

PART II – RADIO LICENCES

2. General User Radio Licences

- (1) The Regulator may issue a General User Radio Licence for the type of radio transmitting device which, in the opinion of the Regulator, is not practical or necessary to issue a licence on an individual basis.
- (2) The prescribed range of frequencies for General User Radio Licence is set out in the Schedule.
- (3) A person must comply with the terms and conditions of a general User Radio Licence when he or she uses devices and radio spectrum assignments specified in the General User Radio Licence.
- (4) In addition to subclause (3) a person must ensure that any equipment operating under a General User Radio Licence must only transmit within the specified frequency range and must comply with the power limits prescribed in the Schedule.
- (5) No fees is be payable in respect of any General User Radio Licence.
- (6) If any device operating under a General User Radio Licence interferes with an apparatus operated under a Radio Apparatus Licence or with a service provided pursuant to a Spectrum Licence, the Regulator may require the operator to change frequency, reduce power or cease operation.

3. Radio Apparatus Licence

- (1) Subject to subclause (2), a person who operates:
 - (a) an equipment that emit radio waves; or
 - (b) a radiocommunication device ; or
 - (c) a satellite earth station; or
 - (d) radio devices in a ship; or
 - (e) radio devices in an aircraft;

in the territorial boundaries of Vanuatu and registered under the law of Vanuatu must have a radio apparatus licence.

- (2) A person is to apply to the Regulator for a radio apparatus licence and pay the prescribed fee for the licence.

4 - Renewal of Radio Apparatus Licence

- (1) A person may apply to the Regulator to renew his or her radio apparatus licence.
- (2) The Regulator may refuse to renew a radio apparatus licence under subclause (1) if the person fails to comply with the licence terms or conditions until such time the licence conditions or terms are complied with.

5 - Revocation of Radio Apparatus Licence

- (1) The Regulator may revoke a radio apparatus licence if the licensee materially fails to comply with the licence terms or conditions, the Act or this Regulation.
- (2) If the Regulator revokes a radio apparatus licence pursuant to subclause (1), the person must not install or operate the radiocommunication device.

PART III – SPECTRUM LICENCE

6 - Spectrum Licence

- (1) A person is to apply to the the Regulator for a spectrum licence for the assignment of spectrum.
- (2) The Regulator is to charge the assignment of a spectrum using the administrative incentive pricing or spectrum auctions whichever is appropriate under the circumstance.
- (3) If applying for a spectrum licence under subclause (1), the person must submit with the application the prescribed application fee.

7 - Previous Assignments

- (1) To avoid doubt, a spectrum assigned to Telecom Vanuatu Limited (TVL) and Digicel Vanuatu Limited (Digicel) at the time of issuing of their licence is not subject to a spectrum licence fee.

8 - Post Assignments

- (1) The additional spectrum assigned to TVL and Digicel after the issuance of their licence is subject to the prescribed fees.
- (2) In addition to subclause (1), any application for additional spectrum made by TVL or Digicel before or after the commencement of this regulation is subject to the prescribed fees.
- (3) Any additional spectrum requested by any service providers must be charged as provided in subclause 6 (2) of this Regulation.

9. Commencement

This Regulation is taken to have commenced on 18th July 2012.

SCHEDULE

SCHEDULE

(I) GURL FOR SHORT-RANGE RADIO DEVICES (SRD'S)

Spectrum

(a) 0.009 – 1000 MHz

Frequency Range		Peak Power e.i.r.p. (mW)	Designated Use
From (MHz)	To (MHz)		
0.009	0.03	Refer Note 1	Telemetry/Telecommand
0.03	0.19	10	Telemetry/Telecommand
6.765	6.795	10	Telemetry/Telecommand
13.55	13.57	100	Telemetry/Telecommand
26.95	27.3	1000	Unrestricted
29.7	30	100	Unrestricted
30.8	31.5	100	Model Control
35.5	37.2	100	Unrestricted
40.66	40.7	1000	Unrestricted
40.8	41.0	100	Unrestricted
72	72.25	100	Auditory Aids
72.25	72.50	100	Unrestricted
88	108	0.00002	Audio senders
107	108	25	Unrestricted
160.1	160.6	500	Unrestricted
173	174	100	Unrestricted
235	300	1	Telemetry/Telecommand
300	322	10	Telemetry/Telecommand
402	406	0.025	Biomedical Telemetry (refer Note 3)
433.05	434.79	25	Telemetry/Telecommand
444	444.925	25	Biomedical Telemetry
458.54	458.61	500	Unrestricted
466.80	466.85	500	Unrestricted
470	470.5	100	Biomedical Telemetry
471	471.5	100	Unrestricted
614	646	25	Audio/Video Senders
819	824	100	Unrestricted
864	868	1000	Unrestricted

SCHEDULE

Frequency Range		Peak Power e.i.r.p. (mW)	Designated Use
From: (MHz)	To: (MHz)		
			(refer Note 2)
869.2	869.25	10	Telemetry/Telecommand (refer Note 3)
915	921	3	Telemetry/Telecommand
921	929	1000	Unrestricted

(b) 1 – 246 GHz

Frequency Range		Peak Power e.i.r.p. (mW)	Designated Use
From: (GHz)	To: (GHz)		
2.4	2.4835	1000	Unrestricted (refer Note 2)
2.9	3.4	100	Radiolocation
5.15	5.25	200	Wireless LAN - indoor use (refer Note 4)
5.25	5.35	1000	Wireless LAN (refer Note 5)
5.47	5.725	1000	Wireless LAN (refer Note 6)
5.47	5.725	100	Radiolocation
5.725	5.875	1000	Unrestricted (refer Note 2)
5.725	5.875	2000	Road Transport and Traffic Telematics
8.5	10	100	Radiolocation
10	10.6	25	Radiolocation - radar systems only
15.7	17.3	100	Radiolocation
24	24.25	1000	Unrestricted
33.4	36	100	Radiolocation
46.7	46.9	100	Field Disturbance Sensors
57	64	20000	Fixed point-to-point links (refer Note 7)
59	64	100	Radiolocation
76	77	1000	Field Disturbance Sensors
76	77	316220	Road Transport and Traffic Telematics (refer note 8)
122	123	1000	Unrestricted

SCHEDULE

Frequency Range		Peak Power e.i.r.p. (mW)	Designated Use
From: (GHz)	To: (GHz)		
244	246	1000	Unrestricted

Note 1: In the band 0.009 to 0.03 MHz the maximum permitted field strength is $2400/f(\text{kHz})$ $\mu\text{V/m}$ measured using an average detector at 300 metres.

Note 2: Transmitters employing frequency hopping or digital modulation techniques in 864 - 868 MHz, 2.4 - 2.4835 GHz and 5.725 - 5.875 GHz bands may operate with gain antennas provided the peak power does not exceed 4 watts e.i.r.p, and total transmitter power does not exceed 1 watt.

Note 3: In the band 402 to 406 MHz and 869.2 to 869.25 MHz the maximum permitted duty cycle is 0.1%.

Note 4: In the band 5150 to 5250 MHz band the maximum permitted power density is 10 mW/MHz e.i.r.p. or equivalently 0.25 mW/25 kHz e.i.r.p.

Note 5: Indoor-Only Systems: In the band 5250 to 5350 MHz the maximum permitted mean power is 200 mW e.i.r.p. and the maximum permitted mean power density is 10 mW/MHz e.i.r.p., provided Dynamic Frequency Selection and Transmitter Power Control are implemented. If transmitter power control is not in use, then the e.i.r.p. values shall be reduced by 3 dB.

Indoor and Outdoor Systems: In the band 5250 to 5350 MHz, the maximum permitted mean power is 1 watt e.i.r.p. and the maximum permitted mean power density is 50 mW/MHz, provided Dynamic Frequency Selection and Transmitter Power Control are implemented in conjunction with the following vertical radiation angle mask where θ is the angle above the local horizontal plane (of the Earth):

Maximum permitted mean power density	Elevation angle above horizontal
-13 dB(W/MHz)	for $0^\circ \leq \theta < 8^\circ$
-13 - 0.716(θ -8) dB(W/MHz)	for $8^\circ \leq \theta < 40^\circ$
-35.9 - 1.22(θ -40) dB(W/MHz)	for $40^\circ \leq \theta \leq 45^\circ$
-42 dB(W/MHz)	for $45^\circ < \theta$

Note 6: In the band 5470 - 5725 MHz the maximum transmitter power is 250 mW with a maximum permitted mean power of 1 watt e.i.r.p. and a maximum permitted mean power density of 50 mW/MHz e.i.r.p., provided Dynamic Frequency Selection and Transmitter Power Control are implemented. If transmitter power control is not in use, then the maximum permitted mean power shall be reduced by 3 dB.

SCHEDULE

Note 7: In the band 57 – 64 GHz, the average power density of any emission, measured during the transmit interval shall not exceed $9 \mu\text{W}/\text{cm}^2$ at a distance of 3 metres and the peak power density of any emission shall not exceed $18 \mu\text{W}/\text{cm}^2$ at a distance of 3 metres.

In the band 57 – 64 GHz, the peak total transmitter power shall not exceed 500 mW.

In the band 57 – 64 GHz, for emissions of bandwidths less than 100 MHz the transmitter peak power must be limited to $500 \text{ mW} \times (\text{bandwidth (MHz)} / 100 \text{ (MHz)})$.

Note 8: Applies only to Short Range Devices (SRD) intended for Road Transport and Traffic Telematics (RTTT) applications such as Automotive Cruise Control (ACC), Collision Warning (CW), Anti-Collision (AC) systems, obstacle detection, Stop and Go, blind spot detection, parking aid, backup aid and other automotive applications operating in this band.

SCHEDULE

**(II) GURL FOR CORDLESS TELEPHONES
(A) CT1 CORDLESS TELEPHONES**

Channel	Base Unit Frequency (MHz)	Portable Unit Frequency (MHz)
1	30.075	39.775
2	30.100	39.800
3	30.125	39.825
4	30.150	39.850
5	30.175	39.875
6	30.200	39.900
7	30.225	39.925
8	30.250	39.950
9	30.275	39.975
10	30.300	40.000
11	30.325 or 1.725	40.025
12	30.350	40.050
13	30.375 or 1.740	40.075
14	30.400	40.100
15	30.425 or 1.755	40.125
16	30.450	40.150
17	30.475 or 1.770	40.175
18	30.500	40.200
19	30.525 or 1.785	40.225
20	30.550	40.250
21	30.575	40.275
22	30.600	40.300 or 72.800
23	30.625	40.325 or 72.825
24	30.650	40.350 or 72.850
25	30.675	40.375 or 72.875
26	30.700	40.400 or 72.900
27	30.725	40.425 or 72.925
28	30.750	40.450 or 72.950
29	30.775	40.475 or 72.975

SCHEDULE

Units operating at 1.7/40 MHz and 30/40 MHz

Peak radiated power: -8dBW (160 milliwatts) e.i.r.p.
Equivalent field strength: 107 dB μ V/m measured at 10 Meters distance.

Base Units operating at 30/72 MHz

Peak radiated power: 0dBW (1watt) e.i.r.p.
Equivalent field strength: 115 dB μ V/m measured at 10 Metres distance

Portable Units operating at 30/72MHz

Peak radiated power: -3dBW (0.5 watt) e.i.r.p.
Equivalent field strength: 112 dB μ V/m measured at 10 Metres distance

(b) CT2 Cordless Telephones

Frequency (MHz)			
864.15	865.15	866.15	867.15
864.25	865.25	866.25	867.25
864.35	865.35	866.35	867.35
864.45	865.45	866.45	867.45
864.55	865.55	866.55	867.55
864.65	865.65	866.65	867.65
864.75	865.75	866.75	867.75
864.85	865.85	866.85	867.85
864.95	865.95	866.95	867.95
865.05	866.05	867.05	868.05

SCHEDULE

(III) GURL FOR MOBILE TELECOMMUNICATIONS DEVICES

(a) Frequencies

System	Mobile Transmit, Base Receive (MHz)	Base transmit, Mobile Receive (MHz)
T-GSM-380	3800.2 - 389.8	390.2 - 399.8
T-GSM-410	410.2 - 419.8	420.2 - 429.8
GSM-450	450.4 - 457.6	460.4 - 467.6
GSM-480	478.8 - 486.0	488.8 - 496.0
GSM-710	698.0 - 716.0	728.0 - 746.0
GSM-750	747.4 - 762.0	777.0 - 792.0
T-GSM-810	806.0 - 821.0	851.0 - 866.0
GSM-850	824.0 - 849.0	869.0 - 894.0
P-GSM-900	890.0 - 915.0	935.0 - 960.0
E-GSM-900	880.0 - 915.0	925.0 - 960.0
R-GSM-900	876.0 - 915.0	921.0 - 960.0
T-GSM-900	870.0 - 876.0	915.0 - 921.0
DCS-1800	1710.0 - 1785.0	1805.0 - 1888.0
PCS-1900	1850.0 - 1910.0	1930.0 - 1990.0

(b) Output power control limits

System	Maximum permitted output power control level (dBm)	Tolerance (dB)
T-GSM-380	33	±2
T-GSM-410	33	±2
GSM-450	33	±2
GSM-480	33	±2
GSM-710	33	±2

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GSM-750	33	±2
T-GSM-810	33	±2
GSM-850	33	±2
P-GSM-900	33	±2
E-GSM-900	33	±2
R-GSM-900	33	±2
T-GSM-900	33	±2
DCS-1800	30	±2
PCS-1900	30	±2

SCHEDULE

(IV) GURL FOR CITIZEN BAND RADIO (CB)

Spectrum

(1) Table A - HF CB Channels

Channel	Center Frequency (MHz)		Channel	Centre Frequency (MHz)
01	26.965		21	27.215
02	26.975		22	27.225
03	26.985		23	27.255
04	27.005		24	27.235
05	27.015		25	27.245
06	27.025		26	27.265
07	27.035		27	27.275
08	27.055		28	27.285
*09	27.065		29	27.295
10	27.075		30	27.305
11	27.085		31	27.315
12	27.105		32	27.325
13	27.115		33	27.335
14	27.125		34	27.345
15	27.135		35	27.355
16	27.155		36	27.365
17	27.165		37	27.375
18	27.175		38	27.385
19	27.185		39	27.395
20	27.205		40	27.405

Special Conditions:

Permitted Emissions	Maximum Permitted Power
(1) 2K80J3EJN SSB (Single-sideband, suppressed carrier); or (2) 2K80R3EJN DSB (Double-sideband, reduced carrier); or (3) 6K00A3EJN DSB (Double-sideband)	(1) SSB - 12 watts peak envelope power (p.e.p.) (2) DSB - 4 watts carrier power (pZ)
	* Channel 09 is reserved for emergency communications

SCHEDULE

(2) Table B - UHF CB Channels

Channel	Frequency (MHz)		Channel	Frequency (MHz)
1	476.425		41	476.4375
2	476.450		42	476.4625
3	476.475		43	476.4875
4	476.500		44	476.5125
*5	476.525		45	476.5375
6	476.550		46	476.5625
7	476.575		47	476.5875
8	476.600		48	476.6125
9	476.625		49	476.6375
10	476.650		50	476.6625
11	476.675		51	476.6875
12	476.700		52	476.7125
13	476.725		53	476.7375
14	476.750		54	476.7625
15	476.775		55	476.7875
16	476.800		56	476.8125
17	476.825		57	476.8375
18	476.850		58	476.8625
19	476.875		59	476.8875
20	476.900		60	476.9125
21	476.925		61	476.9375
22	476.950		62	476.9625
23	476.975		63	476.9875
24	477.000		64	477.0125
25	477.025		65	477.0375
26	477.050		66	477.0625
27	477.075		67	477.0875
28	477.100		68	477.1125
29	477.125		69	477.1375
30	477.150		70	477.1625
31	477.175		71	477.1875
32	477.200		72	477.2125
33	477.225		73	477.2375
34	477.250		74	477.2625
*35	477.275		75	477.2875
36	477.300		76	477.3125
37	477.325		77	477.3375
38	477.350		78	477.3625
39	477.375		79	477.3875

SCHEDULE

40	477.400		80	477.4125
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Special Conditions:

Permitted Emissions	Maximum Permitted Power
(1) 16K0F3EJN or 16K0G3EJN for voice telephony (2) 16K0F2EJN or 16K0G2EJN for selective calling	5 watts carrier power (pZ)
* Channels 05 and 35 are reserved for emergency communications	