

New prohibition proposed to stop jammers

The ACMA is calling for feedback on a proposed new prohibited device declaration intended to protect public mobile telecommunications services from the harmful effects of jammers.

The Radiocommunications (Prohibition of PMTS Jamming Devices) Declaration 2010, will prohibit the supply, possession and operation of jamming devices that are designed to deliberately interfere with public mobile telecommunications services, including 3G networks and equivalent services such as mobile WiMAX.

The proposed prohibition, which was released with an accompanying background paper, is the culmination of an ACMA review that began in January with the release of a public discussion paper. The January paper called for comments on the continued relevance and application of the current Mobile Phone Jammer Prohibition, which was made by the former Australian Communications Authority in 1999.

The 1999 Mobile Phone Jammer Prohibition banned the operation or supply, or possession for the purposes thereof, of a device designed to interfere with radiocommunications or disrupt or disturb radiocommunications operating within the frequency bands 870–960 MHz or 825–845 MHz. These frequency bands were the applicable frequency bands in which mobile phones operated at that time. However, in the last 10 years, the number of frequency bands used by mobile phones has increased, meaning the current Mobile Phone Jammer Prohibition is out of date.

In developing the new prohibition, the ACMA has kept in mind the desire for consumers to use communications devices when they are on the move. For this reason, the inter-cell handover function referred to in the definition of 'public mobile telecommunications service' in section 32 of the *Telecommunications Act 1997* is central to the new prohibition. The ACMA considers that this term is sufficiently broad so as to encompass existing and emerging mobile telecommunications services. However, the term also defines a distinct class of mobile wireless services to which frequencies are currently allocated, so that the scope of the proposed new prohibition is suitably constrained.

The proposed new prohibition recognises the changes in the commercial and technical environment for mobile communications.

'The mobile telecommunications market is constantly evolving, characterised by an increasing convergence of services and devices,' said Chris Chapman, Chairman of the ACMA. 'Mobile networks offer ubiquitous broadband access, in addition to traditional voice services, and there is a growing reliance on mobile connectivity for personal and business transactions.'

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Feedback

Comments on issues in the prohibition are welcome and can be forwarded by close of business on 20 December 2010 to LANDS@acma.gov.au or by mail to:

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The draft instrument and background paper are available on the ACMA website at www.acma.gov.au (go to About ACMA: News & media centre > Issues for comment).