

Dear Music Products Retailer,

I would like to draw your urgent attention to the recent activity of the Australian Communications and Media Authority (AMCA) with respect to radio microphones and other wireless audio devices such as in ear monitoring systems and instrument transmitter packs.

On September 10th 2013 the ACMA amended the *Radiocommunications Devices (Compliance Labelling) Amendment Notice 2013 (No. 2) - F2013L01696*. Then last week on September 17th released a media statement and updated their website announcing changes to the laws surrounding the importation and sale of wireless audio products.

I have attached both the media release and an extract from the web page in full. You can also find the media release [here](#) and the dedicated page for information to suppliers [here](#) on the ACMA website.

Despite claims to the contrary by the ACMA I have not found a supplier or retailer who has been advised by the ACMA of these changes. Despite the ACMA's inability to communicate to you this is information **you need to read, understand and in some cases take action as a result of this advice.**

We have already written to local suppliers advising them of these changes but we would also strongly encourage you to speak directly with your suppliers and confirm their position on these matters.

In brief - Suppliers statement

1/ As of September 17th 2013 any wireless audio device that operates between **694 and 820MHz** and is imported, manufactured and **presented for sale** must include the following written statement.

This device operates under an ACMA class licence and must comply with all the conditions of that licence including operating frequencies. Before 31 December 2014, this device will comply if it is operated in the 520-820 MHz frequency band. WARNING: After 31 December 2014, in order to comply, this device must not be operated in the 694-820 MHz band.

The statement must be prominently displayed on the outside of the product's package, be at least 5 mm high and be printed in bold type.

While it is not illegal to sell such a device it must have the accompanying statement attached on a label.

It is the **suppliers responsibility** to ensure any such products have this warning affixed. At the **point of sale you have a responsibility** to ensure that the customer is aware of the warning.

2/ As of January 1st 2014 wireless audio devices **operating between 694 and 820MHZ will no longer be compliant** and therefore the importation, manufacture or **sale of such a devices will become illegal.**

Put simply **any non-compliant product you hold** at that date is **no longer legally able to be sold.**

3/ As of January 1st 2015 it will be **illegal to operate any wireless audio device between 694 and 820MHz.** Users will need to **decommission and scrap any non-compliant product.** The Radiocommunications Act has provision for **offenders to be treated to significant fines and potentially be gaoled.**

In brief - Media release

In the media the ACMA Chair, Mr Chris Chapman is quoted as saying, *“Anyone considering buying a new wireless microphone or audio device should check for the warning label and ensure they are buying a compliant one”.*

This may have given the impression that the ACMA would provide a warning label. It will not. Despite not being advised of the need to provide a warning label your suppliers will need to create a label and be responsible for affixing it to the product.

Any **non-compliant stock** you currently hold and that **you intend to sell** prior to December 31st 2104 should **also have that same notification attached.**

The detail of the warning and the prescribed size are found in the attachments and shown above.

Recommended actions

1/ AWAG understands that most suppliers have already long ceased the importation of non-compliant devices that operate between 694 and 820MHz. **However you should check that this is in fact the case with each supplier that you purchase from.**

You should be seeking to confirm from your supplier that the products being sold to you are:

- compliant for use post January 1st 2015
- Operate between 520 and 694MHz
- Do not require a warning label

If not, you should consider cancelling any forward orders or seeking alternative sources of supply because any products you are holding as at December 31st 2013 can no longer legally be sold.

2/ **Check any existing stock** and ensure that it operates **between 520 and 694MHz**.

Any stocks currently held of non-compliant products **should be withdrawn from sale**. While it not a legal requirement at this stage it just makes sense to take this action for the benefit of consumers and so that the communications to consumers can be simplified. This transition will impact more than 150,000 wireless devices and tens of thousands of users. It would be simpler for all concerned if it were just not possible to purchase a non-compliant product from an Australian distributor or retailer.

That said, any non-compliant item that **you intend to sell** between now and that date at which it becomes illegal to do so, **should now have a warning accompanying it**. Details of the warning and the formatting required can be found above or in the attachment.

Separately we have recommended that suppliers withdraw from sale any non-compliant units that they might hold in stock, which should, as a result, make this easier to manage at retail.

3/ As a result of the TV re-stacking process that is happening at the same time as the transition out of the 700MHz spectrum we recommend that you consult with your suppliers to ensure that you are **receiving products that offer the best service fit in your area**. Your suppliers should have some form of frequency guide to assist you when providing advice to consumers. The spectrum is broken up into 5 blocks, 4 of which are available for wireless audio use.

The bands are:

Block B: 526-568MHz

Block C: 568-610MHz

Block D: 610-652MHz

Block E: 652- 694MHz

Block A is located in the VHF frequency range however there is no suitable product available.

We anticipate some difficulty in securing spectrum in particular in the Gold Coast on the NSW Central Coast. Again if you operate in these areas please consult with your suppliers for the best product solution.

4/ Subscribe to the ACMA website. Given the example, it is clear that the ACMA actually have little interest in communicating with your organisation on these matters. Given that you are not likely to find out other key information in the future in a timely manner from the ACMA we suggest you register for updates through this [link](#).

Additional information

You might also like to know that the ACMA compliance office is working with eBay on this issue and arranging for eBay to update their policies to reflect the changes noted above.

Clearly more work needs to be done on this as the majority of the sampled items on eBay today are operating between the 694 and 820MHz range and will be non-compliant in a matter of weeks. Not surprisingly the suppliers sampled did not have a warning on their sites with respect to the future use of the products they are offering for sale.

If you would like more information you can contact Ian Harvey 0402 047 795 or via iharvey@aceta.org.au