



INTERFERENCE MANAGEMENT

Introduction

Interference occurs when unwanted radio frequency signals disrupt the use of radiocommunications services, for example, your television or radio reception or your mobile phone. Interference may cause disruption to essential emergency services. Interference may prevent reception altogether, which may cause only a temporary loss of a signal, or affect the quality produced by equipment. Interference may occur for a range of reasons, including deliberate actions by other users. Most interference, however, is largely inadvertent and caused by emissions from non-compliant or faulty devices and the user may not be aware that they are causing it.

Issue

Under the current arrangements, the ACMA is often the point of contact for technical issues and interference management disputes. This requires substantial resources to investigate, monitor, provide solutions for and prosecute if needed. This can result in a lengthy process for the resolution of complaints and can result in delays to solutions for the user.

Detail

Under the new arrangements, the administrative role of the ACMA in the management of interference disputes will be minimised. Parties will be encouraged to directly implement dispute resolution processes without the need to engage with the regulator in the first instance. Many disputes may be settled between the licensees without the direct involvement of the ACMA. This may reduce the delay in the resolution of disputes.

It is expected that the ACMA will develop a set of guidelines to assist licensees and other users to diagnose and resolve their interference disputes.

The guidelines will encourage parties affected by interference to proactively engage with other parties and work together to achieve a fair and timely resolution to their dispute. The guidelines will also advise which circumstances may be best helped through engagement with alternate dispute resolution services such as mediation.

If required, the ACMA may appoint a third party mediator to provide assistance in resolving disputes. The ACMA would only become actively involved in the dispute if the mediator believes no resolution is possible and there is evidence of an offence.

The powers of inspectors will also be extended. Provisions have been included in the Bill to provide the regulator the best toolkit for use in the event of interference. This includes enabling inspectors to enter unoccupied premises to adjust transmitters that are causing interference and the ability of the inspector to guide and direct a licensee about the installation, maintenance and operation of their device.