

## Radiocommunications Regulations (Prohibited Equipment - Unrestricted Two Way Radio) Notice 2018

Pursuant to Regulation 32(1)(a) and (i) of the Radiocommunications Regulations 2001, and acting under delegated authority from the chief executive, I give the following notice.

### Notice

#### 1. Title and commencement—

(1) This notice is the Radiocommunications Regulations (Prohibited Equipment - Unrestricted Two Way Radio) Notice 2018.

(2) This notice comes into force on **18 October 2018**.

#### 2. Interpretation—In this notice:

**amateur radio licence** means the Radiocommunications Regulations (General User Radio Licence for Amateur Radio Operators) Notice 2017 ([New Zealand Gazette, 18 May 2017, Issue No. 52, Notice No. 2017-go2423](#)) or replacement thereof.

**amateur radio operator** means a person who has completed a written examination and holds a General Amateur Radio Operator's Certificate of Competency.

**General Amateur Radio Operator's Certificate of Competency** means a general amateur operator's certificate issued under Schedule 3 of the Regulations.

**licence to supply radio transmitters** means a licence to supply, issued in accordance with the provisions of section 131 of the Radiocommunications Act 1989.

**permitted person** means a person holding a licence to supply radio transmitters, if the additional terms, conditions and restrictions of that licence allow importation and sale of unrestricted two way radio devices.

**Regulations** mean the Radiocommunications Regulations 2001.

**unrestricted two way radio devices** means the radio apparatus described in the Schedule to this notice.

#### 3. Prohibition—

(1) Unrestricted two way radio devices are interfering equipment.

(2) Unrestricted two way radio devices are declared to be prohibited equipment.

(3) The importation, sale, offers for sale, distribution or manufacture of unrestricted two way radio devices is prohibited other than by permitted persons.

(4) The use or installation of unrestricted two way radio devices is prohibited other than by a person holding a General Amateur Radio Operator's Certificate of Competency, and operating within the terms and conditions of the amateur radio licence.

#### Schedule

Radio equipment or part thereof capable of being front panel or computer programmed by the user onto any frequency outside the frequency range prescribed in the amateur radio licence or replacement thereof, including, but not limited to, the following makes and models:

- Baofeng
- Wouxun
- Pofung

This prohibition notice does not apply to equipment that complies with Land Mobile and Fixed Services (No. 4) of Table 1 of the Radiocommunications Regulations (Radio Standards) Notice 2016 ([New Zealand Gazette, 14 April 2016, Issue No. 31, Notice No. 2016-go2007](#)) or replacement thereof.

Dated at Auckland this 26th day of September 2018.

FADIA MUDAFAR, Compliance Manager, Radio Spectrum Management, Ministry of Business, Innovation and Employment.

#### Explanatory Note

This note is not part of the notice, but is intended to indicate its general effect. This notice is intended to limit the installation, use, offers for sale, sale, distribution, manufacture or importation of interfering equipment or part thereof as prescribed in the notice. This notice comes into effect on **18 October 2018**.

