

## CB Emergency Channels

The following was prepared using publicly available information from the Australian Communications & Media Authority (ACMA). It is intended as a guide only and should not be relied on as a substitute for legal advice in individual cases.

There are two CB (Citizens Band) bands used in Australia:

- The HF or 27 MegaHertz band; and
- The UHF band.

The HF band is probably best known from movies such as “Smokey and the Bandit” and “Convoy”, whereas the UHF band is unique to Australia and New Zealand.

### “Licence-Free” vs the Class Licence

Although there is no need for CB users to obtain a licence in order to use the bands, the CB bands are far from being “licence-free”. A “Class Licence” is a piece of federal legislation that specifies how a particular radiocommunications service can be used, and it automatically applies to everyone that uses that equipment whether they know it or not.

The **Radiocommunications (Citizen Band Radio Stations) Class Licence 2015** (Cth) governs how CB equipment can be used. It sets out the frequencies that can be used, the power output of CB equipment, and it also designates certain channels for a specific purpose. These include the emergency channels (see Fact Sheet 02: Licence-free UHF Radios).

### Emergency Channels

Both the HF and UHF CB bands have channels designated for emergencies only. These channels are:

- HF or 27MHz band: Channel **9** (on 23 or 40 channel sets, Ch.5 on 18 channel sets);
- UHF band: Channels **5 AND 35**. (on 40 and 80 channel sets)

UHF Channel **5** is the primary emergency channel, with **35** being a secondary channel and also the input channel for all UHF emergency channel repeaters (or “range extenders” – see Fact Sheet 03: Repeaters).

The Australian Communications & Media Authority (ACMA) defines an “**emergency signal**” as<sup>1</sup>:

- a) A request for assistance; or
- b) A signal of distress; or
- c) A message that is related to a call for assistance or a signal of distress.

### Penalties for misuse

The Class Licence and the Radiocommunications Act provide for heavy penalties for the misuse of the designated emergency channels. These include:

<sup>1</sup> **Radiocommunications (Interpretation) Determination 2015** (Cth), Schedule 1 (Dictionary).

- i. For individuals:
  - a. up to **2 years prison**; or
  - b. for minor offences, a \$420 penalty notice. \*
- ii. For others (business, corporation, etc.):
  - a. up to **\$315,000** court imposed fine. \*
- iii. If an emergency call is blocked (deliberate or accidental):
  - a. up to 5 years prison for an individual; or
  - b. up to **\$1,050,000** court imposed fine for a business, corporation, etc. \*

\* Penalty value correct as at 1 Jan.2020. Due to be reviewed on 1 July 2020.

### Enforcement of allocations

The allocation of the CB emergency channels fall under Federal legislation, so they apply across the whole of Australia and its territories.

The agency that is responsible for policing these allocations is the Australian Communications and Media Authority (ACMA). This agency utilises advanced radio direction finding equipment to quickly locate a station, even if the operator is not in a fixed location (or is using only portable radio equipment).

The Australian Federal Police and members of the various state and territory Police services are also able to enforce this legislation when necessary.

### Are these channels still valid?

The CB emergency channels still play a vital role in safety-of-life and property incidents, especially when landline and mobile phone networks fail during major storms, fires, etc. Even satellite phone services can fail during time of storms or thick smoke, and CB offers emergency services the unique opportunity to talk direct to the public. Services such as RFDS and rescue helicopters often use UHF CB 5 during a response to communicate with the ground, and using UHF channel 35 can block calls on an 5/35 emergency repeater system hundreds of kilometres away that you may never know exists. This could easily cost a life.

### Who owns these channels?

No one person or group own the CB emergency channels, they fall under Commonwealth jurisdiction and can be used by anyone, *provided* the use meets the definition of “**emergency signal**.” This includes the right to monitor or answer calls on the channels. Even emergency services can’t lay claim to the channels or use them for their own routine operations as this kind of use breaches the Class Licence and, therefore, the Radiocommunications Act.

### More Information

More information on the CBRS Class Licence and the legally designated channels can be found at:

- ACMA CBRS class licence page: <https://www.acma.gov.au/licences/citizen-band-radio-stations-class-licence>
- ACMA Phone: **1300 850 115**