

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Supplementary Budget Estimates Hearings October 2015
Communications Portfolio
Australian Communications and Media Authority

Question No: 34

Australian Communications and Media Authority

Hansard Ref: Written, 30/10/2015

Topic: CB Radio

Senator Xenophon, Nick asked:

1. Can you please outline the process involved in, say a truck driver, making a complaint about trolling or offensive behaviour on CBRS that is restricting his ability to use the Channel 40 to communicate with other truck drivers on road safety matters?
2. How many informal complaints were made to the ACMA in the last 5 years regarding trolling or harassment on the CBRS.
3. How many formal written complaints were made to the ACMA in the last 5 years regarding trolling or harassment on the CBRS.
4. How many CBRS operators have been prosecuted for harassment in the past 5 years?
5. How many CBRS operators have been prosecuted for other reasons in the past 5 years? What were these reasons?

Answer:

1. People seeking to make a complaint about CBRS behaviour can do so by reporting it to the ACMA Customer Service Centre, either by calling 1300 850 115 or by emailing info@acma.gov.au.

For the ACMA to initiate a resourced investigation from a complaint, the behaviour being complained of must:

- Constitute an offence under radiocommunications legislation;
 - Be sufficiently serious to justify the expenditure of public money necessary to investigate it;
 - Be practical to obtain sufficient evidence of an offence for the ACMA to take effective action; and
 - Persistently use language worse than that accepted as the norm by the CB community.
2. The ACMA does not characterise reports about CBRS matters as formal or informal.

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3. The table below shows the number of enquires managed by the ACMA about CBRS matters since 2012. (Figures prior to 2012 are difficult to source and to do so is not deemed an efficient use of resources).

Description	Number
CBRS Behaviour	52
Deliberate interference to CBRS emergency channels	2
Notification of interference to emergency channels	7
Interference to CBRS repeater	1
CBRS repeater non-provision of service	6
Interference to a CBRS mobile	3

4. One.
5. One.

A Cabramatta man was charged in November 2014 and found guilty of two section 47 (unlawful possession of radiocommunications) offences under the *Radiocommunications Act 1992* in January 2015. The accused was in possession of radiocommunications transmitters that produced output power levels in excess of those set by Radiocommunications (Citizen Band Radio Stations) Class Licence 2002. The accused had these transmitters in his possession for the purposes of operating on the CBRS.