



# **Radiocommunications (Transmitter Licence Tax) Amendment Act 2020**

**No. 153, 2020**

**An Act to amend the *Radiocommunications  
(Transmitter Licence Tax) Act 1983*, and for related  
purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation  
(<https://www.legislation.gov.au/>)



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## **An Act to amend the *Radiocommunications (Transmitter Licence Tax) Act 1983*, and for related purposes**

*[Assented to 17 December 2020]*

The Parliament of Australia enacts:

### **1 Short title**

This Act is the *Radiocommunications (Transmitter Licence Tax)  
Amendment Act 2020*.

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## 2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this Act	A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	17 June 2021

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

## 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## Schedule 1—Amendments

### Part 1—Amendments

#### *Radiocommunications (Transmitter Licence Tax) Act 1983*

##### **1 After subsection 6(1A)**

Insert:

*Licences of more than 12 months where there is an application*

(1B) If:

- (a) an application is made for a transmitter licence for a period exceeding 12 months; and
- (b) when the application is made, the licence is covered by a determination under subsection (1C);

tax is imposed on the issue of the licence for the period the licence is in force.

(1C) The ACMA may, by legislative instrument, determine one or more classes of transmitter licence for the purposes of subsection (1B).

Note: See also subsection (1F).

(1D) If:

- (a) an application is made for a transmitter licence for a period exceeding 12 months; and
- (b) when the application is made, the licence is covered by a determination under subsection (1E);

tax is imposed on:

- (c) the issue of the licence; and
- (d) each anniversary of the day the licence came into force occurring during the period the licence is in force.

(1E) The ACMA may, by legislative instrument, determine one or more classes of transmitter licence for the purposes of subsection (1D).

Note: See also subsection (1F).

(1F) A determination under subsection (1C) or (1E) must not cover a transmitter licence that is associated with a commercial broadcasting licence.

**2 Subsection 6(2) (heading)**

Repeal the heading.

**3 Subsection 6(4)**

Repeal the subsection, substitute:

(4) If:

- (a) a person applies for a transmitter licence for a period exceeding 12 months; and
- (b) when the application is made, the licence is not covered by a determination under subsection (1C) or (1E);

the person must elect, in the application for the licence, that either subsection (2) or (3) is to apply in respect of the licence.



## **Part 2—Application provision**

### **4 Application—section 6 of the *Radiocommunications (Transmitter Licence Tax) Act 1983***

The amendments of section 6 of the *Radiocommunications (Transmitter Licence Tax) Act 1983* made by this Schedule apply in relation to a transmitter licence if the application for the licence is made after the commencement of this item.

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*[Minister's second reading speech made in—  
House of Representatives on 27 August 2020  
Senate on 12 November 2020]*

(103/20)

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