

Commonwealth of Australia

*Radiocommunications Act 1992*

**Radiocommunications (Allocation of Multipoint  
Distribution Station Licences—Regional Licences)  
Determination No. 1 of 1995**

I, CHRISTINE MARY GOODE, Spectrum Manager, acting on behalf of the Spectrum Management Agency under subsection 106 (1) of the *Radiocommunications Act 1992*, determine the following price-based allocation system.

Dated 4 April 1995.

CHRISTINE M. GOODE  
Spectrum Manager

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**PART 1—INTRODUCTION**

**Citation**

1. This Determination may be cited as the Radiocommunications (Allocation of Multipoint Distribution Station Licences—Regional Licences) Determination No. 1 of 1995.

**Commencement**

1A. This Determination commences on 6 April 1995.

**Interpretation**

2. (1) In this Determination, unless the contrary intention appears:  
“**agreed Transmitter Proposal**” has the same meaning as in the Radiocommunications (Coordination) Regulations;  
“**allocation period**” means a period referred to in paragraph 19 (1) (a);  
“**Applicant Registration Form**” means the document approved by the SMA under paragraph 7 (1) (a);  
“**area**” means an area described in an item in Schedule 1;

“**bank cheque**” means a bank cheque issued by a bank licensed to operate in Australia;

“**bid co-ordinator**” means a person appointed under clause 18;

“**Bidder Identification Form**” means the document approved by the SMA under paragraph 7 (1) (b);

“**Bidder’s Acknowledgment**” means the document approved by the SMA under paragraph 7 (1) (e);

“**bid price**” means the amount bid by or on behalf of a nominated applicant for the purposes of subclause 22 (4);

“**channel**”, in relation to an area, means a frequency sub-band referred to in the item in Schedule 2 that relates to the area;

“**cheque**” means a cheque issued by a bank licensed to operate in Australia;

“**closing day**” means the day identified as the last day on which a person may give the SMA an Applicant Registration Form in the notice published by the SMA under subclause 4 (1) or (2);

“**company**” means:

- (a) a company within the meaning of the Corporations Law; or
- (b) a foreign corporation within the meaning of the Constitution;

“**Deed of Guarantee**” means the document approved by the SMA under subclause 7 (3);

“**Form of Authority**” means the document approved by the SMA under clause 7 (1) (c);

“**grid reference**” means an Australian Map Grid reference;

“**group**” means a group of channels within the meaning of the Multipoint Distribution System Band Plan:

- (a) made on 9 June 1988; and
- (b) as in force on the day on which this Determination commences;

“**licence**” means an MDS licence that authorises the holder of the licence to operate 1 or more transmitters on a channel in an area;

“**Licence Contract**” means the document approved by the SMA under subclause 7 (2);

“**lone applicant**” means a person who is the only applicant whom the SMA registers as a registered applicant in relation to an area;

“**MDS licence**” has the same meaning as in the Radiocommunications (Definitions) Determination No. 2 of 1993, as in force on 6 April 1995;

“**nominated applicant**” means an applicant referred to in clause 17 or subclause 22 (4);

“**Notice of Unpaid Reserve Price**” means the document approved by the SMA under paragraph 7 (1) (d);

“**registered applicant**” means an applicant who is registered under clause 10;

“**registered bidder**” means an individual who is registered under clause 21;

“**reserve price**”, in relation to a licence, means the amount decided for the licence by the SMA under clause 5;

“**the Act**” means the *Radiocommunications Act 1992*;

**“the Guidelines”** means Radiocommunications (Multipoint Distribution Station Licences—Regional Licences) Guidelines No. 1 of 1995, as in force on 6 April 1995;

**“transmitter”** includes a station used for the reception and automatic retransmission of radio transmissions from another station the operation of which is authorised by an MDS licence.

- (2) Unless the contrary intention appears, an expression that is:
- (a) defined in the Radiocommunications Regulations; and
  - (b) used in this Determination;

has the meaning given by those Regulations.

(3) A note that is used in this Determination does not form part of the Determination.

### **Application of the Determination**

3. (1) This Determination applies to the allocation and issue of a licence.

- (2) This Determination does not apply to:
- (a) an application for the issue or renewal of a licence in relation to a transmitter that the applicant is authorised to operate under a licence that:
    - (i) was issued under this Determination, or under the Act; and
    - (ii) is in force on the day on which the application is made; or
  - (b) an application by a person, to whom a licence has been issued under this Determination, for the issue of a licence to operate a transmitter or transmitters on a channel at a location outside an area.

[NOTE: This Determination may cease to apply to the allocation and issue of a licence in certain circumstances: see subclauses 16 (7), 24 (8) and 26 (5).]

## **PART 2—PREPARATIONS FOR THE ALLOCATION OF LICENCES**

### **Publication of invitation and other information**

4. (1) The SMA must publish, in relation to an allocation, the following information in a newspaper circulating nationally in Australia:

- (a) an invitation to apply for licences by registering as an applicant for licences in at least one area;
- (b) notice of the last day on which a person may give the SMA an Applicant Registration Form;
- (c) details of how to obtain forms that are necessary for taking part in the allocation process;

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- (d) details of:
- (i) the application fee to be paid by an applicant; and
  - (ii) the form in which the fee must be paid; and
  - (iii) the last day on which, subject to subclause 10 (5), the fee is payable;
- (e) a statement that licences will be allocated in accordance with the system set out in this Determination;
- (f) the address of the SMA to which documents must be sent.

(2) If a matter referred to in subclause (1) is changed, the SMA must publish details of the change in a newspaper circulating nationally in Australia.

(3) The SMA may:

- (a) publish the material referred to in subclause (1) in other places; and
- (b) publish other information relating to the allocation of a licence.

[NOTE: It is the responsibility of an applicant to be familiar with all relevant legislation, including the Act, Regulations under the Act and determinations and guidelines made under the Act.]

### **Reserve prices**

5. The SMA may, in writing, decide that an amount is the reserve price for a licence.

### **Application fee**

6. (1) The SMA must, in writing, decide that an amount is:

- (a) the fee for an application for a licence; or
- (b) the single fee for any number of applications for licences made by one person in relation to an area.

(2) In deciding the amount of the application fee, the SMA must take into account its administrative costs in allocating licences under this Determination, including the likely costs of the allocation of the licences.

### **Approval of forms and notices**

7. (1) The SMA must approve, in writing, the following documents:

- (a) an Applicant Registration Form for the purposes of paragraph 8 (2) (a); and
- (b) a Bidder Identification Form for the purposes of clause 11;
- (c) a Form of Authority for the purposes of clause 8 (2) (c);

- (d) a Notice of Unpaid Reserve Price for the purposes of subclause 15 (2), that includes statements to the effect that:
  - (i) an amount paid by a lone applicant under paragraph 14 (1) (b) is less than:
    - (A) if the lone applicant has applied for 1 licence—the amount of the reserve price decided for the licence; or
    - (B) if the lone applicant has applied for more than 1 licence—the total amount of the reserve prices decided for all licences identified by the lone applicant; and
  - (ii) the lone applicant may pay the unpaid amount no later than the day set out in the notice;
- (e) a document, to be called the Bidder's Acknowledgment, for the purposes of paragraph 21 (3) (c), that includes a statement to the effect that an individual who wishes to be registered as a bidder acknowledges that the individual has agreed to act for a particular applicant:
  - (i) in accordance with this Determination; and
  - (ii) in the manner set out in the document;
- (f) a document, to be called a Transmitter Proposal, for the purposes of subclauses 30 (2), 31 (2) and (3).

(2) The SMA must approve, in writing, a document to be called the Licence Contract that includes statements to the effect that:

- (a) the applicant to whom the Licence Contract relates has applied for a licence in reliance on the applicant's judgement and investigations; and
- (b) the applicant acknowledges that the applicant will only be issued with a licence in accordance with this Determination and after payment of:
  - (i) the amount required under Part 4; or
  - (ii) the full bid price;as the case requires; and
- (c) the applicant acknowledges that the applicant is subject to this Determination and to the terms and conditions of the Licence Contract.

(3) The SMA must approve, in writing, a document, to be called the Deed of Guarantee, that includes a statement to the effect that the guarantor named in the Deed, and who executes the Deed, guarantees to pay to the SMA, in the circumstances described in the Deed:

- (a) an amount equal to a deposit that is required to be tendered under paragraph 23 (2) (c); and
- (b) an amount of damages referred to in subclause 27 (2) or (3).

[NOTE: Subclauses 9 (4) and (5) identify the persons who may be named as guarantor in a Deed of Guarantee.]

(4) The SMA must approve, in writing, a document, to be called a Transmitter Proposal, that includes:

- (a) a statement to the effect that each nominated applicant that completes the Proposal proposes to operate the transmitters described by the applicant in the Proposal; and
- (b) a statement to the effect that each nominated applicant that completes the Proposal proposes to operate those transmitters in the manner set out in the Proposal; and
- (c) details of:
  - (i) the proposed location of each transmitter; and
  - (ii) the proposed power levels of each transmitter; and
  - (iii) the proposed antennae characteristics of each transmitter.

### **PART 3—REGISTRATION OF APPLICANTS**

#### **Applicant registration**

8. (1) A licence must only be issued to a person whose name is on a register maintained by the SMA.

(2) The person may seek registration by giving the SMA, no later than 4 p.m. Australian Eastern Standard Time on the closing day that relates to the application for the relevant licence:

- (a) a completed and legible Applicant Registration Form; and
- (b) in the case of a company that is required, under clause 9, to give the SMA a Deed of Guarantee—a completed and legible Deed of Guarantee; and
- (c) a completed and legible Form of Authority for each individual (if any) whom the person wishes to represent the person in the allocation process; and
- (d) a bank cheque for the amount of the application fee decided by the SMA under subclause 6 (1).

(3) The documents to be given under subclause (2) must be given to the SMA at the SMA's address referred to in a notice published under subclause 4 (1) or (2).

(4) In complying with subclause (2):

- (a) if the person is an individual—the person must sign each document; and
- (b) if the person is a company—the seal of the company must be duly affixed to each document; and
- (c) if the person is not an individual or a company—the person must duly execute each document; and
- (d) if persons jointly apply—each person must sign or otherwise duly execute each document; and
- (e) a person that is not an individual must give the SMA at least one Form of Authority.

(5) For the avoidance of doubt, a document given to the SMA by a person must have on it the person's original signature or other means of execution.

### **Requirements for giving a Deed of Guarantee**

**9. (1)** A company (other than a foreign company) that wishes to be issued with a licence must give the SMA a Deed of Guarantee unless:

- (a) the company satisfies the SMA that the company has a paid-up capital of a value of at least \$5,000,000 in Australian currency; or
- (b) the company satisfies the SMA that the company is an authority of the Commonwealth, a State or a Territory; or
- (c) the company satisfies the SMA that the company is a subsidiary, within the meaning of the Corporations Law, of an authority of the Commonwealth, a State or a Territory; or
- (d) the SMA decides, under paragraph (2) (a), that the company is not required to give the SMA a Deed of Guarantee.

(2) If a company (other than a foreign company) satisfies the SMA that it does not carry on business for profit, the SMA:

- (a) may decide that the company is not required to give the SMA a Deed of Guarantee; and
- (b) must, as soon as practicable after making the decision, tell the company, in writing, of the decision.

(3) A foreign company that wishes to be issued with a licence must give the SMA a Deed of Guarantee.

(4) A Deed of Guarantee must be executed by the person named in the Deed as the guarantor.

(5) If a company gives the SMA a Deed of Guarantee that is executed by an individual as the guarantor, the company must satisfy the SMA that the guarantor is a director of the company that wishes to be issued with the licence.

(6) If a company gives the SMA a Deed of Guarantee that is not executed by an individual as the guarantor, the company must satisfy the SMA that the guarantor is:

- (a) a company (other than a foreign company) that has a paid-up capital of a value of at least \$5,000,000 in Australian currency; or
- (b) a body corporate established for a public purpose by or under a law of the Commonwealth, a State or a Territory; or
- (c) a body corporate:
  - (i) incorporated under a law of the Commonwealth, a State or a Territory; and
  - (ii) in which the Commonwealth, a State or a Territory has a controlling interest.

### **Registration of applicant by SMA**

- 10. (1)** The SMA must register a person who seeks registration if:
- (a) the person complies with clause 8; and
  - (b) the SMA is satisfied that the guarantor named in a Deed of Guarantee (if required) is a person or an authority referred to in subclause 9 (5) or paragraph 9 (6) (a), (b) or (c); and
  - (c) the Applicant Registration Form states that, in the period of 2 years immediately before the person gives the SMA the Applicant Registration Form, the person has not held an apparatus licence, issued under the Act or the *Radiocommunications Act 1983*, that has been cancelled otherwise than by the operation of section 307 of the Act (which deals with the surrender of licences).
- (2)** The SMA must register a person who seeks registration, and who has not complied with paragraph 8 (2) (d), if:
- (a) the person complies with:
    - (i) clause 8 (other than paragraph 8 (2) (d)); and
    - (ii) subclause (5); and
  - (b) the SMA is satisfied that the guarantor named in a Deed of Guarantee (if required) is a person or an authority referred to in subclause 9 (5) or paragraph 9 (6) (a), (b) or (c); and
  - (c) the Applicant Registration Form states that, in the period of 2 years immediately before the person gives the SMA the Applicant Registration Form, the person has not held an apparatus licence, issued under the Act or the *Radiocommunications Act 1983*, that has been cancelled otherwise than by the operation of section 307 of the Act (which deals with the surrender of licences).

(3) The SMA must not register a person who seeks registration in circumstances other than those described in subclauses (1) and (2).

(4) If:

- (a) a person who seeks registration pays the SMA an amount, as an application fee, before the end of the closing day; and
- (b) the amount is less than the amount of the application fee decided by the SMA under subclause 6 (1);

the SMA must, as soon as practicable after establishing that the amount is less than the amount of the application fee, tell the person that the amount is less than the amount of the application fee.

(5) A person to whom subclause (4) applies must pay the SMA the balance of the application fee before the end of:

- (a) 7 days after the day on which the SMA told the person that the amount originally paid by the person is less than the amount of the application fee; or
- (b) 7 days after the closing day;

whichever occurs later.

(6) If the SMA includes in the register the name of a person who:

- (a) does not comply with clause 8; or
- (b) does not comply with:
  - (i) clause 8 (other than paragraph 8 (2) (d)); and
  - (ii) subclause (5); or
- (c) satisfies the SMA, by a false or misleading representation, that it is not required to give the SMA a Deed of Guarantee; or
- (d) satisfies the SMA, by a false or misleading representation, that the guarantor named in the Deed of Guarantee (if required) is a person or an authority referred to in subclause 9 (5) or paragraph 9 (6) (a), (b) or (c); or
- (e) falsely makes the statement referred to in paragraph (1) (c) or (2) (c);

the inclusion of the person's name has no effect.

(7) The SMA may maintain the register in electronic form.

### **Distribution of Bidder Identification Forms**

**11. (1)** If a registered applicant is an individual, the SMA must make available to the applicant:

- (a) a Bidder Identification Form for the applicant; and
- (b) a Bidder Identification Form for each individual (if any) for whom the applicant provided a Form of Authority (other than a Form of Authority that the SMA does not accept for the purposes of subclause 12 (3)).

(2) If a registered applicant is not an individual, the SMA must make available to the applicant a Bidder Identification Form for each individual for whom the applicant provided a Form of Authority (other than a Form of Authority that the SMA does not accept for the purposes of subclause 12 (3)).

(3) The SMA may, at any time, replace a Bidder Identification Form that it has issued if it is satisfied that the Form it issued has been lost, destroyed or cannot reasonably be made available to the SMA.

### **Lodgment of Form of Authority in special circumstances**

**12. (1)** This clause applies if:

- (a) a registered applicant wishes to have an individual represent the applicant in an allocation period; and
- (b) the individual is not a person for whom the applicant has given the SMA a Form of Authority under paragraph 8 (2) (c).

(2) The applicant must:

- (a) give the SMA a completed and legible Form of Authority for the individual no later than 4 p.m. Australian Eastern Standard Time 2 business days before the first day of the relevant allocation period; and
- (b) if the applicant is an individual—sign the Form; and
- (c) if the applicant is a company—duly affix the seal of the company on the Form; and
- (d) if the applicant is not an individual or a company—duly execute the Form; and
- (e) if applicants jointly apply—sign or otherwise duly execute the Form; and
- (f) include with the Form of Authority the reason, in writing, for not having given the SMA a Form of Authority for the individual in accordance with subclause 8 (2).

(3) The SMA must accept the Form of Authority if it considers that it was not given to the SMA in accordance with subclause 8 (2) because of special circumstances.

(4) For the avoidance of doubt, a Form of Authority given to the SMA by a registered applicant must have on it the applicant's original signature or other means of execution.

## **PART 4—CONDUCT OF THE ALLOCATION SYSTEM IF THERE IS A LONE APPLICANT**

### **Notification of lone applicant**

**13. (1)** If the SMA registers only 1 person as an applicant for licences in an area, the SMA must, as soon as practicable after the closing day, give the applicant a Licence Contract for each licence in the relevant area.

**(2)** If a person becomes a lone applicant in accordance with subclause 21 (8), or is to be treated as a lone applicant in accordance with subclause 24 (7), the SMA must, as soon as practicable after the person becomes a lone applicant, give the person a Licence Contract for each licence in the relevant area.

### **Nomination of licences by lone applicant**

- 14. (1)** A lone applicant who has been given a Licence Contract:
- (a) may give the SMA a completed Licence Contract for each licence with which the lone applicant wishes to be issued; and
  - (b) must give the SMA a bank cheque, in Australian currency, for the total amount of the reserve prices for the licences with which the lone applicant wishes to be issued.
- (2)** Subject to clauses 15 and 16, the lone applicant must give the completed Licence Contract, and the cheque, to the SMA no later than:
- (a) 4 p.m. Australian Eastern Standard Time 14 days after the day on which the applicant was given the Licence Contract; or
  - (b) if the SMA nominates a time and day under subclause (3)—that time.
- (3)** The SMA:
- (a) may, at any time before the time referred to in paragraph (2) (a), set a time, on a day later than the day referred to in paragraph (2) (a), as the time by which a lone applicant must:
    - (i) give to the SMA a completed Licence Contract for each licence with which the lone applicant wishes to be issued; or
    - (ii) give to the SMA the cheque referred to in paragraph (1) (b); and
  - (b) must, as soon as practicable after setting a time, tell the lone applicant, in writing, of the time that the SMA has set.

[NOTE: Clause 16 sets out the immediate consequences for the lone applicant's application if the applicant does not meet the time limits referred to in clause 14. Clause 27 sets out other possible consequences if the applicant does not meet the time limits.]

**Arrangements if lone applicant's cheque is insufficient**

**15. (1)** Subclauses (2) and (3) apply if:

- (a) a lone applicant gives the SMA one or more Licence Contracts; and
- (b) the lone applicant gives the SMA a cheque under paragraph 14 (1) (b) in relation to the Contract or Contracts; and
- (c) the amount of the cheque is less than the total amount of the reserve prices determined for the licence or licences identified by the lone applicant in the Licence Contracts.

**(2)** The SMA must, no later than 14 days after the day on which the lone applicant gives the SMA the cheque, give the applicant a Notice of Unpaid Reserve Price.

**(3)** If the lone applicant wishes to pay the difference between the amount of the cheque and the total amount of the reserve prices, the lone applicant must pay the difference to the SMA, by bank cheque in Australian currency, no later than 7 days after the later of:

- (a) the day on which the SMA gives the Notice of Unpaid Reserve Price to the lone applicant; and
- (b) the day, referred to in subclause 14 (2), by which the lone applicant was required to give the first-mentioned cheque to the SMA .

[NOTE: Clause 16 sets out the immediate consequences for the lone applicant's application if the applicant does not pay the difference between the amount of the cheque and the total amount of the reserve prices. Clause 27 sets out other possible consequences if the applicant does not pay the difference.]

**When does a lone applicant's application cease to have effect?**

**16. (1)** Without affecting the operation of clause 27, if:

- (a) a lone applicant in relation to an area does not give the SMA a completed Licence Contract for any of the licences in the relevant area by the time referred to in paragraph 14 (2) (a); and
- (b) the SMA does not set a time under paragraph 14 (3) (a) in relation to Licence Contracts for those licences;

the lone applicant's application for licences in the area ceases to have effect from the time referred to in paragraph 14 (2) (a).

- (2) Without affecting the operation of clause 27, if:
- (a) the SMA sets a time under paragraph 14 (3) (a) in relation to Licence Contracts for licences in an area; and
  - (b) the lone applicant in relation to the area does not give the SMA a completed Licence Contract for any of the licences in the area by the time set by the SMA;

the lone applicant's application for licences in the area ceases to have effect from that time.

- (3) Without affecting the operation of clause 27, if:
- (a) a lone applicant in relation to an area gives the SMA one or more Licence Contracts for licences in that area; and
  - (b) the lone applicant does not pay any of the amount referred to in paragraph 14 (1) (b) by the time referred to in paragraph 14 (2) (a); and
  - (c) the SMA does not set a time under paragraph 14 (3) (a) in relation to the payment of the amount;

the lone applicant's applications for the licences to which the payment relates cease to have effect from the time referred to in paragraph 14 (2) (a).

- (4) Without affecting the operation of clause 27, if:
- (a) a lone applicant in relation to an area gives the SMA one or more Licence Contracts for licences in that area; and
  - (b) the SMA sets a time under paragraph 14 (3) (a) in relation to the payment by the lone applicant of the amount referred to in paragraph 14 (1) (b); and
  - (c) the lone applicant does not pay any of the amount by the time set by the SMA;

the lone applicant's application for the licences to which the payment relates cease to have effect from that time.

- (5) Without affecting the operation of clause 27, if:
- (a) the SMA gives a lone applicant a Notice of Unpaid Reserve Price; and
  - (b) the lone applicant does not pay the total amount requested in the Notice of Unpaid Reserve Price by the time referred to in subclause 15 (3);

the lone applicant's application ceases to have effect from that time.

**(6)** Without affecting the operation of clause 27, if:

- (a) a lone applicant's application for licences in an area ceases to have effect because the lone applicant does not comply with a requirement set out in clause 14 or 15; and
- (b) the SMA is not satisfied that the person has a reasonable excuse for not complying with the requirement; and
- (c) the person who was the lone applicant is, at the time that the application ceases to have effect, a lone applicant for licences in another area; and
- (d) the time referred to in paragraph 14 (2) (a) or 14 (3) (a) (if applicable) in relation to the other area has not expired;

the person's application for licences in the other area ceases to have effect.

**(7)** Without affecting the operation of clause 27, if:

- (a) a lone applicant's application for licences in an area ceases to have effect because the lone applicant does not comply with a requirement set out in clause 14 or 15; and
- (b) the SMA is not satisfied that the person has a reasonable excuse for not complying with the requirement; and
- (c) the person who was the lone applicant is, at the time that the application ceases to have effect, an applicant (other than a lone applicant) for licences in another area; and
- (d) at the time that the application ceases to have effect, bids have not been invited for any of the licences in the other area;

the person's application for licences in the other area ceases to have effect.

**(8)** If the SMA is not satisfied that a person who was a lone applicant has a reasonable excuse for not complying with a requirement set out in clause 14 or 15, the SMA must, as soon as practicable, tell the person:

- (a) that the SMA is not satisfied that the person has a reasonable excuse; and
- (b) the reason why the SMA is not satisfied.

**(9)** Without affecting the operation of clause 27, if a person's application for licences in an area ceases to have effect because the SMA is not satisfied that the person has a reasonable excuse for not complying with a requirement set out in clause 14 or 15:

- (a) the person is not permitted to apply for a licence for which applications are invited after the application ceased to have effect; and

- (b) a registered bidder representing the person is not permitted to bid, on behalf of the person, for:
  - (i) a licence in the area in relation to which the application ceased to have effect; or
  - (ii) a licence referred to in the Schedule for which applications are invited after the application ceased to have effect.
- (10)** If an application ceases to have effect under this clause:
  - (a) the SMA must, as soon as practicable after the application ceases to have effect, tell the person who made the application, in writing, that the person's application ceases to have effect; and
  - (b) this Determination, other than clauses 27 and 35, ceases to apply to each licence to which the application relates from the time that the application ceases to have effect.

[NOTE: Clause 27 sets out possible consequences if a lone applicant's application ceases to have effect.]

### **When does a lone applicant become a nominated applicant?**

- 17.** If a lone applicant:
  - (a) returns to the SMA a completed Licence Contract by the time:
    - (i) referred to in paragraph 14 (2) (a); or
    - (ii) set by the SMA under subclause 14 (3); and
  - (b) pays the total amount of the reserve prices for the licence or licences:
    - (i) by the time referred to in paragraph 14 (2) (a); or
    - (ii) by the time set by the SMA under paragraph 14 (3) (a); or
    - (iii) in accordance with subclause 15 (3);

the lone applicant becomes the nominated applicant for each licence that the applicant identified in a completed Licence Contract from the time that the applicant complies with those requirements.

## **PART 5—CONDUCT OF THE ALLOCATION SYSTEM IF THERE IS MORE THAN ONE REGISTERED APPLICANT**

### **Appointment of bid co-ordinator**

**18. (1)** The SMA may, at any time, appoint in writing 1 or more persons for the purpose of managing the making of bids during an allocation period.

(2) If:

- (a) the SMA registers more than 1 applicant for licences in an area; and
- (b) the SMA has not, at that time, appointed a person to manage the making of bids;

the SMA must, as soon as practicable, appoint at least 1 person to manage the making of bids.

### **Notice of allocation period**

**19. (1)** The SMA must tell each registered applicant, in writing:

- (a) the period or periods in which bids are to be invited for licences in the area; and
- (b) the place at which the allocation will be held.

(2) The SMA must tell the registered applicants at least 14 days before the first day of the first period in which bids are to be invited.

(3) The SMA:

- (a) may change the details of a matter referred to in subclause (1); and
- (b) must tell registered applicants of the changed details, in writing, as soon as practicable after changing the details.

(4) For the purposes of paragraph (3) (a), if the SMA wishes to change the day on which a period commences, the SMA must not change the day to a day earlier than the day told to registered applicants under paragraph (1) (a).

### **Holding an allocation**

**20.** The SMA must hold an allocation of licences:

- (a) during the period or periods identified under clause 19; and
- (b) at the place identified under clause 19; and
- (c) in accordance with this Determination.

### **Registration of bidders by SMA**

**21. (1)** If an individual for whom the SMA has issued a Bidder Identification Form wishes to bid for a licence to which the Bidder Identification Form relates, the individual must register as a bidder with the SMA.

[**NOTE:** Under subclause 22 (1), a bid for a licence may only be made by a registered bidder. A registered bidder is also the only person permitted by clause 23 to execute a Licence Contract.]

- (2)** The individual must register:
  - (a) in the period of 1 hour that ends 30 minutes before bids are expected to be invited for the first licence on the first day of the allocation period that relates to the licence for which the individual wishes to bid; or
  - (b) if the SMA extends that period—before the end of the period set by the SMA.
  
- (3)** When registering, the individual must:
  - (a) either:
    - (i) show the SMA the Bidder Identification Form issued for the individual; or
    - (ii) satisfy the SMA that the Bidder Identification Form issued for the individual has been lost, destroyed or cannot reasonably be made available to the SMA; and
  - (b) show the SMA the evidence of the individual's identity referred to in the Bidder Identification Form; and
  - (c) complete and sign the Bidder's Acknowledgment given to the individual by the SMA.

[**NOTE:** Under subclause 11 (3), the SMA may, at any time, replace a Bidder Identification Form that it has issued if it is satisfied that the Form it issued has been lost, destroyed or cannot reasonably be made available to the SMA.]

**(4)** The individual is registered by signing the Bidder's Acknowledgment as directed by the SMA.

- (5)** If the individual signs a Bidder's Acknowledgment, and:
  - (a) the individual has not registered by the time required under subclause (2); or
  - (b) the individual has not complied with subclause (3);

the Bidder's Acknowledgment has no effect.

**(6)** On registering an individual, the SMA must give each registered bidder:

- (a) a bidder's paddle for use for the area in relation to which the bidder is registered; or
- (b) if the bidder is registered in relation to more than 1 area—a different bidder's paddle for use for each area in relation to which the bidder is registered.

(7) If the individual shows the SMA more than one Bidder Identification Form issued for the individual, or satisfies the SMA that the SMA has issued more than one Bidder Identification Form for the individual, the SMA must:

- (a) register the individual separately for each Bidder Identification Form; and
- (b) give the individual a different bidder's paddle for each Bidder Identification Form.

(8) If each individual whom the SMA registers in relation to an area is to bid for the same applicant, the applicant is a lone applicant for licences in the area to which the application relates.

(9) Without affecting the operation of clause 27:

- (a) if an applicant in relation to an area does not register as a bidder, the applicant's application for licenses in the area ceases to have effect; and
- (b) if no applicant registers as a bidder in relation to an area:
  - (i) the SMA must, as soon as practicable after the application ceases to have effect, tell the person who made the application, in writing, that the person's application ceases to have effect; and
  - (ii) this Determination, other than clauses 27 and 35, ceases to apply to each licence to which the application relates from the time that the application ceases to have effect.

[NOTE: Clause 27 sets out possible consequences if a lone applicant's application ceases to have effect.]

### **Bidding for a licence**

**22. (1)** Only a registered bidder may bid for a licence.

(2) The bid co-ordinator will:

- (a) invite bids for one licence at a time; and
- (b) identify the registered bidder who makes the highest bid for the licence.

(3) In the event of a disputed bid:

- (a) the bid co-ordinator is the sole arbiter; and
- (b) the bid co-ordinator's decision is final.

(4) If the highest bid made for a licence is at least equal to the reserve price for the licence, the registered applicant by whom, or on whose behalf, the highest bid is made is the nominated applicant for the licence.

- (5) If an unregistered bidder bids for a licence, the making of the bid does not, by itself, affect the validity of:
- (a) the identification of the registered bidder who makes the highest bid for the licence; or
  - (b) the allocation of the licence.

### **Execution of the Licence Contract and tender of deposit**

**23. (1)** Immediately after an applicant is identified as the nominated applicant for a licence:

- (a) if the nominated applicant is a registered bidder—the nominated applicant must meet with the SMA; or
- (b) if the nominated applicant is not a registered bidder—a registered bidder who has signed a Bidder's Acknowledgment in relation to the nominated applicant must meet with the SMA.

**(2)** The individual who meets with the SMA must, as directed by the SMA:

- (a) identify himself or herself by:
  - (i) showing the SMA the correct Bidder Identification Form; or
  - (ii) showing the SMA the correct bidder's paddle; or
  - (iii) verifying the bidder's name and signature as they appear on the relevant Bidder's Acknowledgment; and
- (b) execute the Licence Contract in a form completed in respect of the licence; and
- (c) tender a deposit of 10% of the amount of the bid price in one payment consisting of cash in Australian currency, a cheque in Australian currency, or both.

**(3)** The individual who meets with the SMA must not pay an amount of cash that is equal to or greater than the amount referred to in the definition of "significant cash transaction" in subsection 4 (1) of the *Financial Transaction Reports Act 1988* as in force from time to time.

[NOTE: At 1 April 1995, the amount was \$10,000.]

**(4)** In addition to any other provision of this Determination, the amount of a deposit that is:

- (a) not tendered under paragraph (2) (c); or
- (b) tendered but not paid;

is a debt due to the Commonwealth, and may be recovered by the Commonwealth in a court of competent jurisdiction.

**Application for a licence ceases to have effect if Licence Contract is not executed or deposit not paid**

**24. (1)** Subclauses (2) and (3) apply if a nominated applicant, or a registered bidder on behalf of the nominated applicant, does not execute the Licence Contract in accordance with paragraph 23 (2) (b) as directed by the SMA.

**(2)** Without affecting the operation of clause 27:

- (a) the nominated applicant's application for the licence ceases to have effect from the time at which the nominated applicant or registered bidder fails to comply with the SMA's direction to execute the Licence Contract; and
- (b) if the nominated applicant has paid a deposit for the relevant licence—the deposit is forfeited to the Commonwealth; and
- (c) the SMA must:
  - (i) direct that the bid co-ordinator is to invite new bids for the licence during the allocation period; or
  - (ii) direct that the licence may be included in an additional allocation; or
  - (iii) direct, in writing, that the licence is withdrawn from the allocation process.

**(3)** Without affecting the operation of clause 27, if the SMA is not satisfied that the person who was the nominated applicant has a reasonable excuse why the Licence Contract was not executed:

- (a) the person is not permitted to bid for:
  - (i) that licence; or
  - (ii) another licence referred to in the Schedule; and
- (b) a registered bidder representing the person is not permitted to bid, on behalf of the person, for:
  - (i) that licence; or
  - (ii) another licence referred to in the Schedule; and
- (c) the SMA must, as soon as practicable, tell the person:
  - (i) that the SMA is not satisfied that the person has a reasonable excuse; and
  - (ii) the reason why the SMA is not satisfied.

**(4)** Subclauses (5) and (6) apply if:

- (a) a nominated applicant, or a registered bidder on behalf of the nominated applicant, does not tender the deposit required by clause 23; or
- (b) a deposit is tendered but not paid.

- (5) Without affecting the operation of clause 27:
- (a) the nominated applicant's application for the licence ceases to have effect from the time at which the nominated applicant did not tender or pay the deposit as directed; and
  - (b) the SMA must:
    - (i) direct that the bid co-ordinator is to invite new bids for the licence during the allocation period; or
    - (ii) direct that the licence may be included in an additional allocation; or
    - (iii) direct, in writing, that the licence is withdrawn from the allocation process.

(6) Without affecting the operation of clause 27, if the SMA is not satisfied that the person who was the nominated applicant has a reasonable excuse why the deposit was not tendered or paid:

- (a) the person is not permitted to bid for:
  - (i) that licence; or
  - (ii) another licence referred to in the Schedule; and
- (b) a registered bidder representing the person is not permitted to bid, on behalf of the person, for:
  - (i) that licence; or
  - (ii) another licence referred to in the Schedule; and
- (c) the SMA must, as soon as practicable, tell the person:
  - (i) that the SMA is not satisfied that the person has a reasonable excuse; and
  - (ii) the reason why the SMA is not satisfied.

(7) If the effect of paragraph (2) (a) or paragraph (5) (a) is that there is only one registered applicant remaining for licences in the relevant area:

- (a) the SMA must, as soon as practicable, tell the remaining registered applicant that the applicant is to be treated as a lone applicant in relation to the area; and
- (b) Part 4 applies to the SMA and to the registered applicant as if the applicant were a lone applicant for the licences that had not yet been allocated for the area.

(8) If, under subparagraph (2) (c) (iii) or (5) (b) (iii), the SMA directs that a licence be withdrawn from the allocation process, this Determination, other than clauses 27 and 35, ceases to apply to the licence from the time that the SMA gives the direction.

[NOTE: Clause 27 sets out possible consequences if a nominated applicant's application ceases to have effect.]

**Payment of balance of the bid price**

**25. (1)** A nominated applicant who is not a lone applicant must pay the bid price (less the amount of the deposit) to the SMA:

- (a) no later than 4 p.m., in the State or Territory in which the relevant allocation is held, on the business day following the day on which the relevant Licence Contract is completed; and
- (b) at:
  - (i) the office of the SMA nearest to the place at which the relevant allocation is held; or
  - (ii) the Sydney office of the SMA; and
- (c) in one payment consisting of cash in Australian currency, a bank cheque in Australian currency, or both.

**(2)** The applicant must not pay an amount of cash that is equal to or greater than the amount referred to in the definition of “significant cash transaction” in subsection 4 (1) of the *Financial Transaction Reports Act 1988* as in force from time to time.

[NOTE: At 1 April 1995, the amount was \$10,000.]

**Application for a licence ceases to have effect if nominated applicant does not comply with clause 25**

**26. (1)** Subclauses (2) and (3) apply if a nominated applicant does not comply with clause 25.

- (2)** Without affecting the operation of clause 27:
  - (a) the nominated applicant’s application for the licence ceases to have effect from the time by which the applicant is required to comply with clause 25; and
  - (b) the deposit paid for the relevant licence is forfeited to the Commonwealth; and
  - (c) the SMA must:
    - (i) direct that the bid co-ordinator is to invite new bids for the licence during the allocation period; or
    - (ii) direct that the licence may be included in an additional allocation; or
    - (iii) direct, in writing, that the licence is withdrawn from the allocation process.

(3) Without affecting the operation of clause 27, if the SMA is not satisfied that the person who was the nominated applicant has a reasonable excuse for not complying with clause 25:

- (a) the person is not permitted to bid for:
  - (i) that licence; or
  - (ii) another licence referred to in the Schedule; and
- (b) a registered bidder representing the person is not permitted to bid, on behalf of the person, for:
  - (i) that licence; or
  - (ii) another licence referred to in the Schedule; and
- (c) the SMA must, as soon as practicable, tell the applicant:
  - (i) that the SMA is not satisfied that the nominated applicant has a reasonable excuse; and
  - (ii) the reason why the SMA is not satisfied.

(4) If the effect of paragraph (2) (a) and subclause (3) is that there is only one registered applicant remaining for licences in the relevant area:

- (a) the SMA must, as soon as practicable, tell the remaining registered applicant that the applicant is to be treated as a lone applicant in relation to the area; and
- (b) Part 4 applies to the SMA and the registered applicant as if the applicant were a lone applicant for the licences that had not yet been allocated for the area.

(5) If, under subparagraph (2) (c) (iii), the SMA directs that a licence be withdrawn from the allocation process, this Determination, other than clauses 27 and 35, ceases to apply to the licence from the time that the SMA makes the direction.

[NOTE: Clause 27 sets out possible consequences if a nominated applicant's application ceases to have effect.]

## **PART 6—CONSEQUENCES OF AN UNSUCCESSFUL APPLICATION**

### **Liability for failure to comply with requirements of this Determination**

27. (1) Subclauses (2) and (3) apply if:
- (a) a lone applicant does not comply with a requirement set out in subclause 14 (2) or 15 (3) that applies to the applicant; or
  - (b) a nominated applicant, or a registered bidder representing the applicant, does not comply with a requirement set out in subclause 23 (1) or 23 (2) that applies to the applicant or bidder; or
  - (c) a nominated applicant does not pay a bid price in accordance with clause 25.

(2) This Determination does not affect any right of the Commonwealth to recover an amount of damages (including, if relevant, an amount that is greater than the amount of the highest bid price, but not including an amount paid as, or recovered in relation to, a deposit) from the nominated applicant, or any other person, in relation to the failure to comply with the relevant provision.

(3) To avoid doubt, this Determination does not affect any existing or future right of the Commonwealth to recover from a nominated applicant, or any other person, an amount of damages equal to the difference between:

- (a) the bid price that relates to the nominated applicant; and
- (b) if another nominated applicant is identified for the licence—the bid price that relates to that applicant.

### **Additional allocation**

**28. (1)** Subclauses (2) and (3) apply if:

- (a) the bid co-ordinator invites bids for a licence and receives no bids for the licence; or
- (b) the SMA directs, under subparagraph 24 (2) (c) (ii), 24 (5) (b) (ii) or 26 (2) (c) (ii), that a licence may be included in an additional allocation.

(2) The SMA may arrange for one or more additional allocations to be held in relation to the licence.

(3) The only persons who may bid for the licences in an additional allocation are persons who were, in a previous allocation in relation to that area, registered applicants for any of the licences included in the additional allocation.

## **PART 7—ALLOCATION OF LICENCES**

### **Licence not to be issued in certain circumstances**

**29. (1)** The SMA must not issue a licence to a nominated applicant if, in the 2 years immediately before the application, the applicant held an apparatus licence, issued under the Act or the *Radiocommunications Act 1983*, that has been cancelled otherwise than by the operation of section 307 of the Act (which deals with the surrender of licences).

(2) The SMA must not issue a licence that is inconsistent with:

- (a) the Australian spectrum plan; or
- (b) a relevant frequency band plan.

(3) The SMA must not issue a licence if the decision to issue the licence is inconsistent with:

- (a) a direction by the Minister under section 235 of the Act; or
- (b) a policy of the Commonwealth Government notified under section 236 of the Act.

### **Issue of a licence to a lone applicant**

30. (1) The SMA must issue a licence to a nominated applicant who was a lone applicant for the licence, or who is taken to be a lone applicant for the licence, if:

- (a) the SMA complies with its obligations under:
  - (i) the Act; and
  - (ii) this Determination; and
  - (iii) the Guidelines; and
  - (iv) the Radiocommunications (Coordination) Regulations; and
- (b) the nominated applicant complies with the requirements in clauses 14 and 15 that apply to the applicant; and
- (c) none of the circumstances stated in clause 29 exists.

(2) Subject to the Act and the Guidelines, the SMA must give effect to the agreed Transmitter Proposal that is in force for the area in which the licence is located, and the group, for the area, in which the licence is located, when issuing the licence.

[NOTE: “Agreed transmitter proposal” is defined in subclause 2 (1).]

(3) The SMA:

- (a) must issue the licence by instrument in writing; and
- (b) may issue more than one licence in one instrument.

(4) The licence comes into force on the day on which it is issued.

(5) A licence does not give authority to the licensee to occupy the place at which the licensee proposes to operate the relevant transmitter.

**Issue of a licence to an applicant other than a lone applicant**

**31. (1)** The SMA must issue a licence to a nominated applicant who was not a lone applicant for the licence, or who is not taken to be a lone applicant for the licence, if:

- (a) the SMA complies with its obligations under:
  - (i) the Act; and
  - (ii) this Determination; and
  - (iii) the Guidelines; and
  - (iv) the Radiocommunications (Coordination) Regulations; and
- (b) the nominated applicant, or a registered bidder representing the applicant, complies with the requirements in clauses 23 and 25; and
- (c) none of the circumstances stated in clause 29 exists.

**(2)** Subject to the Act and the Guidelines, the SMA must give effect to the agreed Transmitter Proposal that is in force for the area in which the licence is located, and the group, for the area, in which the licence is located, when issuing the licence.

[NOTE: “Agreed transmitter proposal” is defined in subclause 2 (1).]

**(3)** If no agreed Transmitter Proposal is in force for the area in which the licence is located, or the group, for the area, in which the licence is located, the SMA must issue the licence in accordance with the Act and the Guidelines.

- (4)** The SMA:
- (a) must issue the licence by instrument in writing; and
  - (b) may issue more than one licence in one instrument.

**(5)** The licence comes into force on the day on which it is issued.

**(6)** A licence does not give authority to the licensee to occupy the place at which the licensee proposes to operate the relevant transmitter.

**Application ceases to have effect if there is no Transmitter Proposal for an area**

- 32. (1)** Without affecting the operation of clause 27, if:
- (a) no applicant in relation to an area gives the SMA a completed Transmitter Proposal, in accordance with the Radiocommunications (Coordination) Regulations, for that area, and the group, for the area, in which the relevant licence is located, in the period of 12 months commencing on the day on which the first nominated applicant in relation to the area was identified; or

- (b) no Transmitter Proposal for an area in which a licence is located, and the group, for the area, in which the licence is located, has effect, for the purposes of the Radiocommunications (Coordination) Regulations, at the end of the period of 12 months after the day on which all the licences in relation to the relevant area and group, that have not been withdrawn from the allocation system in accordance with this Determination, have been allocated to nominated applicants by the SMA;

each application for licences in the area ceases to have effect from the end of that period.

- (2) If applications cease to have effect under subclause (1):
  - (a) the SMA must, as soon as practicable after the application ceases to have effect, tell each person who made an application, in writing, that the person's application ceases to have effect; and
  - (b) this Determination, other than clauses 27 and 35, ceases to apply to each licence in the area from the time that the applications cease to have effect.

### **Duration of a licence**

**33.** A licence is in force for a period of 5 years commencing on the day on which it is issued.

## **PART 8—MISCELLANEOUS**

### **Notices**

**34. (1)** At any time before the SMA issues a licence to a nominated applicant, it may announce, or publish a notice setting out:

- (a) the name of the nominated applicant, or of a person acting for the nominated applicant; and
- (b) the postal address of the nominated applicant; and
- (c) either:
  - (i) for a lone applicant—the price that the applicant is required to pay for the licence; or
  - (ii) in any other case—the bid price that the applicant bid for the licence.

[**NOTE:** The SMA is also required to publish a similar notice in the *Gazette* after it has issued the licence: see subsection 106 (3) of the Act.]

(2) The SMA may give any notice for the purposes of this Determination by fax.

- (3) For the purposes of this Determination, a notice is taken to have been given to an applicant by the SMA:
- (a) when the SMA delivers the notice to the address nominated by the applicant; or
  - (b) if the applicant nominates another address after submitting the application—when the SMA delivers the notice to the other address; or
  - (c) if:
    - (i) the applicant is a corporation; and
    - (ii) the SMA is unable to deliver the notice to the address nominated in the application;when the SMA delivers the notice to the applicant's registered business office; or
  - (d) if the notice is given by fax—on production by the despatching facsimile machine of a transmission control report showing:
    - (i) the relevant number of pages comprising the document to have been sent to the correct destination; and
    - (ii) that the notice has been transmitted successfully.

### **Liability under the allocation system**

35. The SMA is not liable to pay damages or costs arising from an act or omission of any person in relation to the allocation system set out in this Determination.

### **Information provided by applicant**

36. (1) A document given to the SMA by a person for the purposes of the allocation system set out in this Determination (including a document that contains intellectual property) becomes the property of the Commonwealth.

(2) Subclause (1) does not apply to a document that is given to the SMA to establish an individual's identity.

(3) The Commonwealth may use information provided by an applicant for the purposes of the Commonwealth.

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## SCHEDULE 1

Subclause 2 (1)

### AREAS

1. The area (called the “Southern New South Wales Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Botany (M)	Warringah (S)	NSW CD 030407	Tumbarumba (S)
Leichhardt (M)	Illawarra (SD)	Coolah (S)	Greater Lithgow (C)
Marrickville (M)	South Eastern (SD)	Coonabarabran (S)	Mudgee (S)
South Sydney (C)	Canberra (SD)	Dubbo (C)	Oberon (S)
Sydney (C) - Inner	Aust Cap Territory - Bal (SD)	Gilgandra (S)	Rylstone (S)
Sydney (C) - Remainder	Bathurst-Orange (SSD)	Narromine (S)	NSW CD 010404
Randwick (M)	Blayney (S)	Wellington (S)	NSW CD 010405
Waverley (M)	Cabonne (S)	Coolamon (S)	NSW CD 010406
Woollahra (M)	Evans (S)	Cootamundra (S)	NSW CD 010407
Hurstville (C)	Cowra (S)	Gundagai (S)	NSW CD 010408
Kogarah (M)	Forbes (S)	Junee (S)	NSW CD 010501
Rockdale (M)	Parkes (S)	Lockhart (S)	NSW CD 010502
Sutherland (S)	Weddin (S)	Temora (S)	NSW CD 010503
Bankstown (C)	NSW CD 150104	Wagga Wagga (C)	NSW CD 010504
Canterbury (M)	NSW CD 150106	Narrandera (S)	NSW CD 010505
Fairfield (C)	NSW CD 150107	Tumut (S)	NSW CD 010506
Liverpool (C)	NSW CD 150201	Griffith (C)	NSW CD 010507
Camden (M)	NSW CD 150202	Leeton (S)	NSW CD 011201
Campbelltown (C)	NSW CD 150203	Murrumbidgee (S)	Coonamble (S)
Wollondilly (S)	NSW CD 150204	NSW CD 010302	Warren (S)
Ashfield (M)	NSW CD 150205	NSW CD 010305	NSW CD 042405
Burwood (M)	NSW CD 150206	NSW CD 010306	NSW CD 042406
Concord (M)	NSW CD 150301	NSW CD 010307	NSW CD 042407
Drummoyne (M)	NSW CD 150302	NSW CD 010308	NSW CD 042701
Strathfield (M)	NSW CD 150303	NSW CD 010309	NSW CD 042702
Auburn (M)	NSW CD 150304	NSW CD 010310	
Holroyd (C)	NSW CD 150305	NSW CD 010311	
Parramatta (C)	NSW CD 150306	NSW CD 150101	
Blue Mountains (C)	NSW CD 150307	NSW CD 150102	
Hawkesbury (C)	NSW CD 150308	NSW CD 150103	
Penrith (C)	NSW CD 150309	NSW CD 150105	
Baulkham Hills (S)	NSW CD 030205	NSW CD 150108	
Blacktown (C)	NSW CD 030303	NSW CD 150109	
Hunter's Hill (M)	NSW CD 030304	NSW CD 030501	
Lane Cove (M)	NSW CD 030305	NSW CD 030503	
Mosman (M)	NSW CD 030306	NSW CD 030504	
North Sydney (M)	NSW CD 030401	NSW CD 030505	

**SCHEDULE 1—continued**

Ryde (M)	NSW CD 030402	NSW CD 030506
Willoughby (C)	NSW CD 030403	NSW CD 030507
Hornsby (S)	NSW CD 030404	NSW CD 160101
Ku-ring-gai (M)	NSW CD 030405	NSW CD 160102
Manly (M)	NSW CD 030406	NSW CD 160108

but not including the following areas:

- (a) the area within a circular contour:
    - (i) whose centre is grid reference 55 690600 6094330 in the Australian Map Grid, located at Black Mountain, Canberra; and
    - (ii) whose radius is 50 kilometres;
  - (b) the area within a circular contour:
    - (i) whose centre is grid reference 56 334080 6250870 in the Australian Map Grid, located at the General Post Office, Sydney; and
    - (ii) whose radius is 50 kilometres;
  - (c) the area within a circular contour:
    - (i) whose centre is grid reference 56 307570 6182100 in the Australian Map Grid, located at the Southern Copper Chimney, Port Kembla in New South Wales; and
    - (ii) whose radius is 20 kilometres;
  - (d) the area within a circular contour:
    - (i) whose centre is grid reference 56 363158 6359647 in the Australian Map Grid, located at Mount Sugarloaf, near Newcastle in New South Wales; and
    - (ii) whose radius is 50 kilometres.
2. The area (called the “Northern New South Wales Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Armidale (C)	Parry (S)	NSW CD 042505	NSW CD 040306
Ballina (S)	Port Stephens (S)	NSW CD 042506	Copmanhurst (S)
Barraba (S)	Richmond River (S)	NSW CD 042507	Dumaresq (S)
Bellingen (S)	Singleton (S)	NSW CD 042508	Gloucester (S)
Bingara (S)	Tamworth (C)	NSW CD 042509	Greater Taree (C)
Byron (S)	Tweed (S)	NSW CD 042510	Guyra (S)
Casino (M)	Ulmarra (S)	NSW CD 042601	Hastings (M)
Cessnock (C)	Uralla (S)	NSW CD 042602	Merriwa (S)
Coffs Harbour (C)	NSW CD 042301	NSW CD 042603	Moree Plains (S)
Dungog (S)	NSW CD 042302	NSW CD 042604	Nundle (S)
Glen Innes (M)	NSW CD 042303	NSW CD 042703	Scone (S)

**SCHEDULE 1—continued**

Grafton (C)	NSW CD 042304	NSW CD 042704	Walcha (S)
Great Lakes (S)	NSW CD 042305	NSW CD 042705	NSW CD 052402
Kempsey (S)	NSW CD 042306	NSW CD 042706	NSW CD 052405
Kyogle (S)	NSW CD 042307	NSW CD 042707	NSW CD 052406
Lake Macquarie (C)	NSW CD 042308	NSW CD 042708	NSW CD 052502
Lismore (C)	NSW CD 042309	NSW CD 042709	NSW CD 052509
Maclean (S)	NSW CD 042310	NSW CD 042801	Inverell (S)
Maitland (C)	NSW CD 042401	NSW CD 042802	Severn (S)
Manilla (S)	NSW CD 042402	NSW CD 042803	Yallaroi (S)
Murrurundi (S)	NSW CD 042403	NSW CD 042804	
Muswellbrook (S)	NSW CD 042404	NSW CD 042805	
Nambucca (S)	NSW CD 042501	NSW CD 042806	
Narrabri (S)	NSW CD 042502	NSW CD 040302	
Newcastle (C)	NSW CD 042503	NSW CD 040304	
Nymboida (S)	NSW CD 042504	NSW CD 040305	

but not including the following areas:

- (a) the area within a circular contour:
  - (i) whose centre is grid reference 56 363158 6359647 in the Australian Map Grid, located at Mount Sugarloaf, near Newcastle in New South Wales; and
  - (ii) whose radius is 50 kilometres;
- (b) the area within a circular contour:
  - (i) whose centre is grid reference 56 542980 6895970 in the Australian Map Grid, located at the Post Office, Nobby Beach, Queensland; and
  - (ii) whose radius is 20 kilometres.

3. The area (called the “Gosford Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

NSW CD 220102	NSW CD 220504	NSW CD 221002	NSW CD 211411
NSW CD 220103	NSW CD 220505	NSW CD 221003	NSW CD 211412
NSW CD 220104	NSW CD 220506	NSW CD 221006	NSW CD 211501
NSW CD 220105	NSW CD 220507	NSW CD 221007	NSW CD 211502
NSW CD 220110	NSW CD 220508	NSW CD 221008	NSW CD 211503
NSW CD 220111	NSW CD 220509	NSW CD 221010	NSW CD 211504
NSW CD 220201	NSW CD 220510	NSW CD 221401	NSW CD 211505
NSW CD 220202	NSW CD 220601	NSW CD 222103	NSW CD 211506
NSW CD 220203	NSW CD 220602	NSW CD 210211	NSW CD 211507
NSW CD 220204	NSW CD 220603	NSW CD 211104	NSW CD 211508
NSW CD 220205	NSW CD 220604	NSW CD 211105	NSW CD 211509
NSW CD 220206	NSW CD 220605	NSW CD 211106	NSW CD 211510
NSW CD 220207	NSW CD 220606	NSW CD 211107	NSW CD 211601
NSW CD 220208	NSW CD 220607	NSW CD 211108	NSW CD 211602

**SCHEDULE 1—continued**

NSW CD 220209	NSW CD 220608	NSW CD 211109	NSW CD 211603
NSW CD 220210	NSW CD 220701	NSW CD 211110	NSW CD 211604
NSW CD 220211	NSW CD 220702	NSW CD 211111	NSW CD 211605
NSW CD 220212	NSW CD 220703	NSW CD 211112	NSW CD 211606
NSW CD 220301	NSW CD 220708	NSW CD 211113	NSW CD 211607
NSW CD 220302	NSW CD 220709	NSW CD 211204	NSW CD 211608
NSW CD 220303	NSW CD 220710	NSW CD 211205	NSW CD 211609
NSW CD 220304	NSW CD 220801	NSW CD 211206	NSW CD 211610
NSW CD 220305	NSW CD 220802	NSW CD 211207	NSW CD 211611
NSW CD 220306	NSW CD 220803	NSW CD 211208	NSW CD 211612
NSW CD 220307	NSW CD 220804	NSW CD 211209	NSW CD 211701
NSW CD 220308	NSW CD 220805	NSW CD 211210	NSW CD 211702
NSW CD 220309	NSW CD 220806	NSW CD 211303	NSW CD 211703
NSW CD 220310	NSW CD 220807	NSW CD 211304	NSW CD 211704
NSW CD 220311	NSW CD 220808	NSW CD 211305	NSW CD 211705
NSW CD 220312	NSW CD 220809	NSW CD 211306	NSW CD 211706
NSW CD 220313	NSW CD 220810	NSW CD 211307	NSW CD 211707
NSW CD 220401	NSW CD 220811	NSW CD 211308	NSW CD 211708
NSW CD 220402	NSW CD 220812	NSW CD 211309	NSW CD 211709
NSW CD 220403	NSW CD 220901	NSW CD 211310	NSW CD 211710
NSW CD 220404	NSW CD 220902	NSW CD 211312	NSW CD 211801
NSW CD 220405	NSW CD 220903	NSW CD 211401	NSW CD 211802
NSW CD 220406	NSW CD 220904	NSW CD 211402	NSW CD 211803
NSW CD 220407	NSW CD 220905	NSW CD 211403	NSW CD 211804
NSW CD 220408	NSW CD 220906	NSW CD 211404	NSW CD 211805
NSW CD 220409	NSW CD 220907	NSW CD 211405	NSW CD 211806
NSW CD 220410	NSW CD 220908	NSW CD 211406	NSW CD 211807
NSW CD 220411	NSW CD 220909	NSW CD 211407	NSW CD 211808
NSW CD 220501	NSW CD 220910	NSW CD 211408	NSW CD 211809
NSW CD 220502	NSW CD 220911	NSW CD 211409	NSW CD 211810
NSW CD 220503	NSW CD 221001	NSW CD 211410	

but not including the following areas:

- (a) the area within a circular contour:
  - (i) whose centre is grid reference 56 334080 6250870 in the Australian Map Grid, located at the General Post Office, Sydney; and
  - (ii) whose radius is 50 kilometres;
- (b) the area within a circular contour:
  - (a) whose centre is grid reference 56 363158 6359647 in the Australian Map Grid, located at Mount Sugarloaf, near Newcastle in New South Wales; and
  - (b) whose radius is 50 kilometres.

**SCHEDULE 1—continued**

4. The area (called the “Broken Hill Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Broken Hill (C)  
NSW CD 020204  
NSW CD 020206  
NSW CD 020207  
NSW CD 020208

5. The area (called the “South-East Queensland Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

NSW CD 052501	Wambo (S)	Qld CD 081111	Qld CD 070704
NSW CD 052505	Warwick (C)	Qld CD 081112	Qld CD 070705
NSW CD 052506	Widgee (S)	Qld CD 081404	Qld CD 070706
NSW CD 052511	Wondai (S)	Qld CD 081405	Qld CD 070707
Allora (S)	Woocoo (S)	Qld CD 081406	Boonah (S)
Biggenden (S)	Woongarra (S)	Qld CD 081411	Brisbane (C)
Bundaberg (C)	Qld CD 081001	Qld CD 081501	Caboolture (S)
Cambooya (S)	Qld CD 081002	Qld CD 081502	Caloundra (C)
Clifton (S)	Qld CD 081003	Qld CD 081503	Esk (S)
Crow's Nest (S)	Qld CD 081004	Qld CD 081504	Ipswich (C)
Dalby (T)	Qld CD 081005	Qld CD 081505	Kilcoy (S)
Gatton (S)	Qld CD 081006	Qld CD 081506	Moreton (S)
Gayndah (S)	Qld CD 081007	Qld CD 081507	Pine Rivers (S)
Glengallan (S)	Qld CD 081008	Qld CD 081508	Redcliffe (C)
Gooburrum (S)	Qld CD 081009	Qld CD 081509	Redland (S)
Goondiwindi (T)	Qld CD 081012	Qld CD 081601	Logan (C)
Gympie (C)	Qld CD 081013	Qld CD 081602	Qld CD 072001
Hervey Bay (C)	Qld CD 081014	Qld CD 081603	Qld CD 072004
Inglewood (S)	Qld CD 072103	Qld CD 081604	Qld CD 072005
Isis (S)	Qld CD 072104	Qld CD 081605	Qld CD 072006
Jondaryan (S)	Qld CD 071802	Qld CD 081606	Qld CD 072007
Kilkivan (S)	Qld CD 071803	Qld CD 081607	Qld CD 072101
Kingaroy (S)	Qld CD 071804	Qld CD 081608	Qld CD 072102
Kolan (S)	Qld CD 071805	Qld CD 081609	Qld CD 081010
Laidley (S)	Qld CD 071806	Qld CD 081809	Qld CD 081011
Maroochy (S)	Qld CD 071807	Qld CD 081810	Qld CD 061802
Maryborough (C)	Qld CD 071808	Qld CD 081811	Qld CD 061807
Millmerran (S)	Qld CD 071809	NSW CD 041504	Qld CD 061810
Murgon (S)	Qld CD 071810	NSW CD 052601	Qld CD 071801

**SCHEDULE 1—continued**

Nanango (S)	Qld CD 072002	NSW CD 052602	Qld CD 080903
Noosa (S)	Qld CD 072003	NSW CD 052603	Qld CD 080910
Perry (S)	Qld CD 072008	NSW CD 052604	NSW CD 052503
Pittsworth (S)	Qld CD 081103	NSW CD 052605	NSW CD 052504
Rosalie (S)	Qld CD 081104	NSW CD 052401	NSW CD 052508
Rosenthal (S)	Qld CD 081105	NSW CD 052403	Qld CD 081808
Stanthorpe (S)	Qld CD 081106	NSW CD 052404	
Tiaro (S)	Qld CD 081107	NSW CD 052507	
Toowoomba (C)	Qld CD 081108	NSW CD 052510	

but not including the area within a circular contour:

- (a) whose centre is grid reference 56 502560 6961530 in the Australian Map Grid, located at the Commonwealth Bank Building, Brisbane and
- (b) whose radius is 50 kilometres.

6. The area (called the “Mackay/Rockhampton Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Mackay (C)	Qld CD 050807	Qld CD 061915	Qld CD 060208
Mirani (S)	Qld CD 050808	Qld CD 061916	Qld CD 060209
Pioneer (S)	Qld CD 050809	Qld CD 080603	Qld CD 060210
Sarina (S)	Qld CD 050810	Qld CD 080604	Qld CD 060211
Qld CD 031502	Qld CD 050811	Qld CD 080605	Qld CD 060212
Qld CD 031503	Qld CD 050812	Qld CD 080606	Qld CD 060213
Qld CD 031504	Qld CD 050813	Qld CD 080607	Qld CD 060301
Qld CD 031505	Qld CD 052004	Qld CD 080401	Qld CD 060302
Qld CD 031506	Qld CD 050601	Qld CD 080402	Qld CD 060303
Qld CD 031507	Qld CD 052002	Qld CD 080403	Qld CD 060304
Qld CD 031508	Qld CD 052003	Qld CD 080404	Qld CD 060305
Qld CD 031509	Qld CD 052005	Qld CD 080405	Qld CD 060306
Qld CD 031601	Broadsound (S)	Qld CD 080406	Qld CD 060307
Qld CD 031604	Peak Downs (S)	Qld CD 080407	Qld CD 060308
Qld CD 031605	Calliope (S)	Qld CD 080408	Qld CD 060309
Qld CD 031606	Fitzroy (S)	Qld CD 080409	Qld CD 060310
Qld CD 031607	Gladstone (C)	Qld CD 080410	Qld CD 060311
Qld CD 031608	Rockhampton (C)	Qld CD 080411	Qld CD 060312
Qld CD 031609	Qld CD 061701	Qld CD 080502	Qld CD 060313
Qld CD 031610	Qld CD 061702	Qld CD 080503	Qld CD 070701
Qld CD 031611	Qld CD 061703	Qld CD 080504	Qld CD 070702
Qld CD 050602	Qld CD 061704	Qld CD 080505	Qld CD 070703
Qld CD 050603	Qld CD 061705	Qld CD 080506	Qld CD 070708
Qld CD 050604	Qld CD 061706	Qld CD 080507	Qld CD 070709

**SCHEDULE 1—continued**

Qld CD 050605	Qld CD 061707	Qld CD 080508	Mount Morgan (S)
Qld CD 050606	Qld CD 061708	Qld CD 080509	Qld CD 080501
Qld CD 050607	Qld CD 061801	Qld CD 080512	Qld CD 080201
Qld CD 050609	Qld CD 061803	Qld CD 060102	Qld CD 080202
Qld CD 052006	Qld CD 061804	Qld CD 060103	Qld CD 080203
Qld CD 052001	Qld CD 061805	Qld CD 060104	Qld CD 080204
Qld CD 050701	Qld CD 061808	Qld CD 060105	Qld CD 080205
Qld CD 050702	Qld CD 061809	Qld CD 060106	Qld CD 080206
Qld CD 050703	Qld CD 061901	Qld CD 060107	Qld CD 080207
Qld CD 050704	Qld CD 061902	Qld CD 060108	Qld CD 080208
Qld CD 050705	Qld CD 061903	Qld CD 060109	Qld CD 080209
Qld CD 050706	Qld CD 061904	Qld CD 060110	Qld CD 080210
Qld CD 050707	Qld CD 061905	Qld CD 060111	Qld CD 080301
Qld CD 050708	Qld CD 061906	Qld CD 060112	Qld CD 080302
Qld CD 050709	Qld CD 061907	Qld CD 060113	Qld CD 080303
Qld CD 050710	Qld CD 061908	Qld CD 060201	Qld CD 080304
Qld CD 050801	Qld CD 061909	Qld CD 060202	Qld CD 080306
Qld CD 050802	Qld CD 061910	Qld CD 060203	Qld CD 080307
Qld CD 050803	Qld CD 061911	Qld CD 060204	Qld CD 080308
Qld CD 050804	Qld CD 061912	Qld CD 060205	Qld CD 080309
Qld CD 050805	Qld CD 061913	Qld CD 060206	Qld CD 080511
Qld CD 050806	Qld CD 061914	Qld CD 060207	Qld CD 080608
			Qld CD 060101

7. The area (called the “Townsville Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Burdekin (S)	Qld CD 050406	Qld CD 050509	Qld CD 030704
Cardwell (S)	Qld CD 050407	Qld CD 050510	Qld CD 030705
Charters Towers (C)	Qld CD 050408	Qld CD 050511	Qld CD 030707
Hinchinbrook (S)	Qld CD 050409	Qld CD 031201	Qld CD 030708
Johnstone (S)	Qld CD 050501	Qld CD 031303	Qld CD 030709
Thuringowa (C)	Qld CD 050502	Qld CD 031309	Qld CD 030710
Townsville (C)	Qld CD 050503	Qld CD 030801	Qld CD 012309
Qld CD 050401	Qld CD 050504	Qld CD 030802	Qld CD 012310
Qld CD 050402	Qld CD 050505	Qld CD 030803	Qld CD 031310
Qld CD 050403	Qld CD 050506	Qld CD 030806	Qld CD 031203
Qld CD 050404	Qld CD 050507	Qld CD 030807	Qld CD 031202
Qld CD 050405	Qld CD 050508	Qld CD 030809	

**SCHEDULE 1—continued**

8. The area (called the “Sanctuary Cove Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Albert (S)	Qld CD 253502	Qld CD 160101	Qld CD 151512
Beaudesert (S)	Qld CD 253503	Qld CD 160102	Qld CD 151513
Gold Coast (S)	Qld CD 253201	Qld CD 160103	Qld CD 151514
Qld CD 253001	Qld CD 253202	Qld CD 160104	Qld CD 151601
Qld CD 253002	Qld CD 253203	Qld CD 160105	Qld CD 151602
Qld CD 253003	Qld CD 253204	Qld CD 160106	Qld CD 151603
Qld CD 253004	Qld CD 253205	Qld CD 160109	Qld CD 151604
Qld CD 253005	Qld CD 253206	Qld CD 160110	Qld CD 151605
Qld CD 253006	Qld CD 253601	Qld CD 160301	Qld CD 151606
Qld CD 253007	Qld CD 253602	Qld CD 160302	Qld CD 151607
Qld CD 253008	Qld CD 252901	Qld CD 160303	Qld CD 151608
Qld CD 253009	Qld CD 252902	Qld CD 160304	Qld CD 151609
Qld CD 253010	Qld CD 160201	Qld CD 160305	Qld CD 151610
Qld CD 253011	Qld CD 160202	Qld CD 160702	Qld CD 151611
Qld CD 253012	Qld CD 160203	Qld CD 151405	Qld CD 160901
Qld CD 253013	Qld CD 160204	Qld CD 151406	Qld CD 160902
Qld CD 252701	Qld CD 160205	Qld CD 151407	Qld CD 160904
Qld CD 252702	Qld CD 160206	Qld CD 151408	Qld CD 160905
Qld CD 252703	Qld CD 160207	Qld CD 151409	Qld CD 160906
Qld CD 252704	Qld CD 160208	Qld CD 151410	Qld CD 161101
Qld CD 252705	Qld CD 160209	Qld CD 151414	Qld CD 161102
Qld CD 252706	Qld CD 160501	Qld CD 151415	Qld CD 161104
Qld CD 252801	Qld CD 160502	Qld CD 151416	Qld CD 161001
Qld CD 253101	Qld CD 160503	Qld CD 151501	Qld CD 161002
Qld CD 253102	Qld CD 160504	Qld CD 151502	Qld CD 161003
Qld CD 253103	Qld CD 160505	Qld CD 151503	Qld CD 161004
Qld CD 253104	Qld CD 160506	Qld CD 151504	Qld CD 161005
Qld CD 253105	Qld CD 160507	Qld CD 151505	Qld CD 161006
Qld CD 253106	Qld CD 160508	Qld CD 151506	Qld CD 161007
Qld CD 253107	Qld CD 160509	Qld CD 151507	Qld CD 161008
Qld CD 253108	Qld CD 160401	Qld CD 151508	Qld CD 160601
Qld CD 253109	Qld CD 160402	Qld CD 151509	Qld CD 160602
Qld CD 253110	Qld CD 160403	Qld CD 151510	Qld CD 160603
Qld CD 253501	Qld CD 160404	Qld CD 151511	

**SCHEDULE 1—continued**

but not including the following areas:

- (a) the area within a circular contour:
  - (i) whose centre is grid reference 56 502560 6961530 in the Australian Map Grid, located at the Commonwealth Bank Building, Brisbane and
  - (ii) whose radius is 50 kilometres;
- (b) the area within a circular contour:
  - (i) whose centre is grid reference 56 542980 6895970 in the Australian Map Grid, located at the Post Office, Nobby Beach, Queensland; and
  - (ii) whose radius is 20 kilometres.

9. The area (called the “Mount Isa Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Qld CD 020603	Qld CD 020713	Qld CD 020812	Qld CD 020906
Qld CD 020605	Qld CD 020714	Qld CD 020813	Qld CD 020907
Qld CD 020701	Qld CD 020715	Qld CD 020814	Qld CD 020908
Qld CD 020702	Qld CD 020801	Qld CD 020815	Qld CD 020909
Qld CD 020703	Qld CD 020802	Qld CD 020816	Qld CD 020910
Qld CD 020704	Qld CD 020803	Qld CD 020817	Qld CD 020911
Qld CD 020705	Qld CD 020804	Qld CD 020818	Qld CD 020912
Qld CD 020706	Qld CD 020805	Qld CD 020819	Qld CD 020913
Qld CD 020707	Qld CD 020806	Qld CD 020820	Qld CD 020914
Qld CD 020708	Qld CD 020807	Qld CD 020901	Qld CD 020915
Qld CD 020709	Qld CD 020808	Qld CD 020902	Qld CD 020916
Qld CD 020710	Qld CD 020809	Qld CD 020903	Qld CD 021002
Qld CD 020711	Qld CD 020810	Qld CD 020904	Qld CD 021003
Qld CD 020712	Qld CD 020811	Qld CD 020905	Qld CD 021301

**SCHEDULE 1—continued**

10. The area (called the “Port Douglas Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Qld CD 010805	Qld CD 010901	Qld CD 010905	Qld CD 010910
Qld CD 010806	Qld CD 010902	Qld CD 010906	Qld CD 010911
Qld CD 010808	Qld CD 010903	Qld CD 010907	
Qld CD 010810	Qld CD 010904	Qld CD 010909	

but not including the area within a circular contour:

- (a) whose centre is grid reference 55 365980 8132874 in the Australian Map Grid, located at Lumley Hill, Cairns in Queensland; and
- (b) whose radius is 50 kilometres.

11. The area (called the “Regional Victoria Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

NSW CD 010104	Deniliquin (M)	Mallee (SD)	Vic CD 091308
NSW CD 010107	Holbrook (S)	Loddon-Campaspe (SD)	Vic CD 091309
NSW CD 010109	Hume (S)	Goulburn (SD)	NSW CD 010601
NSW CD 010111	NSW CD 010701	Ovens-Murray (SD)	NSW CD 010602
NSW CD 010112	NSW CD 010702	East Gippsland (SD)	Dimboola (S)
NSW CD 020701	NSW CD 010703	Gippsland (SD)	Donald (S)
NSW CD 020705	NSW CD 010704	Hopkins (SSD)	Dunmunkle (S)
NSW CD 020706	NSW CD 010705	Dundas (S)	Kaniva (S)
NSW CD 020707	NSW CD 010706	Hamilton (C)	Lowan (S)
NSW CD 020708	NSW CD 010707	Minhamite (S)	Warracknabeal (S)
NSW CD 020709	NSW CD 010708	Mount Rouse (S)	Arapiles (S)
NSW CD 020710	NSW CD 010709	Portland (C)	Horsham (C)
NSW CD 020711	NSW CD 010710	Wannon (S)	Kara Kara (S)
NSW CD 020801	NSW CD 010711	Vic CD 091101	St Arnaud (T)
NSW CD 020803	NSW CD 010712	Vic CD 091102	Stawell (C)
NSW CD 020804	NSW CD 010713	Vic CD 091103	Stawell (S)
NSW CD 020805	NSW CD 010714	Vic CD 091104	Wimmera (S)
NSW CD 010202	NSW CD 010901	Vic CD 091105	Vic CD 090101
NSW CD 010203	NSW CD 010902	Vic CD 091106	Vic CD 090103
NSW CD 010204	NSW CD 010903	Vic CD 091108	Vic CD 090105
NSW CD 010205	NSW CD 010904	Vic CD 091111	Vic CD 090106
NSW CD 010206	NSW CD 010905	Vic CD 091112	Vic CD 090107
NSW CD 010207	NSW CD 011202	Vic CD 091202	Vic CD 090108

**SCHEDULE 1—continued**

NSW CD 010208	NSW CD 011203	Vic CD 091203	Vic CD 090109
NSW CD 010209	NSW CD 011204	Vic CD 091204	Vic CD 090201
NSW CD 010210	NSW CD 011205	Vic CD 091205	Vic CD 090202
NSW CD 010211	NSW CD 160103	Vic CD 091206	Vic CD 090203
NSW CD 010212	NSW CD 160104	Vic CD 091207	Vic CD 090204
NSW CD 010213	NSW CD 160105	Vic CD 091301	Vic CD 090205
NSW CD 010214	NSW CD 160106	Vic CD 091302	Vic CD 090206
Albury (C)	NSW CD 160107	Vic CD 091303	Vic CD 090207
Berrigan (S)	Melbourne (SD)	Vic CD 091305	Vic CD 091107
Corowa (S)	Barwon (SD)	Vic CD 091306	Vic CD 091109
Culcairn (S)	Central Highlands (SD)	Vic CD 091307	Vic CD 091110

but not including the area within a circular contour:

- (a) whose centre is grid reference 55 320800 5812740 in the Australian Map Grid, located at the Bourke Street Mall, Melbourne; and
- (b) whose radius is 50 kilometres.

12. The area (called the “Tasmania Area”) that consists of the island of Tasmania other than the area within a circular contour:

- (a) whose centre is grid reference 55 519236 5250428 in the Australian Map Grid, located at Mount Wellington, Hobart; and
- (b) whose radius is 50 kilometres.

13. The area (called the “South-West Western Australia Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Albany (T)	Mandurah (C)	WA CD 043403	Toodyay (S)
Albany (S)	Murray (S)	WA CD 043404	Augusta-Margaret River (S)
Bridgetown- Greenbushes (S)	Narrogin (T)	WA CD 043406	Boyup Brook (S)
Brookton (S)	Narrogin (S)	WA CD 043407	Kojonup (S)
Broomehill (S)	Northam (T)	WA CD 040303	Manjimup (S)
Bruce Rock (S)	Pingelly (S)	WA CD 040304	Nannup (S)
Bunbury (C)	Plantagenet (S)	WA CD 040305	Beverley (S)
Busselton (S)	Quairading (S)	WA CD 141401	Boddington (S)
Capel (S)	Tambellup (S)	WA CD 141402	Northam (S)
Collie (S)	Tammin (S)	WA CD 141403	Wandering (S)
Corrigin (S)	Wagin (S)	WA CD 141901	York (S)
Cranbrook (S)	Waroona (S)	WA CD 141902	Dandaragan (S)
Cuballing (S)	West Arthur (S)	WA CD 141903	Moora (S)

**SCHEDULE 1—continued**

Cunderdin (S)	Wickepin (S)	WA CD 141301	Victoria Plains (S)
Dardanup (S)	Williams (S)	WA CD 141305	WA CD 022401
Denmark (S)	Woodanilling (S)	WA CD 040602	WA CD 022402
Donnybrook-Balingup (S)	Wyalkatchem (S)	WA CD 040603	WA CD 022405
Dumbleyung (S)	WA CD 040403	Merredin (S)	WA CD 022406
Harvey (S)	WA CD 040404	Perth (SD)	
Katanning (S)	WA CD 043401	Chittering (S)	
Kellerberrin (S)	WA CD 043402	Gingin (S)	

but not including the area within a circular contour:

- (a) whose centre is grid reference 50 392020 6464140 in the Australian Map Grid, located at the General Post Office, Perth and
- (b) whose radius is 50 kilometres.

14. The area (called the “Kalgoorlie Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

WA CD 140402	WA CD 140608	WA CD 141609	WA CD 141804
WA CD 140403	WA CD 140609	WA CD 141610	WA CD 141805
WA CD 140404	WA CD 140610	WA CD 141612	WA CD 141904
WA CD 140405	WA CD 140611	WA CD 141701	WA CD 142002
WA CD 140406	WA CD 140701	WA CD 141702	WA CD 142003
WA CD 140407	WA CD 140702	WA CD 141703	WA CD 142004
WA CD 140408	WA CD 140703	WA CD 141704	WA CD 142005
WA CD 140412	WA CD 140704	WA CD 141705	WA CD 142006
WA CD 140413	WA CD 140705	WA CD 141706	WA CD 142007
WA CD 140414	WA CD 140706	WA CD 141707	WA CD 142008
WA CD 140501	WA CD 140707	WA CD 141708	WA CD 142102
WA CD 140502	WA CD 140708	WA CD 141709	WA CD 142103
WA CD 140503	WA CD 140709	WA CD 141710	WA CD 142201
WA CD 140504	WA CD 140710	WA CD 140902	WA CD 142203
WA CD 140505	WA CD 140711	WA CD 140903	WA CD 142204
WA CD 140506	WA CD 140801	WA CD 140904	WA CD 142205
WA CD 140507	WA CD 140802	WA CD 140905	WA CD 043405
WA CD 140508	WA CD 140803	WA CD 140401	WA CD 141002
WA CD 140509	WA CD 140805	WA CD 140804	WA CD 141003
WA CD 140510	WA CD 140806	WA CD 140906	WA CD 141302
WA CD 140511	WA CD 140807	WA CD 141404	WA CD 141303
WA CD 140512	WA CD 140808	WA CD 141501	WA CD 141905
WA CD 140513	WA CD 140809	WA CD 141502	WA CD 142001
WA CD 140514	WA CD 140810	WA CD 141503	WA CD 142101

**SCHEDULE 1—continued**

WA CD 140601	WA CD 140811	WA CD 141504	WA CD 142104
WA CD 140602	WA CD 141602	WA CD 141601	WA CD 141304
WA CD 140603	WA CD 141603	WA CD 141611	WA CD 141806
WA CD 140604	WA CD 141604	WA CD 141801	WA CD 141807
WA CD 140605	WA CD 141606	WA CD 141405	WA CD 142202
WA CD 140606	WA CD 141607	WA CD 141802	WA CD 142206
WA CD 140607	WA CD 141608	WA CD 141803	

15. The area (called the “Geraldton Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Carnamah (S)	Irwin (S)	WA CD 022501	WA CD 021801
Chapman Valley (S)	Mingenew (S)	WA CD 022503	WA CD 021802
Geraldton (C)	Morawa (S)	Three Springs (S)	WA CD 021803
Greenough (S)	Northampton (S)	WA CD 022404	

but not including the area within a circular contour:

- (a) whose centre is grid reference 50 392020 6464140 in the Australian Map Grid, located at the Gernal Post Office, Perth and
- (b) whose radius is 50 kilometres.

16. The area (called the “Spencer Gulf Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Adelaide (C)	Mount Barker (DC)	Woodville (C)	Pirie (DC)
Angaston (DC)	Mount Pleasant (DC)	Yankalilla (DC)	Port Augusta (C)
Barossa (DC)	Munno Para (C)	Yorketown (DC)	Port Broughton (DC)
Brighton (C)	Noarlunga (C)	Unincorp. Western	Port Lincoln (C)
Burnside (C)	Onkaparinga (DC)	Happy Valley (C)	Port Pirie (C)
Campbelltown (C)	Payneham (C)	Wakefield Plains (DC)	Spalding (DC)
Central Yorke Peninsula (DC)	Peake (DC)	SA CD 041701	Tumby Bay (DC)
Dudley (DC)	Port Adelaide (C)	SA CD 041702	Walleroo (M)
East Torrens (DC)	Port Elliot & Goolwa (DC)	SA CD 041703	Whyalla (C)
Elizabeth (C)	Prospect (C)	SA CD 041704	Lower Eyre Peninsula (DC)
Enfield (C)	Ridley (DC)	Murray Bridge (DC)	SA CD 013401
Eudunda (DC)	Riverton (DC)	Blyth-Snowtown (DC)	SA CD 013402

**SCHEDULE 1—continued**

Gawler (M)	Saddleworth and Auburn (DC)	Burra Burra (DC)	SA CD 013403
Glenelg (C)	St Peters (M)	Bute (DC)	SA CD 021201
Gumeracha (DC)	Salisbury (C)	Carrieton (DC)	SA CD 021202
Henley & Grange (C)	Stirling (DC)	Clare (DC)	SA CD 021203
Hindmarsh (M)	Strathalbyn (DC)	Cleve (DC)	SA CD 021204
Kapunda (DC)	Tanunda (DC)	Crystal Brook-Redhill (DC)	SA CD 021205
Kensington & Norwood (C)	Tea Tree Gully (C)	Franklin Harbor (DC)	Rocky River (DC)
Light (DC)	Thebarton (M)	Hallett (DC)	Coonalpyn Downs (DC)
Mallala (DC)	Truro (DC)	Jamestown (DC)	Kingscote (DC)
Mannum (DC)	Unley (C)	Kanyaka-Quorn (DC)	Warooka (DC)
Marion (C)	Victor Harbor (DC)	Mount Remarkable (DC)	Northern Yorke Peninsula (DC)
Meningie (DC)	Walkerville (M)	Orroroo (DC)	
Minlaton (DC)	West Torrens (C)	Peterborough (M)	
Mitcham (C)	Willunga (DC)	Peterborough (DC)	

but not including the area within a circular contour:

- (a) whose centre is grid reference 54 290630 6126350 in the Australian Map Grid, located at Mount Lofty, Adelaide; and
- (b) whose radius is 50 kilometres.

17. The area (called the “Mount Gambier Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Vic CD 090102	Beachport (DC)	Mount Gambier (C)	Port MacDonnell (DC)
Vic CD 090104	Lacepede (DC)	Mount Gambier (DC)	Robe (DC)
Vic CD 091201	Lucindale (DC)	Naracoorte (DC)	Tatiara (DC)
Vic CD 091304	Millicent (DC)	Penola (DC)	Naracoorte (M)

18. The area (called the “Renmark/Loxton Area”) that consists of the following places, identified by the Australian Bureau of Statistics as population census statistical areas and collection districts for the purposes of the conduct of the 1991 population census:

Barmera (DC)	SA CD 040504	Lameroo (DC)	SA CD 040507
Berri (DC)	SA CD 040505	Pinnaroo (DC)	SA CD 041801
Browns Well (DC)	SA CD 040506	SA CD 040103	SA CD 041802
Loxton (DC)	SA CD 040508	SA CD 040401	SA CD 040101

**SCHEDULE 1—continued**

Paringa (DC)	SA CD 040509	SA CD 040403	SA CD 040102
Renmark (M)	SA CD 040510	SA CD 040404	SA CD 040402
SA CD 040501	SA CD 040511	SA CD 040405	
SA CD 040502	SA CD 040701	SA CD 040503	

**SCHEDULE 2**

Subclause 2 (1)

**CHANNELS AND FREQUENCIES**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
1	The Southern New South Wales Area described in item 1 of Schedule 1	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	2076 - 2083 2083 - 2090 2090 - 2097 2097 - 2104 2104 - 2111 2302 - 2309 2309 - 2316 2323 - 2330 2330 - 2337 2330 - 2337 2337 - 2344 2344 - 2351 2351 - 2358 2358 - 2365 2365 - 2372 2372 - 2379 2379 - 2386 2386 - 2393 2393 - 2400

**SCHEDULE 2—continued**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
2	The Northern New South Wales Area described in item 2 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400
3	The Gosford Area described in item 3 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

**SCHEDULE 2—continued**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
4	The Broken Hill Area described in item 4 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400
5	The South-East Queensland area described in item 5 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

**SCHEDULE 2—continued**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
6	The Mackay/Rockhampton area described in item 6 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400
7	The Townsville area described in item 7 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

**SCHEDULE 2—continued**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
8	The Sanctuary Cove area described in item 8 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400
9	The Mount Isa area described in item 9 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

**SCHEDULE 2—continued**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
10	The Port Douglas area described in item 10 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400
11	The Regional Victoria area described in item 11 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

**SCHEDULE 2—continued**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
12	The Regional Tasmania area described in item 12 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400
13	The South-West Western Australia area described in item 13 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

**SCHEDULE 2—continued**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
14	The Kalgoorlie area described in item 14 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400
15	The Geraldton area described in item 15 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

**SCHEDULE 2—continued**

Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
16	The Spencer Gulf area described in item 16 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400
17	The Mount Gambier area described in item 17 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

**SCHEDULE 2—continued**

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Column 1 Item No.	Column 2 Area	Column 3 Channel no.	Column 4 Frequency sub- bands (MHz)
18	The Renmark/Loxton area described in item 18 of Schedule 1	1	2076 - 2083
		2	2083 - 2090
		3	2090 - 2097
		4	2097 - 2104
		5	2104 - 2111
		6	2302 - 2309
		7	2309 - 2316
		8	2323 - 2330
		9	2330 - 2337
		10	2330 - 2337
		11	2337 - 2344
		12	2344 - 2351
		13	2351 - 2358
		14	2358 - 2365
		15	2365 - 2372
		16	2372 - 2379
		17	2379 - 2386
		18	2386 - 2393
		19	2393 - 2400

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