



Radiocommunications (Transmitter Licence Tax) Amendment Determination 2011 (No. 3)

Radiocommunications (Transmitter Licence Tax) Act 1983

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under subsection 7 (1) of the *Radiocommunications (Transmitter Licence Tax) Act 1983*.

Dated 15 December 2011

Chris Chapman
[signed]
Member

Richard Bean
[signed]
Member/~~General Manager~~

Australian Communications and Media Authority

1 Name of Determination

This Determination is the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2011 (No. 3)*.

2 Commencement

This Determination commences on the day after it is registered.

Note All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frl.gov.au>.

3 Amendment of *Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2)*

Schedule 1 amends the *Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2)*.

Schedule 1 **Amendments**
(section 3)

[1] Paragraph 1.3(1)(b)

omit

‘, made under subsection 54(1) of the *Australian Communications Authority Act 1997* and continued in force under subsection 64(1) of the *Australian Communications and Media Authority Act 2005*’

[2] Part 4

substitute

Part 4 **Transitional arrangements relating to
Radiocommunications (Transmitter
Licence Tax) Amendment
Determination 2011 (No. 3)**

4.1 Definitions for Part 4

In this Part:

amendment day means the day on which the Amendment Determination commenced.

Note The Amendment Determination commenced on the day after it was registered on the Federal Register of Legislative Instruments.

Amendment Determination means the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2011 (No. 3)*.

pre-amendment Determination means this Determination as in force immediately before the commencement of the Amendment Determination.

**4.2 Transitional arrangements after commencement of Amendment
Determination**

- (1) In spite of the amendments made by the Amendment Determination, if:
- (a) apparatus licence tax is imposed on the issue of a transmitter licence; and
 - (b) the licence is issued on or after the amendment day; and
 - (c) the licence comes into force on or after 4 April 2011 and before 5 April 2012;
- use the pre-amendment Determination to work out the amount of the transmitter licence tax.

- (2) In spite of the amendments made by the Amendment Determination, if:
- (a) apparatus licence tax is imposed on the anniversary of the day on which a transmitter licence came into force; and
 - (b) the anniversary of the day on which the licence came into force is on or after the amendment day but before 5 April 2012;
- use the pre-amendment Determination to work out the amount of the transmitter licence tax.
- (3) In spite of the amendments made by the Amendment Determination, if:
- (a) apparatus licence tax is imposed on the holding of a transmitter licence; and
 - (b) the day when the tax is payable is on or after the amendment day but before 5 April 2012;
- use the pre-amendment Determination to work out the amount of the transmitter licence tax.
- (4) If:
- (a) apparatus licence tax is imposed on the issue of a transmitter licence; and
 - (b) the licence is issued on or after the amendment day; and
 - (c) the licence comes into force on or after 5 April 2012;
- use this Determination, as amended by the Amendment Determination, to work out the amount of the transmitter licence tax.
- (5) If:
- (a) apparatus licence tax is imposed on the anniversary of the day on which a transmitter licence came into force; and
 - (b) the anniversary of the day on which the licence came into force is on or after 5 April 2012;
- use this Determination, as amended by the Amendment Determination, to work out the amount of the transmitter licence tax.
- (6) If:
- (a) apparatus licence tax is imposed on the holding of a transmitter licence; and
 - (b) the day when the tax is payable is on or after 5 April 2012;
- use this Determination, as amended by the Amendment Determination, to work out the amount of the transmitter licence tax.

[3] Schedule 2, Part 2, table 202, including the note
substitute

Table 202

Frequency range	Amount (\$)				
	Area density				
	<i>Australia wide</i>	<i>High density</i>	<i>Medium density</i>	<i>Low density</i>	<i>Remote density</i>
MHz					
0–30	1.0641	1.0641	1.0641	1.0641	1.0641
>30–70	2.4037	0.9387	0.4994	0.1077	0.0539
>70–399.9	2.4660	1.0121	0.4631	0.1038	0.0518
>399.9–960	2.4660	1.3810	0.6318	0.1077	0.0539
>960–2 690	2.4624	0.5526	0.2555	0.1285	0.0641
GHz					
>2.69–5.0	2.4597	0.4570	0.1852	0.1534	0.0767
>5.0–8.5	2.0767	0.3838	0.1788	0.0814	0.0394
>8.5–14.5	0.9151	0.3294	0.0780	0.0057	0.0027
>14.5–31.3	0.9151	0.2437	0.0536	0.0057	0.0027
>31.3–51.4	0.2495	0.1329	0.0288	0.0010	0.0004
>51.4	0.0247	0.0025	0.0025	0.0002	0.0002

Note Schedule 1 sets out the area density types of spectrum accesses.

[4] Schedule 2, Part 3, table 302, including the note
substitute

Table 302

Frequency range	Amount (\$)				
	Area density				
	<i>Australia wide</i>	<i>High density</i>	<i>Medium density</i>	<i>Low density</i>	<i>Remote density</i>
MHz					
0–30	78.6742	78.6742	78.6742	78.6742	78.6742
>30–70	177.7142	69.4119	36.9213	7.9677	3.9747

Frequency range	Amount (\$)				
	Area density				
	<i>Australia wide</i>	<i>High density</i>	<i>Medium density</i>	<i>Low density</i>	<i>Remote density</i>
>70–399.9	182.3270	74.8270	34.2410	7.6760	3.8288
>399.9–960	182.3270	102.1031	46.7122	7.9677	3.9747
>960–2 690	182.0536	40.8595	18.8891	9.4993	4.7404
GHz					
>2.69–5.0	181.8530	33.7853	13.6927	11.3408	5.6703
>5.0–8.5	153.5376	28.3884	13.2186	6.0168	2.9173
>8.5–14.5	67.6616	24.3590	5.7615	0.4194	0.2006
>14.5–31.3	67.6616	18.0139	3.9565	0.4194	0.2006
>31.3–51.4	18.4515	9.8274	2.1332	0.0728	0.0365
>51.4	1.8232	0.1823	0.1823	0.0182	0.0182

Note Schedule 1 sets out the area density types of spectrum accesses.

[5] Schedule 2, Part 4, table 402, including the note
substitute

Table 402

Frequency range	Amount (\$)				
	Area density				
	<i>Australia wide</i>	<i>High density</i>	<i>Medium density</i>	<i>Low density</i>	<i>Remote density</i>
MHz					
0–30	19.6685	19.6685	19.6685	19.6685	14.2182
>30–70	44.4285	17.3529	9.2303	1.9919	0.7183
>70–399.9	45.5817	18.7067	8.5603	1.9190	0.6920
>399.9–960	45.5817	25.5258	11.6780	1.9919	0.7183
>960–2 690	1.0759	0.2414	0.1116	0.0560	0.0280
GHz					
>2.69–5.0	1.0747	0.1996	0.0809	0.0669	0.0336
>5.0–8.5	0.9073	0.1677	0.0781	0.0354	0.0172
>8.5–14.5	0.3999	0.1439	0.0340	0.0025	0.0011
>14.5–31.3	0.3999	0.1064	0.0234	0.0025	0.0011

Frequency range	Amount (\$)				
	Area density				
	Australia wide	High density	Medium density	Low density	Remote density
>31.3–51.4	0.1091	0.0581	0.0126	0.0004	0.0002
>51.4	0.0108	0.0010	0.0010	0.0001	0.0001

Note Schedule 1 sets out the area density types of spectrum accesses.

[6] Schedule 2, Part 5, table 502, including the note substitute

Table 502

Frequency range	Amount (\$)				
	Area density				
	Australia wide	High density	Medium density	Low density	Remote density
MHz					
0–30	78.6742	78.6742	78.6742	78.6742	56.1492
>30–70	177.7142	69.4119	36.9213	7.9677	2.8367
>70–399.9	182.3271	74.8271	34.2410	7.6760	2.7326
>399.9–960	182.3271	102.1031	46.7122	7.9677	2.8367
>960–2 690	1.0759	0.2414	0.1116	0.0560	0.0280
GHz					
>2.69–5.0	1.0747	0.1996	0.0809	0.0669	0.0336
>5.0–8.5	0.9073	0.1677	0.0781	0.0354	0.0172
>8.5–14.5	0.3999	0.1439	0.0340	0.0025	0.0011
>14.5–31.3	0.3999	0.1064	0.0234	0.0025	0.0011
>31.3–51.4	0.1091	0.0581	0.0126	0.0004	0.0002
>51.4	0.0108	0.0010	0.0010	0.0001	0.0001

Note Schedule 1 sets out the area density types of spectrum accesses.

[7] Schedule 2, Part 6, table 602, including the note
substitute

Table 602

Frequency range	Amount (\$)				
	Area density				
	Australia wide	High density	Medium density	Low density	Remote density
MHz					
0–30	0.5458	0.5458	0.5458	0.5458	0.5458
>30–70	1.2330	0.4816	0.2562	0.0553	0.0276
>70–399.9	1.2651	0.5191	0.2376	0.0531	0.0266
>399.9–960	1.2651	0.7085	0.3241	0.0553	0.0276
>960–2 690	1.2632	0.2834	0.1311	0.0659	0.0329
GHz					
>2.69–5.0	1.2617	0.2344	0.0950	0.0786	0.0393
>5.0–8.5	1.0653	0.1969	0.0918	0.0418	0.0203
>8.5–14.5	0.4695	0.1690	0.0401	0.0029	0.0013
>14.5–31.3	0.4695	0.1250	0.0275	0.0029	0.0013
>31.3–51.4	0.1280	0.0682	0.0148	0.0004	0.0002
>51.4	0.0126	0.0012	0.0012	0.0001	0.0001

Note Schedule 1 sets out the area density types of spectrum accesses.

[8] Schedule 2, Part 7, table 702
substitute

Table 702

Item	Service	Amount
1	Broadcasting licence (other than a service operated in the frequency range 2.3 MHz–26.1 MHz)	\$36.17 per transmitter
2	Datacasting licence	\$36.17 per transmitter
3	Licence that authorises the operation of point to point (5.8 GHz band) stations	\$36.17 per pair of spectrum accesses
4	Licence that authorises the operation of point to point (self-coordinated) stations	\$208 per pair of spectrum accesses

Item	Service	Amount
5	Television outside broadcast network	\$363,564
6	Television outside broadcast system (Australia wide density area)	\$38,956
7	Television outside broadcast system (high density area)	\$7,204
8	Television outside broadcast system (medium density area)	\$3,354
9	Television outside broadcast system (low density area)	\$1,528
10	Television outside broadcast system (remote density area)	\$765
11	PABX cordless telephone service	\$36.17
16	PMTS Class B operated in the frequency range 935–960 MHz	\$2, 949, 623 for each MHz on which the service may be operated
17	PMTS Class B operated in the frequency range 1805–1880 MHz	\$0.01 for each paired MHz of spectrum on which the service may be operated multiplied by the population of the area to which the service relates as worked out in the 2006 Census
17A	PMTS Class B operated in the frequency range 2110–2170 MHz	\$0.06 for each paired MHz of spectrum on which the service may be operated, multiplied by the population of the area to which the service relates, as worked out in the 2006 Census
17B	PMTS Class C	\$36.17
18	Non-geostationary orbit satellite system operated at a frequency of more than 8.5 GHz	\$258 for each MHz on which the service may be operated

**[9] Schedule 2, Part 8, table 802, including the note
*substitute***

Table 802

Item	Location of open narrowcasting service	Amount (\$)
1	Sydney	127,849
2	Gosford	17,313
3	Melbourne	113,198
4	Geelong	17,313
5	Adelaide	23,972
6	Perth	38,620
7	Hobart	1,466

Note These areas are not the same as the density areas described in Schedule 1.

**[10] Schedule 2, Part 9, table 902, including the note
*substitute***

Table 902

Item	Location of open narrowcasting service	Amount (\$)
1	Sydney	35,958
2	Melbourne	35,958
3	Brisbane	13,051
4	Adelaide	13,051
5	Perth	13,051
6	Perth City	13,051
7	Newcastle	3,329
8	Canberra	3,329
9	Wollongong	3,329
10	Gold Coast	3,329
11	Gosford	3,329
12	Penrith	3,329
13	Hobart	1,466
14	Geelong	1,466
15	Nambour	1,466

Item	Location of open narrowcasting service	Amount (\$)
16	Townsville	1,466
17	Cairns	1,466
18	Any other location	865

Note These areas are not the same as the density areas described in Schedule 1.

[11] Schedule 2, Part 10, table 1002

substitute

Table 1002

Item	Station	Amount (\$)
1	Amateur station	44.37
2	Limited coast marine rescue station	36.17
3	Limited coast non-assigned station	36.17
4	Outpost non-assigned station	36.17
5	Scientific non-assigned station	36.17
6	Ship station class B non-assigned	36.17
7	Ship station class C non-assigned	36.17
8	Sound outside broadcast station	36.17
9	Temporary fixed link station	2,014.53

[12] Further amendments

<i>Provision</i>	<i>omit each mention of</i>	<i>insert</i>
Schedule 2, items 205, 304, 403, 504 and 603	\$34.91, the amount of tax is taken to be \$34.91.	\$36.17, the amount of tax is taken to be \$36.17.
Schedule 2, item 904	\$835, the amount of tax is taken to be \$835.	\$865, the amount of tax is taken to be \$865.
Schedule 3, step 3 of tables 103, 104 and 105	\$34.91, increase the amount to \$34.91.	\$36.17, increase the amount to \$36.17.