



Radiocommunications (Transmitter Licence Tax) Amendment Determination 2020 (No. 3)

The Australian Communications and Media Authority makes the following determination under subsection 7(1) of the *Radiocommunications (Transmitter Licence Tax) Act 1983*.

Dated: 22 October 2020

Creina Chapman
[signed]
Member

Fiona Cameron
[signed]
Member/~~General Manager~~

Australian Communications and Media Authority

1 Name

This is the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2020 (No. 3)*.

2 Commencement

This instrument commences at the start of the day after the day it is registered on the Federal Register of Legislation.

Note: The Federal Register of Legislation may be accessed free of charge at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 7(1) of the *Radiocommunications (Transmitter Licence Tax) Act 1983*.

4 Amendments

The instrument that is specified in Schedule 1 is amended as set out in the applicable items in that Schedule.

Schedule 1—Amendments

Radiocommunications (Transmitter Licence Tax) Determination 2015 (F2015L00322)

1 After Part 7A

Insert:

Part 7B — Assigned area-wide licences subject to a population based annual tax

701B Licences

This Part applies to an assigned area-wide licence that authorises operation of a transmitter in the wider 26 GHz and 28 GHz bands.

702B Definitions

In this Part:

ASMG means the *Australian Spectrum Map Grid 2012*, published by the ACMA and existing at the time this Part commenced.

Note: The ASMG can be accessed on the ACMA website: www.acma.gov.au.

HCIS block means a grouping of HCIS cells, identified by an HCIS identifier.

Note: In the ASMG, these blocks are identified by the terms HCIS Levels 0, 1, 2, 3 and 4.

HCIS cell means a 20 x 15 seconds of arc cell in the ASMG, identified by an HCIS identifier.

Note: In the ASMG, these cells are identified by the term HCIS Level 00.

HCIS identifier means a unique identifier used to describe a geographic area in the ASMG.

population of HCIS block or HCIS cell means the population for a HCIS block or HCIS cell listed in the *Hierarchical Cell Identification Scheme (HCIS) - List of Population Data*, published by the ACMA and existing at the time this part commenced.

Note: The Hierarchical Cell Identification Scheme (HCIS) - List of Population Data is available on the ACMA website: www.acma.gov.au. The document identifies HCIS cells and HCIS blocks using the HCIS identifiers. The population data is based on the population figures published by the Australian Bureau of Statistics in the 2016 Census of Population and Housing.

wider 26 GHz and 28 GHz bands means the spectrum from 24.7 GHz up to and including 30.0 GHz.

703B Calculating annual amounts of tax for population based licences

The amount of tax in respect of an area-wide licence that specifies one or more HCIS blocks or HCIS cells or a combination of both is the sum of the results of performing the following calculation for each block and cell:

- (a) the spectrum (in MHz) authorised for use by a transmitter under the area-wide licence within the block or cell; multiplied by

- (b) the base rate of tax specified in this Part for the licence; multiplied by
- (c) the population of the block or cell or combination.

Example 1: The amount of tax for an area-wide licence that authorises the use of 50 MHz of spectrum in a frequency range in the wider 26 GHz and 28 GHz bands and is within a Level 2 HCIS block that has a population of 50,000, would be:

$$\begin{aligned}\text{Amount of tax} &= 50 \text{ MHz} \times \$0.0003/\text{MHz/pop} \times 50,000 \text{ population} \\ &= \$750\end{aligned}$$

Example 2: The amount of tax for an area-wide licence that authorises the use of 200 MHz of spectrum in a frequency range in the wider 26 GHz and 28 GHz bands and is within a single Level 00 HCIS cell that has a population of 1,000, would be:

$$\begin{aligned}\text{Amount of tax} &= 200 \text{ MHz} \times \$0.0003/\text{MHz/pop} \times 1,000 \text{ population} \\ &= \$60\end{aligned}$$

Note: A single area-wide licence may consist of multiple transmitters across various frequency ranges and geographic areas. The above examples of two separate licences may be consolidated into one area-wide licence with a total tax amount of \$810.

704B Base rates of tax for area-wide licences

- (1) The base rate of tax for an area-wide licence that authorises the operation of a transmitter in the wider 26 GHz and 28 GHz bands is \$0.0003/MHz/pop.
- (2) In this section, *\$/MHz/pop* means the unit amount, where:

\$ = Australian dollars;

MHz = the bandwidth of spectrum; and

pop = population of a HCIS block or HCIS cell or combination of both.

705B Minimum annual amount

- (1) If the amount of tax worked out in respect of an area-wide licence using this Part is less than the minimum annual amount, the amount of tax is taken to be the minimum annual amount.
- (2) If the HCIS identifier for an area-wide licence does not include any HCIS blocks or HCIS cells, the amount of tax in respect of the area-wide licence is taken to be the minimum annual amount.

Note: Sub-item (2) affects a small number of area-wide licences to which Part 7B may apply and which authorise the operation of transmitters in geographic areas outside the ASMG which are part of Australia (such as parts of the Torres Strait).

2 Note to the Dictionary

After the definition of ‘ambulatory system’, insert:

- area-wide licence