



## **Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No.1)**

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

Dated: 28 January 2021

Creina Chapman  
[signed]  
Member

Cathy Rainsford  
[signed]  
~~Member~~/General Manager

Australian Communications and Media Authority

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## **1 Name**

This is the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No.1)*.

## **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](http://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* (F2015L00323)

#### 1 Part 3

Repeal the Part, substitute:

### **Part 3 Transitional arrangements relating to the *Radiocommunications (Transmitter Licence Tax)* *Amendment Determination 2021 (No. 1)***

#### **3.1 Definitions for Part 3**

In this Part:

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

*Amendment Determination* means the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No. 1)*.

*pre-amendment Determination* means this Determination as in force immediately before the amendment day.

#### **3.2 Transitional arrangements on or after commencement of the Amendment Determination**

(1) Despite Part 2 of this Determination, if:

- (a) transmitter 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 before 5 April 2021;

use the pre-amendment Determination to work out the amount of transmitter licence tax.

Note 1: If a licence is issued before the amendment day, the pre-amendment Determination is used to work out the amount of transmitter licence tax, whether or not the licence comes into force before 5 April 2021.

Note 2: If a licence is issued on or after the amendment day, and comes into force on or after 5 April 2021, this Determination as amended by the Amendment Determination is used to work out the amount of transmitter licence tax.

(2) Despite Part 2 of this Determination, if:

- (a) transmitter licence tax is imposed on the anniversary of the day on which a transmitter licence came into force (*anniversary day*); and
- (b) the anniversary day is on or after the amendment day but before 5 April 2021;

use the pre-amendment Determination to work out the amount of transmitter licence tax.

Note 1: If, for a transmitter licence, the anniversary day is before the amendment day, the pre-amendment Determination is used to work out the amount of transmitter licence tax.

Note 2: If, for a transmitter licence, the anniversary day is on or after 5 April 2021, this Determination as amended by the Amendment Determination is used to work out the amount of transmitter licence tax.

- (3) Despite Part 2 of this Determination, if:
- (a) transmitter licence tax is imposed on the holding of a transmitter licence; and
  - (b) the day on which the tax is payable is on or after the amendment day but before 5 April 2021;

use the pre-amendment Determination to work out the amount of transmitter licence tax.

Note 1: If tax is imposed on the holding of a transmitter licence on a particular day, and that day is before the amendment day, the pre-amendment Determination is used to work out the amount of transmitter licence tax.

Note 2: If tax is imposed on the holding of a transmitter licence on a particular day, and that day is on or after 5 April 2021, this Determination as amended by the Amendment Determination is used to work out the amount of transmitter licence tax.

Note 3: Subsections 6(5) and (6) of the Act impose tax on the holding of a licence.

## 2 Schedule 2, Part 2 (table 202)

Repeal the table (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>
<b>MHz</b>					
0–30	1.2172	1.2172	1.2172	1.2172	1.2172
>30–70	2.7496	1.0739	0.5712	0.1233	0.0615
>70–399.9	2.8210	1.1577	0.5298	0.1188	0.0592
>399.9–403	2.8210	1.5797	0.7227	0.1233	0.0615
>403–520	2.8210	2.0907	0.7227	0.1233	0.0000
>520–960	2.8210	1.5797	0.7227	0.1233	0.0615
>960–2 690	2.8167	0.6322	0.2923	0.1470	0.0733
<b>GHz</b>					
>2.69–5.0	2.8136	0.5227	0.2119	0.1755	0.0877
>5.0–8.5	2.3755	0.4392	0.2045	0.0931	0.0451
>8.5–14.5	1.0469	0.3769	0.0891	0.0065	0.0031
>14.5–31.3	1.0469	0.2787	0.0612	0.0065	0.0031
>31.3–51.4	0.2855	0.1521	0.0330	0.0011	0.0006
>51.4	0.0282	0.0028	0.0028	0.0003	0.0003

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

**3 Schedule 2, Part 2A (table 206)**

Repeat the table (including the note), substitute:

**Table 206**

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>
<b>MHz</b>					
0–30	0.1217	0.1217	0.1217	0.1217	0.1217
>30–70	0.2750	0.1074	0.0571	0.0123	0.0061
>70–399.9	0.2821	0.1158	0.0530	0.0119	0.0059
>399.9–403	0.2821	0.1580	0.0723	0.0123	0.0061
>403–520	0.2821	0.2091	0.0723	0.0123	0.0000
>520–960	0.2821	0.1580	0.0723	0.0123	0.0061
>960–2 690	0.2817	0.0632	0.0292	0.0147	0.0073
<b>GHz</b>					
>2.69–5.0	0.2814	0.0523	0.0212	0.0175	0.0088
>5.0–8.5	0.2376	0.0439	0.0205	0.0093	0.0045
>8.5–14.5	0.1047	0.0377	0.0089	0.0006	0.0003
>14.5–31.3	0.1047	0.0279	0.0061	0.0006	0.0003
>31.3–51.4	0.0285	0.0152	0.0033	0.0001	0.0001
>51.4	0.0028	0.0003	0.0003	0.0000	0.0000

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

**4 Schedule 2, Part 3 (table 302)**

Repeat the table (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>
<b>MHz</b>					
0–30	89.9990	89.9990	89.9990	89.9990	89.9990
>30–70	203.2955	79.4035	42.2359	9.1146	4.5469

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	208.5724	85.5981	39.1699	8.7809	4.3800
>399.9–403	208.5724	116.8005	53.4362	9.1146	4.5469
>403–520	208.5724	154.5813	53.4362	9.1146	0.0000
>520–960	208.5724	116.8005	53.4362	9.1146	4.5469
>960–2 690	208.2595	46.7411	21.6081	10.8666	5.4229
<b>GHz</b>					
>2.69–5.0	208.0301	38.6485	15.6638	12.9732	6.4866
>5.0–8.5	175.6388	32.4747	15.1215	6.8829	3.3372
>8.5–14.5	77.4012	27.8653	6.5909	0.4797	0.2294
>14.5–31.3	77.4012	20.6069	4.5260	0.4797	0.2294
>31.3–51.4	21.1075	11.2420	2.4403	0.0834	0.0417
>51.4	2.0857	0.2086	0.2086	0.0209	0.0209

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

## 5 Clause 302A of Schedule 2 (definition of *state or territory of the licence*)

After ‘spectrum’, insert ‘area’.

## 6 Schedule 2, Part 3A, Division 2 (table 305A)

Repeal the table (including the example), substitute:

**Table 305A**

Column 1	Column 2
State or territory of the licence	Tax rate (\$)
Australian Capital Territory	\$1,260
New South Wales	\$119,249
Northern Territory	\$3,335
Queensland	\$88,374
South Australia	\$20,088
Tasmania	\$480
Victoria	\$102,116
Western Australia	\$22,685

Example: A harmonised government spectrum area licence authorises the use, by transmitters, of 10 MHz in every part of South Australia. The base amount for the licence on 6 April 2021 is: 10 x 20,088 = \$200,880.

**7 Schedule 2, Part 4 (table 402)**

Repeat the table (including the note), substitute:

**Table 402**

Frequency range	Amount (\$) Area density				
	Australia wide	High density	Medium density	Low density	Remote density
<b>MHz</b>					
0–30	22.4997	22.4997	22.4997	22.4997	14.2871
>30–70	50.8239	19.8509	10.5590	2.2787	0.7218
>70–399.9	52.1431	21.3995	9.7925	2.1952	0.6953
>399.9–403	52.1431	29.2001	13.3591	2.2787	0.7218
>403–520	52.1431	38.6453	13.3591	2.2787	0.0000
>520–960	52.1431	29.2001	13.3591	2.2787	0.7218
>960–2 690	1.2307	0.2762	0.1277	0.0642	0.0320
<b>GHz</b>					
>2.69–5.0	1.2294	0.2284	0.0926	0.0767	0.0383
>5.0–8.5	1.0380	0.1919	0.0894	0.0407	0.0197
>8.5–14.5	0.4574	0.1647	0.0389	0.0028	0.0014
>14.5–31.3	0.4574	0.1218	0.0267	0.0028	0.0014
>31.3–51.4	0.1247	0.0664	0.0144	0.0005	0.0002
>51.4	0.0123	0.0012	0.0012	0.0001	0.0001

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

**8 Schedule 2, Part 5 (table 502)**

Repeat the table (including the note), substitute:

**Table 502**

Frequency range	Amount (\$) Area density				
	Australia wide	High density	Medium density	Low density	Remote density
<b>MHz</b>					
0–30	89.9990	89.9990	89.9990	89.9990	56.4215
>30–70	203.2955	79.4035	42.2359	9.1146	2.8505

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	208.5724	85.5981	39.1699	8.7809	2.7459
>399.9–403	208.5724	116.8005	53.4362	9.1146	2.8505
>403–520	208.5724	154.5813	53.4362	9.1146	0.0000
>520–960	208.5724	116.8005	53.4362	9.1146	2.8505
>960–2 690	1.2307	0.2762	0.1277	0.0642	0.0320
<b>GHz</b>					
>2.69–5.0	1.2294	0.2284	0.0926	0.0767	0.0383
>5.0–8.5	1.0380	0.1919	0.0894	0.0407	0.0197
>8.5–14.5	0.4574	0.1647	0.0389	0.0028	0.0014
>14.5–31.3	0.4574	0.1218	0.0267	0.0028	0.0014
>31.3–51.4	0.1247	0.0664	0.0144	0.0005	0.0002
>51.4	0.0123	0.0012	0.0012	0.0001	0.0001

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

## 9 Schedule 2, Part 6 (table 602)

Repeat the table (including the note), substitute:

**Table 602**

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>
<b>MHz</b>					
0–30	0.6245	0.6245	0.6245	0.6245	0.6245
>30–70	1.4106	0.5509	0.2931	0.0632	0.0315
>70–399.9	1.4472	0.5939	0.2718	0.0609	0.0304
>399.9–960	1.4472	0.8104	0.3708	0.0632	0.0315
>960–2 690	1.4450	0.3243	0.1499	0.0754	0.0376
<b>GHz</b>					
>2.69–5.0	1.4434	0.2682	0.1087	0.0900	0.0450
>5.0–8.5	1.2187	0.2253	0.1049	0.0478	0.0232
>8.5–14.5	0.5370	0.1933	0.0457	0.0033	0.0016



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>
>14.5–31.3	0.5370	0.1430	0.0314	0.0033	0.0016
>31.3–51.4	0.1465	0.0780	0.0169	0.0006	0.0003
>51.4	0.0145	0.0014	0.0014	0.0001	0.0001

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

## 10 Schedule 2, Part 7 (table 702)

Repeal the table, substitute:

**Table 702**

Item	Service	Amount
1	Broadcasting licence (other than a service operated in the frequency range 2.3 MHz–26.1 MHz)	\$41.37 per transmitter
2	Datacasting licence	\$41.37 per transmitter
3	Licence that authorises the operation of point to point (5.8 GHz band) stations	\$41.37 per pair of spectrum accesses
4	Licence that authorises the operation of point to point (self-coordinated) stations	\$236 per pair of spectrum accesses
5	Television outside broadcast network	\$415,899
6	Television outside broadcast system (Australia wide density area)	\$44,563
7	Television outside broadcast system (high density area)	\$8,241
8	Television outside broadcast system (medium density area)	\$3,836
9	Television outside broadcast system (low density area)	\$1,748
10	Television outside broadcast system (remote density area)	\$875
11	PABX cordless telephone service	\$41.37
12	PMTS Class B operated in the frequency range 935–960 MHz (Paired)	\$3,374,209 for each MHz on which the service may be operated
13	PMTS Class C	\$41.37
14	Wireless audio system	\$41.37

**11 Schedule 2, Part 8 (table 802)**

Repeal the table (including the note), substitute:

**Table 802**

<b>Item</b>	<b>Location of open narrowcasting service</b>	<b>Amount (\$)</b>
1	Sydney	\$41,134
2	Melbourne	\$41,134
3	Brisbane	\$14,930
4	Adelaide	\$14,930
5	Perth	\$14,930
6	Perth City	\$14,930
7	Newcastle	\$3,809
8	Canberra	\$3,809
9	Wollongong	\$3,809
10	Gold Coast	\$3,809
11	Gosford	\$3,809
12	Penrith	\$3,809
13	Hobart	\$1,677
14	Geelong	\$1,677
15	Nambour	\$1,677
16	Townsville	\$1,677
17	Cairns	\$1,677
18	Any other location	\$989

Note: For an open narrowcasting services broadcasting licence that is mentioned in item 801, a location mentioned in column 2 of table 802 is not the same as the density area of the same or a similar name described in Schedule 1.

**12 Schedule 2, Part 8, sub-item 803(2)**

Omit each mention of '\$992', substitute '\$989'.

**13 Schedule 2, Part 8A (table 802A)**

Repeal the table (including the note), substitute:

**Table 802A**

<b>Frequency range</b>	<b>Amount (\$)</b>				
	<i>Area density</i>				
	<i>Australia wide</i>	<i>High density</i>	<i>Medium density</i>	<i>Low density</i>	<i>Remote density</i>
<b>MHz</b>					
0–30	1.2172	1.2172	1.2172	1.2172	1.2172
>30–70	2.7496	1.0739	0.5712	0.1233	0.0615

Frequency range	Amount (\$) Area density				
	Australia wide	High density	Medium density	Low density	Remote density
>70–399.9	2.8210	1.1577	0.5298	0.1188	0.0592
>399.9–403	2.8210	1.5797	0.7227	0.1233	0.0615
>403–520	2.8210	2.0907	0.7227	0.1233	0.0000
>520–960	2.8210	1.5797	0.7227	0.1233	0.0615
>960–2 690	2.8167	0.6322	0.2923	0.1470	0.0733
<b>GHz</b>					
>2.69–5.0	2.8136	0.5227	0.2119	0.1755	0.0877
>5.0–8.5	2.3755	0.4392	0.2045	0.0931	0.0451
>8.5–17.3	1.0469	0.3769	0.0891	0.0065	0.0031
>17.3–31.3	0.7328	0.1951	0.0306	0.0032	0.0000
>31.3–51.4	0.1998	0.1064	0.0165	0.0006	0.0000
>51.4	0.0282	0.0028	0.0028	0.0003	0.0003

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

#### 14 Schedule 2, Part 9 (table 902)

Repeal the table, substitute:

**Table 902**

Item	Station	Amount (\$)
1	Amateur station	\$50.76
2	Limited coast marine rescue station	\$41.37
3	Limited coast non-assigned station	\$41.37
4	Outpost non-assigned station	\$41.37
5	Scientific non-assigned station	\$41.37
6	Ship station class B non-assigned	\$41.37
7	Ship station class C non-assigned	\$41.37
8	Sound outside broadcast station	\$41.37
9	Temporary fixed link station	\$2,304.51

#### 15 Dictionary, definition of *minimum annual amount*

Omit '\$41.49', substitute '\$41.37'.