



Radiocommunications (Receiver Licence Tax) Amendment Determination 2022 (No. 2)

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

Dated: 30 June 2022

James Cameron
[signed]
Member

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

Australian Communications and Media Authority

1 Name

This is the *Radiocommunications (Receiver Licence Tax) Amendment Determination 2022 (No. 2)*.

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 (Receiver 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 (Receiver Licence Tax) Determination 2015 (F2015L00321)

1 Part 3

Repeal the Part, substitute:

Part 3 Transitional arrangements relating to the *Radiocommunications (Receiver Licence Tax) Amendment Determination 2022 (No. 2)*

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 (Receiver Licence Tax) Amendment Determination 2022 (No. 2)*.

implementation day means the day occurring 50 days after the amendment day.

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) receiver licence tax is imposed on the issue of a receiver licence;
and
- (b) the licence is issued on or after the amendment day; and
- (c) the licence comes into force before the implementation day;

use the pre-amendment Determination to work out the amount of receiver 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 receiver licence tax, whether or not the licence comes into force before the implementation day.

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

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

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

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

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

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

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

- (a) receiver licence tax is imposed on the holding of a receiver licence; and
- (b) the day on which the tax is payable is on or after the amendment day but before the implementation day;

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

Note 1: If tax is imposed on the holding of a receiver 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 receiver licence tax.

Note 2: If tax is imposed on the holding of a receiver licence on a particular day, and that day is on or after the implementation day, this Determination as amended by the Amendment Determination is used to work out the amount of receiver 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)

Omit the table, 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	1.2172	1.2172	1.2172	1.2172	1.2172
>30–403	2.7496	1.0739	0.5298	0.1188	0.0592
>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
GHz					
>2.69–5.0	2.8136	0.5227	0.2119	0.1755	0.0877
>5.0–8.5	1.1878	0.2196	0.1023	0.0465	0.0226
>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
>51.4–100	0.0028	0.0003	0.0003	0.0000	0.0000

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>
>100	0.0000	0.0000	0.0000	0.0000	0.0000

3 Schedule 2, Part 3 (table 302)

Omit the table, 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	22.4997	22.4997	22.4997	22.4997	14.2871
>30–403	50.8239	19.8509	9.7925	2.1952	0.6953
>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
GHz					
>2.69–5.0	1.2294	0.2284	0.0926	0.0767	0.0383
>5.0–8.5	0.5190	0.0960	0.0447	0.0203	0.0099
>8.5–14.5	0.0457	0.0165	0.0039	0.0003	0.0001
>14.5–31.3	0.0457	0.0122	0.0027	0.0003	0.0001
>31.3–51.4	0.0125	0.0066	0.0014	0.0000	0.0000
>51.4–100	0.0012	0.0001	0.0001	0.0000	0.0000
>100	0.0000	0.0000	0.0000	0.0000	0.0000

4 Schedule 2, Part 4 (table 402)

Omit the table, 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	1.2172	1.2172	1.2172	1.2172	1.2172
>30–403	2.7496	1.0739	0.5298	0.1188	0.0592
>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
GHz					
>2.69–5.0	2.8136	0.5227	0.2119	0.1755	0.0877
>5.0–8.5	1.1878	0.2196	0.1023	0.0465	0.0226
>8.5–17.3	0.1047	0.0377	0.0089	0.0006	0.0003
>17.3–31.3	0.0733	0.0195	0.0031	0.0003	0.0000
>31.3–51.4	0.0200	0.0106	0.0017	0.0001	0.0000
>51.4–100	0.0028	0.0003	0.0003	0.0000	0.0000
>100	0.0000	0.0000	0.0000	0.0000	0.0000

5 Schedule 2, Part 4, paragraph 404A(1)(b)

Repeal the paragraph, substitute:

- (b) the spectrum access for each of the co-located earth receive stations is within a frequency range within which the licence authorises the operation of a radiocommunications receiver.

6 Schedule 2, Part 4, sub-item 404A(2)

Repeal the sub-item, substitute:

- (2) If, for co-located earth receive stations operated under the earth receive licence, there are two or more spectrum accesses (**component accesses**):
- (a) the spectrum accesses are taken to be a single spectrum access (**combined access**) for the purposes of section 6 and sub-item (2B); and
 - (b) the bandwidth (in kHz) of the combined access is the difference between the highest frequency authorised by the component accesses and the lowest frequency authorised by the component accesses.
- (2A) The area density type of a combined access is:
- (a) if a component access has the Australia wide density area type – Australia wide;
 - (b) if a component access has the high density area type, and no component access has the Australia wide density area type – high density;
 - (c) if a component access has the medium density area type, and no component access has the Australia wide density area type or the high density area type – medium density;

- (d) if a component access has the low density area type, and no component access has the Australia wide density area type, the high density area type or the medium density area type – low density;
 - (e) in any other case – remote density.
- (2B) The amount of tax in respect of the spectrum access for co-located earth receive stations operated under the earth receive licence is the amount worked out under item 402.

Note 1: See the Dictionary for the definition of *spectrum access*.

Note 2: Sub-item (2B) also applies to a combined access.