

EXPLANATORY STATEMENT

Approved by the Australian Communications and Media Authority

Australian Communications and Media Authority Act 2005

Telecommunications (Charges) Determination 2022

Authority

The Australian Communications and Media Authority (**the ACMA**) has made the *Telecommunications (Charges) Determination 2022* (**the instrument**) under subsection 60(1) of the *Australian Communications and Media Authority Act 2005* (**the Act**).

Subsection 60(1) of the Act relevantly provides that the ACMA may, by written instrument, make determinations fixing charges for services provided by the ACMA and for any matter in relation to which expenses are incurred by the ACMA under various Acts (or instruments made under those Acts), including the *Telecommunications Act 1997* (**Telecommunications Act**). A charge must not be such as to amount to taxation.

Purpose and operation of the instrument

The instrument sets out fees for a number of services provided by the ACMA to the telecommunications industry, including charges or expenses associated with applications in relation to:

- nominated carrier declarations;
- numbers under the *Telecommunications Numbering Plan 2015* (**the numbering plan**);
- facility installation permits;
- protection zone declarations; and
- submarine cable installation permits.

The instrument replaces the *Telecommunications (Charges) Determination 2012* (**2012 Determination**), which sunsets on 1 October 2022. All of the charges that were in the 2012 Determination have been reviewed and revised as part of the ACMA's review of fees and charges across the agency. As a result of the review, some of the charges have been updated and some (relating to the issue of connections permits under subsections 390(1) and (2) of the *Telecommunications Act*) have been removed.

For the calculation of charges, the ACMA applied its standard hourly rate and monthly survey information obtained in the 2020-21 financial year on the average time taken by a proficient officer to perform an activity. The ACMA's standard hourly rate has been updated to reflect its current costs and as a result it has increased from \$202 to \$226 per hour, i.e., a 11.9% increase. The figure is based on the cost of services incurred by the ACMA in executing its functions in the 2020–21 financial year. This rate was established by taking the net cost of services of the ACMA's business units for the 2020–21 financial year, including an attribution of all corporate and support costs, and dividing this cost by the total number of productive hours for the 2020–21 financial year. The calculation methodology has not changed from the one adopted when the charges were last reviewed by the ACMA in 2016-17.

Most of the changes to the charges compared to the 2012 Determination have been made as a result of changes to the ACMA's hourly rate. However, some fees have also changed as a result of changes to the estimated average time required to perform the activities. In addition, changes have been made to charges for numbering activities. On 1 April 2017, a flat charge of \$35 was imposed for all numbering activities undertaken under the numbering plan. The charge was intended to recover the cost of

services related to allocations of geographic numbers, registration of carriage service providers, and registration of applicants for smartnumbers provided under contract by ZOAK Solutions Pty Ltd (**the contract**). The charge was determined by dividing the total annual cost of services by the total estimated annual number of transactions. These charges have been unchanged since 2017.

As a result of a continued downward trend in demand from users, revenue generated from the current fee of \$35 per transaction has been insufficient to meet the cost of the contract and has resulted in a cumulative under-recovery as of June 2022 of \$0.26m which is estimated to increase to \$0.4m by the end of the contract in 2024.

In March 2022, the ACMA engaged external economic consultants to review and update the fee and cost recovery model including forecasting future demand, and estimating the fee required to obtain neutral cost recovery by 2024.

The fee required to achieve neutral cumulative cost recovery by 2024, noting the forecast decline in demand, is \$57.

Attachment C sets out each charge specified in the instrument and the variance in comparison with the previous amount of charge. **Attachment C** also describes the reason for the variance.

The instrument is a disallowable legislative instrument for the purposes of the *Legislation Act 2003* (**the LA**).

A provision-by-provision description of the instrument is set out in the notes at **Attachment A**.

Documents incorporated by reference

The instrument incorporates the following Acts and legislative instruments by reference, as in force from time to time, or otherwise refers to them:

- the Act;
- the *Acts Interpretation Act 1901*;
- the LA;
- the Telecommunications Act; and
- the numbering plan.

Commonwealth legislation can be accessed, free of charge, on the Federal Register of Legislation (<http://www.legislation.gov.au>).

Consultation

Before the instrument was made, the ACMA was satisfied that consultation was undertaken to the extent appropriate and reasonably practicable, in accordance with section 17 of the LA.

The ACMA has consulted the public, including industry stakeholders on the making of the instrument. Between 27 June 2022 and 25 July 2022, the ACMA conducted a consultation process inviting submissions on a number of proposed changes to fees for services determined under various cost recovery arrangements, including the instrument. The consultation was facilitated through the release of a consultation package which included draft instruments, including the instrument, and a draft Cost Recovery Implementation Statement on the ACMA's website.

The consultation package outlined the main differences between the 2012 Determination and the instrument.

The ACMA received five submissions in response to the consultation. Four of the submissions commented on the increase to the numbering charges. Submissions noted that the proposed numbering fee increase (63%) is significant and may impact smaller resellers of numbers in the market and have a further downward impact on already declining demand. Some submissions also

commented that the current charging framework and cost recovery model for numbering may not be sustainable and should be reviewed.

Noting all the submissions, the ACMA considers the 63% increase in the numbering transaction fee is necessary to be compliant with Australian Government Charging Framework. Regarding the potential impact on carriage service providers (**CSPs**) and resellers, the ACMA notes that for transactions that involve allocations of large blocks of numbers such as geographic numbers, the impact of any price increase is likely to be small. For example, in 2020–21, the average number of geographic telephone numbers allocated to CSPs per transaction was 48,758 numbers. This means the proposed fee increase of \$22 would equate to an additional \$0.05 cents per allocated number. Noting long-term declining demand for certain numbering transactions and the impact of this on cost recovery, the ACMA will explore the merits of a broader review but considers that changes in numbering charges should not be delayed pending that consideration.

The submissions are available on the ACMA website.

No material changes were made to the instrument as a result of the consultation.

Regulatory impact assessment

A preliminary assessment of the proposal to make the instrument was conducted by the Office of Best Practice Regulation (**OBPR**), based on information provided by the ACMA, for the purposes of determining whether a Regulation Impact Statement (**RIS**) would be required. OBPR considered that the proposal was unlikely to have more than a minor regulatory impact on business and advised that the preparation of a RIS was not required (see OBPR reference numbers 22-01877 and 22-02335).

Statement of compatibility with human rights

Subsection 9(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011* requires the rule-maker in relation to a legislative instrument to which section 42 (disallowance) of the LA applies to cause a statement of compatibility with human rights to be prepared in respect of that legislative instrument.

The statement of compatibility set out in **Attachment B** has been prepared to meet that requirement.

Notes to the *Telecommunications (Charges) Determination 2022*

Part 1 – Preliminary

Section 1 Name

This section provides for the instrument to be cited as the *Telecommunications (Charges) Determination 2022 (the instrument)*.

Section 2 Commencement

This section provides for the instrument to commence on 1 October 2022. The notes at the end of section 2 note that the instrument will be registered on the Federal Register of Legislation and that, in accordance with subsection 50(1) of the *Legislation Act 2003*, the *Telecommunications (Charges) Determination 2012* (the **2012 Determination**) sunsets on 1 October 2022. The Federal Register of Legislation may be accessed free of charge at www.legislation.gov.au.

Section 3 Authority

This section identifies the provision that authorises the making of the instrument, namely subsection 60(1) of the *Australian Communications and Media Authority Act 2005 (the Act)*.

Section 4 Definitions

This section defines a number of key terms used throughout the instrument.

A number of other expressions used in the instrument are defined in the Act.

Section 5 References to other instruments

This section provides that in the instrument, unless the contrary intention appears:

- a reference to any other legislative instrument is a reference to that other legislative instrument as in force from time to time; and
- a reference to any other kind of instrument is a reference to that other instrument as in force at the commencement of the instrument.

Part 2 - Charges for services or matters under the Telecommunications Act

Section 6 Purpose

This section outlines the purpose of the instrument which is to fix charges that are to be applied in relation to services provided and expenses incurred, by the ACMA, in performing its functions or exercising its powers under the *Telecommunications Act 1997 (Telecommunications Act)* and instruments made under that Act. This includes the *Telecommunications Numbering Plan 2015 (numbering plan)*.

Section 7 Charges relating to ACMA's costs

This section specifies that the charges for matters mentioned in column 3 of an item in Schedule 1 is the charge fixed for provision of a service or matter in column 2 of that item, or the service or matter mentioned in column 2 of the item, in relation to which expenses are incurred, or to be incurred, by the ACMA, as the case requires.

Section 8 Hourly rate of charge

This section specifies the ACMA's standard hourly rate, which has been updated to reflect its current costs. The hourly rate of charge for each person providing a service or matter to which the rate applies is \$226 for each completed hour. For part of an hour, the rate is the proportion of \$226 equal to the proportion of an hour for which charge is to be made.

Section 9 Special rules – refund of numbering plan application charge

This section provides that if a person makes an application mentioned in column 2 of item 2.1 of Part 2 of Schedule 1 (being an application mentioned in paragraph 457(1)(a) of the Telecommunications Act for the allocation of a number otherwise than in accordance with an allocation system determined under section 463 of the Telecommunications Act), and the ACMA does not approve the application, the ACMA must refund any payment of the charge mentioned in column 3 of item 2.1.

Section 10 Special rules – charges for facility installation permit applications (not relating to public inquiry)

This section sets out rules for the treatment of a deposit paid to the ACMA under item 3.1 of Schedule 1, which is a deposit paid with an application for a facility installation permit under clause 21 of Schedule 3 to the Telecommunications Act, authorising a carrier to carry out the installation of one or more facilities. Section 10 applies when a deposit is paid under item 3.1 of Schedule 1 to the instrument and one or more amounts are payable under item 3.2 of Schedule 1 to the instrument. In the case where the aggregate of the amounts payable under item 3.2 of Schedule 1 is less than the deposit, the total amount payable will be deducted from the deposit and the balance will be refunded by the ACMA. If the aggregate of amounts payable under item 3.2 of Schedule 1 is more than the deposit, the applicant must pay the difference (on the issue of an invoice for the charge) as set out in subparagraph 14(1)(d)(i) of the instrument.

Section 11 Special rules – charges for facility installation permit applications (relating to public inquiry)

This section sets out rules for the treatment of a deposit paid to the ACMA under item 4.1 of Schedule 1 to the instrument, which is a deposit payable on account of the expenses to be incurred by the ACMA for the holding of a public inquiry under subclause 25(2) of Schedule 3 to the Telecommunications Act in relation to an application for a facility installation permit. Section 11 applies when a deposit is paid under item 4.1 of Schedule 1 and one or more amounts are payable under items 4.2 or 4.3 of Schedule 1. If the aggregate of the amounts under items 4.2 or 4.3 of Schedule 1 is less than the deposit, the total amounts payable will be deducted from the deposit, and the ACMA must refund the difference to the applicant. If the amounts payable under items 4.2 or 4.3 of Schedule 1 are greater than the deposit, the applicant must pay the difference (on the issue of an invoice for the charge) as set out in subparagraph 14(1)(d)(ii).

Section 12 Special rules – charges payable in relation to a request for a declaration, variation, or revocation of a protection zone

This section sets out rules for the treatment of a deposit paid to the ACMA under items 5.1 or 5.2 of Schedule 1 to the instrument, being a deposit payable on account of expenses to be incurred by the ACMA in relation to a:

- protection zone (declaration) request under clause 5 of Schedule 3A to the Telecommunications Act that the ACMA declare a protection zone, or

- protection zone (revocation) or protection zone (variation) request under clause 24 of Schedule 3A to the Telecommunications Act that the ACMA vary or revoke a declaration of a protection zone.

Section 12 applies where a deposit is paid under items 5.1 or 5.2 and one or more amounts are payable under items 5.3 or 5.4 of Schedule 1. If the aggregate of the amounts under items 5.3 or 5.4 of Schedule 1 is less than the protection zone deposit, the total amounts payable will be deducted from the public inquiry deposit, and the ACMA must refund the difference to the applicant. If the amounts payable under items 5.3 or 5.4 of Schedule 1 are greater than the deposit, the applicant must pay the difference (on the issue of an invoice for the charge) as set out in subparagraph 14(1)(d)(iii).

Section 13 Special rules – charges payable in relation to an application for a permit to install a submarine cable

This section sets out rules for the treatment of a deposit paid to the ACMA under item 6.4 of Schedule 1 to the instrument, being a deposit payable on account of the charges specified in item 6.5 of Schedule 1. The charges in item 6.5 relate to non-protection zone installation permit applications and are charges for the purposes of clause 66 of Schedule 3A to the Telecommunications Act, in relation to external costs for the use of external consultants in considering a non-protection zone installation permit application.

Section 13 applies where a deposit is paid under item 6.4 and one or more amounts are payable under item 6.5 of Schedule 1. If the aggregate of the amounts payable under item 6.5 of Schedule 1 is less than the deposit, the total of the amounts payable will be deducted from the submarine cable deposit, and the ACMA must refund the difference to the applicant. If the amounts payable under item 6.5 of Schedule 1 are greater than the deposit, the applicant must pay the difference (on the issue of an invoice for the charge) as set out in subparagraph 14(1)(d)(iv).

Section 14 By whom and when is a charge payable?

This section specifies when charges are payable by the applicant (where the charge relates to an application) or requesting person (where the charge relates to a request) under specified items of Schedule 1 to the instrument. Where a charge relates to an application, the charge is payable by the applicant, when the application is made. Where a charge relates to a request, the charge is payable by the person making the request, when the request is made. For applications made under Parts 2 or 3 of Chapter 6 of the numbering plan (item 2.1 of Schedule 1 to the instrument), section 14 provides that the charge is payable in accordance with subsections 58(6) or 63(6) of the numbering plan, which require the charge to accompany the application. A deposit payable on account of the expenses to be incurred by the ACMA for the holding of a public inquiry (item 4.1 of Schedule 1 to the instrument) in relation to a facility installation permit application is payable within 7 days of the applicant being notified by the ACMA of its intention to hold a public inquiry. Some charges are payable by the due date specified in an invoice issued by the ACMA to the applicant or requesting person for the charge.

In the case of a charge mentioned in item 2.3 of Schedule 1, the charge is payable by the person registering to use the electronic system, immediately before registration.

Part 3 Transitional arrangements

Part 3 of the instrument sets out transitional arrangements for certain charges that apply as a result of the repeal of the 2012 Determination and the commencement of the instrument.

Section 15 Transitional arrangements – facility installation permit applications (not relating to public inquiry)

This section provides that any remaining residue of a deposit paid under item 4.1 of Schedule 1 to the 2012 Determination prior to the commencement of the instrument, is to be treated as if it were the residue of a deposit mentioned in section 10 of the instrument.

Section 16 Transitional arrangements – facility installation permit applications (relating to public inquiry)

This section provides that any remaining residue of a deposit paid under item 5.1 of Schedule 1 to the 2012 Determination prior to the commencement of the instrument, is to be treated as if it were the residue of a deposit mentioned in section 11 of the instrument.

Section 17 Transitional arrangements – request for a declaration, variation or revocation of a protection zone

This section provides that any remaining residue of a deposit paid under items 6.1 or 6.2 of Schedule 1 to the 2012 Determination prior to the commencement of the instrument, is to be treated as if it were the residue a deposit mentioned in section 12 of the instrument.

Section 18 Transitional arrangements – application for a permit to install a submarine cable

This section provides that any remaining residue of a deposit paid under item 7.4 of Schedule 1 to the 2012 Determination prior to the commencement of the instrument, is to be treated as if it were the residue of a deposit mentioned in section 13 of the instrument.

Schedule 1 – Charges payable

Schedule 1 to the instrument specifies the charges payable. Column 2 of an item in each table specifies the service or matter to which the charge relates and the corresponding column 3 specifies the amount of the charge payable. Attachment C lists each item of Schedule 1 to the instrument, the difference between the charge specified in Schedule 1 to the instrument and the charge specified in the 2012 Determination, and the reason for the change in the amount of the charge.

Part 1 Nominated carrier declaration charges

Item 1.1 of Part 1 of Schedule 1 specifies the charge for an application to the ACMA under section 77 of the Telecommunications Act for a nominated carrier declaration in relation to one or more specified network units.

Part 2 Charges payable in relation to applications for numbers under the numbering plan

Item 2.1 specifies the charges payable for the making of an application mentioned in paragraph 457(1)(a) of the Telecommunications Act, for the allocation of a number otherwise than in accordance with an allocation system determined under section 463 of the Telecommunications Act. The charges payable for the making of an application for the allocation of one or more standard units of geographic numbers, or for the allocation of one or more geographic numbers has been set at \$57, and there is no charge associated with other applications under the numbering plan for allocation of a number.

Item 2.2 specifies the charge for an application to the ACMA under subsection 121(1) of the numbering plan, for registration of a carriage service provider under section 122 of the numbering plan.

Item 2.3 specifies the charge for registering to use the electronic system, made available by the ACMA for EROU (enhanced rights of use) applicants to apply with a registered carriage service provider under section 73 of the numbering plan for the initial allocation of an unassigned unallocated smartnumber, and for EROU-holders to manage their enhanced rights of use.

Part 3 Facility installation permits – application charges

Item 3.1 specifies the amount of the deposit that is to accompany an application for a facility installation permit under clause 21 of Schedule 3 to the Telecommunications Act, authorising a carrier to carry out the installation of one or more facilities

Item 3.2 specifies a further processing charge for dealing with applications for a facility installation permit. The charge is determined using the hourly rate of charge calculated based on the activities of an ACMA official in connection with dealing with an application for a facility installation permit that does not relate to the holding of a public inquiry in relation to the permit.

In accordance with section 10, if the further charges determined are less than the deposit paid under item 3.1, the ACMA will refund the balance to the applicant, and if they are greater than the deposit, the applicant will be required to pay the balance.

Part 4 Facility installation permits – public inquiry charges

Item 4.1 specifies the amount of the deposit payable to the ACMA on account of the expenses to be incurred in relation to the holding of a public inquiry under subclause 25(2) of Schedule 3 to the Telecommunications Act in relation to a facility installation permit application.

Item 4.2 specifies a further processing charge for dealing with applications for a facility installation permit. The charge is determined using the hourly rate of charge calculated based on the activities of an ACMA official in relation to the holding of a public inquiry for a facility installation permit application.

Item 4.3 specifies that any other expenses incurred by the ACMA for the holding of a public inquiry in relation to a facility installation permit application will be charged on a cost incurred basis.

In accordance with section 11, if any further charges payable under items 4.2 or 4.3 are less than the deposit paid under item 4.1, the ACMA will refund the balance to the applicant, and if the charges are greater than the deposit, the applicant will be required to pay the balance.

Part 5 Charges payable to declare, vary or revoke a protection zone

Item 5.1 specifies the amount of the deposit payable to the ACMA on account of the expenses to be incurred in relation to a request to declare a protection zone made under clause 5 of Schedule 3A to the Telecommunications Act.

Item 5.2 specifies the amount of the deposit payable to the ACMA on account of the expenses to be incurred in relation to a request to vary or revoke a declaration of a protection zone, made under clause 24 of Schedule 3A to the Telecommunications Act.

Item 5.3 specifies the further processing charges for processing requests to declare a protection zone, or to vary or revoke a declaration of a protection zone. The further charges are charged at the hourly rate based on the activities of ACMA officials in processing such requests.

Item 5.4 specifies that external costs incurred by the ACMA in relation to a request to declare a protection zone or vary or revoke a declaration of a protection zone will be charged on a cost incurred basis.

In accordance with section 12, if the further charges determined under items 5.3 or 5.4 are less than the deposit paid under items 5.1 or 5.2, the ACMA will refund the balance to the requesting person, and if the charges are greater than the deposit paid, the requesting person will be required to pay the balance.

Part 6 Charges payable in relation to certain permits to install a submarine cable

Item 6.1 specifies the charge for considering and processing an application for a protection zone installation permit for each submarine cable the subject of the application for the purposes of clause 53 of Schedule 3A to the Telecommunications Act.

Item 6.2 specifies the charge for considering and processing an application under clause 61 of Schedule 3A to the Telecommunications Act to extend the duration of a protection zone installation permit.

Item 6.3 specifies the charge for considering and processing an application for a non-protection zone installation permit made under clause 64 of Schedule 3A to the Telecommunications Act, for each submarine cable the subject of the application, excluding the additional charges mentioned at items 6.4 and 6.5. The charge is the application charge specified for the purposes of clause 66 of Schedule 3A to the Telecommunications Act.

Item 6.4 specifies the amount of the deposit payable in relation to an application for a non-protection zone installation permit on account of the charges at item 6.5.

Item 6.5 specifies that any external costs incurred by the ACMA for the use of external consultants in considering an application for a non-protection zone installation permit will be charged on a cost incurred basis.

Item 6.6 specifies the charge for considering and processing an application to extend the duration of a non-protection zone installation permit, made under clause 76 of Schedule 3A to the Telecommunications Act.

In accordance with section 13, if the further charges determined under item 6.5 are less than the deposit paid under item 6.4, the ACMA will refund the balance to the applicant, and if the charges are greater than the deposit, the applicant will be required to pay the balance.

Part 7 Charges payable in relation to labelling certifications

Item 7.1 specifies the charge for the activities of an ACMA official acting as a certification body when dealing with an application for a written statement under paragraph 408(5)(a) of the Telecommunications Act. The charge payable will be determined using the hourly rate.

Statement of compatibility with human rights

Prepared by the Australian Communications and Media Authority under subsection 9(1) of the
Human Rights (Parliamentary Scrutiny) Act 2011

Telecommunications (Charges) Determination 2022

Overview of the instrument

Subsection 60(1) of the *Australian Communications and Media Authority Act (the Act)* provides that the ACMA may, by written instrument, make determinations fixing charges for services provided by the ACMA or for any matter in which expenses are incurred by the ACMA under the *Telecommunications Act 1997 (Telecommunications Act)* or instruments made under the Telecommunications Act. A charge must not be such as to amount to taxation. The *Telecommunications (Charges) Determination 2022 (the instrument)* is made under subsection 60(1) of the Act and fixes the charges that are to be applied in relation to services provided, and expenses incurred, by the ACMA in performing its functions or exercising its powers under the Telecommunications Act and instruments made under that Act.

Human rights implications

The ACMA has assessed whether the instrument is compatible with human rights, being the rights and freedoms recognised or declared by the international instruments listed in subsection 3(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011* as they apply to Australia.

Having considered the likely impact of the instrument and the nature of the applicable rights and freedoms, the ACMA has formed the view that the instrument does not engage any of those rights or freedoms.

Conclusion

The instrument is compatible with human rights as it does not raise any human rights issues.

Fees – Detailed explanation

<i>Telecommunications (Charges) Determination 2022</i>						
Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
1	Making an application mentioned in section 77 of the Telecommunications Act for a nominated carrier declaration in relation to one or more specified network units	Item 1.1, Part 1, Schedule 1	\$ 2,375.00	\$ 2,237.00	-6%	This fee was determined using the ACMA's standard hourly rate which has increased. However, the processing time has decreased by 8%, which has led to an overall reduction in the fee of 6%
2	Considering an application made under subsection 390(1) of the Telecommunications Act for a connection permit for the connection of customer equipment	N/A	Hourly rate	N/A	N/A	The ACMA does not anticipate having to provide these activities as industry is now mature and can therefore facilitate connections by providing consent
3	Considering an application made under subsection 390(2) of the Telecommunications Act for a connection permit for the connection of customer cabling	N/A	Hourly rate	N/A	N/A	

Telecommunications (Charges) Determination 2022

Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
4	<p>Making an application mentioned in paragraph 457 (1) (a) of the Telecommunications Act for the allocation of a number otherwise than in accordance with an allocation system determined under section 463 of the Telecommunications Act.</p> <hr/> <p>(1) For an application made under Part 2 of Chapter 6 of the numbering plan for allocation of one or more standard units of geographic numbers</p>	Item 2.1, Part 2, Schedule 1	\$ 35.00	\$ 57.00	63%	The reason for the increase in the charge is to align costs with actual costs required to be recovered. Charges have increased due to a reduction in the number of applications. Further information is provided under the ‘Purpose and operation of the instrument’ section of this explanatory statement. Corresponding changes have also been made to the <i>Telecommunications (Numbering Charges) (Allocation Charge) Determination 2015</i> .

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Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
5	(2) For an application made under Part 3 of Chapter 6 of the numbering plan for allocation of one or more geographic numbers		\$ 35.00	\$ 57.00	63%	The reason for the increase in the charge is to align costs with actual costs required to be recovered. Charges have increased due to a reduction in the number of applications. Further information is provided under the 'Purpose and operation of the instrument' section of this explanatory statement. Corresponding changes have also been made to the <i>Telecommunications (Numbering Charges) (Allocation Charge) Determination 2015</i> .
6	(3) For any other application made under the numbering plan for allocation of a number		Zero	Zero	Nil	No change

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Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
7	Making an application under subsection 121(1) of the numbering plan for registration of a carriage service provider under section 122 of the numbering plan	Item 2.2, Part 2, Schedule 1	\$ 35.00	\$ 57.00	63%	The reason for the increase in the charge is to align costs with actual costs required to be recovered. Charges have increased due to a reduction in the number of applications. Further information is provided under the 'Purpose and operation of the instrument' section of this explanatory statement.
8	Registering to use the electronic system, made available by the ACMA, for EROU applicants to apply with a registered carriage service provider under section 73 of the numbering plan for the initial allocation of an unassigned unallocated smartnumber, and for EROU-holders to manage their enhanced rights of use	Item 2.3, Part 2, Schedule 1	\$ 35.00	\$ 57.00	63%	The reason for the increase in the charge is to align costs with actual costs required to be recovered. Charges have increased due to a reduction in the number of numbering applications/allocations. Further information is provided under the 'Purpose and operation of the instrument' section of this explanatory statement.

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Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
9	Deposit to accompany a facility installation permit application	Item 3.1, Part 3, Schedule 1	\$ 7,474.00	\$ 9,108.00	22%	The increase in fee is based on a bottom-up assessment of actual time and effort to provide the service averaged over a year and applied to the ACMA's new standard hourly rate
10	Activities of an ACMA official in connection with dealing with a facility installation permit application that does not relate to the conduct of a public inquiry in relation to the permit	Item 3.2, Part 3, Schedule 1	Hourly rate	Hourly rate	12%	This fee is subject to the increase in the ACMA's standard hourly rate from \$202 to \$226 p/h.
11	Deposit payable on account of the expenses to be incurred by the ACMA for the holding of a public inquiry in relation to the issue of a facility installation permit	Item 4.1, Part 4, Schedule 1	\$ 54,540.00	\$ 57,385.00	5%	The increase in fee is due to the increase in the ACMA's standard hourly rate but offset by the average processing time which has decreased by 6%.
12	Activities of ACMA officials in relation to the holding of a public inquiry in relation to the issue of a facility installation permit	Item 4.2, Part 4, Schedule 1	Hourly rate	Hourly rate	12%	This fee is subject to the increase in the ACMA's standard hourly rate from \$202 to \$226
13	Any other expenses incurred by the ACMA not included in item 4.2 in relation to the holding of a public inquiry	Item 4.3, Part 4, Schedule 1	Actual costs	Actual costs		No change

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Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
14	Deposit payable on account of the expenses to be incurred by the ACMA in relation to a protection zone (declaration) request	Item 5.1, Part 5, Schedule 1	\$ 200,000.00	\$ 161,251.00	-19%	The reduction in fee resulted from a bottom-up assessment of actual time and effort to provide the service averaged over a year and applied to the ACMA's new standard hourly rate
15	Deposit payable on account of the expenses to be incurred by the ACMA in relation to a protection zone (revocation) request or a protection zone (variation) request	Item 5.2, Part 5, Schedule 1	\$ 147,000.00	\$ 136,278.00	-7%	The reduction in fee resulted from a bottom-up assessment of actual time and effort to provide the service averaged over a year and applied to the ACMA's new standard hourly rate
16	Charges for the activities of ACMA official in relation to a: (a) protection zone (declaration) request; (b) protection zone (revocation) request; (c) protection zone (variation) request	Item 5.3, Part 5, Schedule 1	Hourly rate	Hourly rate	12%	This fee is subject to the increase in the ACMA's standard hourly rate from \$202 to \$226 p/h

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Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
17	External costs incurred by the ACMA in relation to a protection zone (declaration) request, protection zone (revocation) request or protection zone (variation) request including, but not limited to, the following: (a) advertising costs; (b) venue hire and catering costs; (c) travel expenses; (d) consultation costs	Item 5.4, Part 5, Schedule 1	Actual costs	Actual costs	N/A	No change
18	Protection zone installation permit application — charge for the purposes of clause 53 of Schedule 3A to the Telecommunications Act, in relation to considering and processing a protection zone installation permit application	Item 6.1, Part 6, Schedule 1	\$ 4,040 (for each submarine cable the subject of the application)	\$ 5,123.00 (for each submarine cable the subject of the application)	27%	The increase is based on a bottom-up assessment of actual time and effort to provide the service averaged over a year and applied to the ACMA's new standard hourly rate
19	Protection zone installation permit — considering and processing an application under clause 61 of Schedule 3A to the Telecommunications Act to extend the duration of a protection zone installation permit	Item 6.2, Part 6, Schedule 1	\$ 1,414.00	\$ 1,394.00	-1%	No significant change

Telecommunications (Charges) Determination 2022

Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
20	Non-protection zone installation permit application — charge for the purposes of clause 66 of Schedule 3A to the Telecommunications Act, in relation to considering and processing a non-protection zone installation permit application, excluding the additional charges mentioned at items 6.4 and 6.5	Item 6.3, Part 6, Schedule 1	\$ 5,959.00 (for each submarine cable the subject of the application)	\$ 5,951.00 (for each submarine cable the subject of the application)	0%	No significant change
21	Non-protection zone installation permit application — deposit payable on account of the charges at item 6.5	Item 6.4, Part 6, Schedule 1	\$ 25,000.00	\$ 25,000.00	N/A	No change
22	Non-protection zone installation permit application — charge for the purposes of clause 66 of Schedule 3A to the Telecommunications Act, in relation to external costs for the use of external consultants in considering a non-protection zone installation permit application	Item 6.5, Part 6, Schedule 1	Actual costs	Actual costs	N/A	No change
23	Non-protection zone installation permit — considering and processing an application under clause 76 of Schedule 3A to the Telecommunications Act to extend the duration of a non-protection zone installation permit	Item 6.6, Part 6, Schedule 1	\$ 1,414.00	\$ 1,394.00	-1%	No significant change

Telecommunications (Charges) Determination 2022

Ref	Item being charged	Relevant provision of the instrument	Previous charge	Charge specified in the instrument	Variance increase/ (decrease)	Reason for increase/decrease
24	Activities of an ACMA official acting as a certification body in connection with dealing with an application for a written statement under paragraph 408 (5) (a) of the Telecommunications Act	Item 7.1, Part 7, Schedule 1	Hourly rate	Hourly rate	N/A	Only change is the increase in the hourly rate from \$202 to \$226