



## **Radiocommunications (Transmitter Licence Tax) Amendment Determination 2023 (No. 3)**

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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: 15 December 2023

Samantha Yorke  
[signed]  
Member

Carolyn Lidgerwood  
[signed]  
Member/~~General Manager~~

Australian Communications and Media Authority

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## **1 Name**

This is the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2023 (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](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 (F2015L00322)*

#### 1 After Part 2

Insert:

### **Part 3 Transitional arrangements relating to the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2023 (No. 3)***

#### **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 2023 (No. 3)*.

*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 2024;
- 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 2024.

Note 2: If a licence is issued on or after the amendment day, and comes into force on or after 5 April 2024, 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 2024;

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 2024, 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 2024;

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 2024, 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 Paragraph 204(a) of Schedule 1

Omit 'earth station', substitute 'earth receive station'.

## 3 Item 205 of Schedule 1

Omit 'earth station' (wherever occurring), substitute 'earth receive station'.

## 4 Part 2 of Schedule 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>
<b>MHz</b>					
0–30	1.2317	1.2322	1.2340	1.2305	1.2285
>30–403	2.7823	1.0871	0.5371	0.1201	0.0598
>403–520	2.8545	2.1164	0.7327	0.1246	0.0000
>520–960	2.8545	1.5992	0.7327	0.1246	0.0621

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>
>960–2 690	2.8502	0.6399	0.2963	0.1486	0.0740
<b>GHz</b>					
>2.69–5.0	2.8471	0.5292	0.2148	0.1774	0.0885
>5.0–8.5	1.2019	0.2223	0.1037	0.0471	0.0228
>8.5–14.5	0.1059	0.0382	0.0090	0.0007	0.0003
>14.5–31.3	0.1059	0.0282	0.0062	0.0007	0.0003
>31.3–51.4	0.0289	0.0154	0.0033	0.0001	0.0001
>51.4–100	0.0029	0.0003	0.0003	0.0000	0.0000
>100	0.0000	0.0000	0.0000	0.0000	0.0000

### 5 Part 2A of Schedule 2 (table 206)

Omit the table, 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	0.1232	0.1232	0.1234	0.1230	0.1229
>30–403	0.2782	0.1087	0.0537	0.0120	0.0060
>403–520	0.2855	0.2116	0.0733	0.0125	0.0000
>520–960	0.2855	0.1599	0.0733	0.0125	0.0062
>960–2 690	0.2850	0.0640	0.0296	0.0149	0.0074
<b>GHz</b>					
>2.69–5.0	0.2847	0.0529	0.0215	0.0177	0.0089
>5.0–8.5	0.1202	0.0222	0.0104	0.0047	0.0023
>8.5–14.5	0.0106	0.0038	0.0009	0.0001	0.0000
>14.5–31.3	0.0106	0.0028	0.0006	0.0001	0.0000
>31.3–51.4	0.0029	0.0015	0.0003	0.0000	0.0000

>51.4-100	0.0003	0.0000	0.0000	0.0000	0.0000
>100	0.0000	0.0000	0.0000	0.0000	0.0000

## 6 Part 3 of Schedule 2 (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>
<b>MHz</b>					
0–30	91.0688	91.1052	91.2409	90.9767	90.8327
>30–403	205.7120	80.3795	39.7104	8.8763	4.4206
>403–520	211.0516	156.4814	54.1736	9.2136	0.0000
>520–960	211.0516	118.2362	54.1736	9.2136	4.5890
>960–2 690	210.7351	47.3156	21.9063	10.9847	5.4731
<b>GHz</b>					
>2.69–5.0	210.5029	39.1235	15.8799	13.1141	6.5467
>5.0–8.5	88.8633	16.4369	7.6651	3.4788	1.6840
>8.5–14.5	7.8321	2.8208	0.6682	0.0485	0.0232
>14.5–31.3	7.8321	2.0860	0.4588	0.0485	0.0232
>31.3–51.4	2.1358	1.1380	0.2474	0.0084	0.0042
>51.4-100	0.2111	0.0211	0.0211	0.0021	0.0021
>100	0.0000	0.0000	0.0000	0.0000	0.0000

## 7 Part 3A of Schedule 2 (table 305A, including the example)

Omit the table, substitute:

**Table 305A**

Column 1	Column 2
State or territory of the licence	Tax rate (\$)
Australian Capital Territory	\$1,268
New South Wales	\$120,176
Northern Territory	\$3,355
Queensland	\$90,200

<b>Column 1</b> <b>State or territory of the licence</b>	<b>Column 2</b> <b>Tax rate (\$)</b>
South Australia	\$20,292
Tasmania	\$483
Victoria	\$103,239
Western Australia	\$22,999

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 5 April 2024 is: 10 x 20,292 = \$202,920.

## 8 Part 4 of Schedule 2 (table 402)

Omit the table, substitute:

**Table 402**

<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	22.7672	22.7763	22.8102	22.7442	14.4194
>30–403	51.4280	20.0949	9.9276	2.2191	0.7018
>403–520	52.7629	39.1203	13.5434	2.3034	0.0000
>520–960	52.7629	29.5590	13.5434	2.3034	0.7285
>960–2 690	1.2454	0.2796	0.1295	0.0649	0.0323
<b>GHz</b>					
>2.69–5.0	1.2440	0.2312	0.0938	0.0775	0.0387
>5.0–8.5	0.5251	0.0971	0.0453	0.0206	0.0100
>8.5–14.5	0.0463	0.0167	0.0039	0.0003	0.0001
>14.5–31.3	0.0463	0.0123	0.0027	0.0003	0.0001
>31.3–51.4	0.0126	0.0067	0.0015	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

## 9 Part 5 of Schedule 2 (table 502)

Omit the table, substitute:

**Table 502**

Frequency range	Amount (\$) Area density				
	Australia wide	High density	Medium density	Low density	Remote density
<b>MHz</b>					
0–30	91.0688	91.1052	91.2409	90.9767	56.9441
>30–403	205.7120	80.3795	39.7104	8.8763	2.7713
>403–520	211.0516	156.4814	54.1736	9.2136	0.0000
>520–960	211.0516	118.2362	54.1736	9.2136	2.8769
>960–2 690	1.2454	0.2796	0.1295	0.0649	0.0323
<b>GHz</b>					
>2.69–5.0	1.2440	0.2312	0.0938	0.0775	0.0387
>5.0–8.5	0.5251	0.0971	0.0453	0.0206	0.0100
>8.5–14.5	0.0463	0.0167	0.0039	0.0003	0.0001
>14.5–31.3	0.0463	0.0123	0.0027	0.0003	0.0001
>31.3–51.4	0.0126	0.0067	0.0015	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

**10 Part 6 of Schedule 2 (table 602)**

Omit the table, substitute:

**Table 602**

Frequency range	Amount (\$) Area density				
	Australia wide	High density	Medium density	Low density	Remote density
<b>MHz</b>					
0–30	0.6319	0.6321	0.6331	0.6312	0.6302
>30–70	1.4273	0.5577	0.2755	0.0616	0.0307
>70–399.9	1.4644	1.0857	0.3759	0.0639	0.0000
>399.9–960	1.4644	0.8204	0.3759	0.0639	0.0318



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>
>960–2 690	1.4622	0.3283	0.1520	0.0762	0.0380
<b>GHz</b>					
>2.69–5.0	1.4606	0.2715	0.1102	0.0910	0.0454
>5.0–8.5	0.6166	0.1140	0.0532	0.0241	0.0117
>8.5–14.5	0.0543	0.0196	0.0046	0.0003	0.0002
>14.5–31.3	0.0543	0.0145	0.0032	0.0003	0.0002
>31.3–51.4	0.0148	0.0079	0.0017	0.0001	0.0000
>51.4–100	0.0015	0.0001	0.0001	0.0000	0.0000
>100	0.0000	0.0000	0.0000	0.0000	0.0000

### 11 Part 7 of Schedule 2 (table 702)

Omit the table, substitute:

**Table 702**

Item	Service	Amount
1	Broadcasting licence, other than: (a) a broadcasting licence for a service operated in the frequency range 2.3 MHz – 26.1 MHz; and (b) a broadcasting licence to which another Part of this Schedule applies.	\$41.86 per transmitter
2	Datacasting licence	\$41.86 per transmitter
3	Licence that authorises the operation of point to point (5.8 GHz band) stations	\$41.86 per pair of spectrum accesses
4	Licence that authorises the operation of point to point (self-coordinated) stations	\$239 per pair of spectrum accesses
5	Television outside broadcast network	\$214,217
6	Television outside broadcast system (Australia wide density area)	\$45,093
7	Television outside broadcast system (high density area)	\$8,342
8	Television outside broadcast system (medium density area)	\$3,889
9	Television outside broadcast system (low density area)	\$1,767

<b>Item</b>	<b>Service</b>	<b>Amount</b>
10	Television outside broadcast system (remote density area)	\$883
11	PABX cordless telephone service	\$41.86
12	Subject to sub-item 702(2), PMTS Class B operated in the frequency range 935–960 MHz (paired)	\$3,414,318 for each MHz on which the service may be operated
13	PMTS Class C	\$41.86
14	Wireless audio system	\$41.86

## 12 Part 8 of Schedule 2 (table 802)

Omit the table, substitute:

**Table 802**

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Significant urban area</b>	<b>FM/TV</b>	<b>AM</b>
1	Melbourne	\$7,737	\$697
2	Sydney	\$7,705	\$693
3	Brisbane	\$3,900	\$351
4	Perth	\$3,256	\$293
5	Adelaide	\$2,115	\$190
6	Gold Coast – Tweed Heads	\$1,115	\$100
7	Newcastle – Maitland	\$779	\$70
8	Canberra – Queanbeyan	\$721	\$64
9	Sunshine Coast	\$549	\$49
10	Central Coast	\$520	\$47
11	Wollongong	\$481	\$43
12	Geelong	\$444	\$42
13	Hobart	\$339	\$41
14	Townsville	\$286	\$42
15	Cairns	\$243	\$42

## 13 Part 8A of Schedule 2 (table 802A)

Omit the table, substitute:

**Table 802A**

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	1.2317	1.2322	1.2340	1.2305	1.2285
>30–403	2.7823	1.0871	0.5371	0.1201	0.0598
>403–520	2.8545	2.1164	0.7327	0.1246	0.0000
>520–960	2.8545	1.5992	0.7327	0.1246	0.0621
>960–2 690	2.8502	0.6399	0.2963	0.1486	0.0740
<b>GHz</b>					
>2.69–5.0	2.8471	0.5292	0.2148	0.1774	0.0885
>5.0–8.5	1.2019	0.2223	0.1037	0.0471	0.0228
>8.5–17.3	0.1059	0.0382	0.0090	0.0007	0.0003
>17.3–31.3	0.0742	0.0198	0.0031	0.0003	0.0000
>31.3–51.4	0.0202	0.0108	0.0017	0.0001	0.0000
>51.4–100	0.0029	0.0003	0.0003	0.0000	0.0000
>100	0.0000	0.0000	0.0000	0.0000	0.0000

**14 Part 9 of Schedule 2 (table 902)**

Omit the table, substitute:

**Table 902**

<b>Item</b>	<b>Station</b>	<b>Amount (\$)</b>
1	Amateur station	\$51.36
2	Limited coast marine rescue station	\$41.86
3	Limited coast non-assigned station	\$41.86
4	Outpost non-assigned station	\$41.86
5	Scientific non-assigned station	\$41.86
6	Ship station class B non-assigned	\$41.86
7	Ship station class C non-assigned	\$41.86
8	Sound outside broadcast station	\$41.86
9	Temporary fixed link station	\$2,331.90

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**15 Dictionary (definition of *minimum annual amount*)**

Omit "\$41.37", substitute "\$41.86".