

Radiocommunications (Transmitter Licence Tax) Amendment Determination 2023 (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: 15 December 2023

Samantha Yorke

[signed]

Member

Carolyn Lidgerwood

[signed]

Member/~~General Manager~~

Australian Communications and Media Authority

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* | | | | |
|  | *Australia wide* | *High density* | *Medium density* | *Low density* | *Remote density* |
| **MHz** | | | | | |
| 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 |
| **GHz** | | | | | |
| >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* | | | | |
|  | *Australia wide* | *High density* | *Medium density* | *Low density* | *Remote density* |
| **MHz** | | | | | |
| 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 |
| **GHz** |  |  |  |  |  |
| >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* | | | | | |
|  | *Australia wide* | *High density* | *Medium density* | *Low density* | *Remote density* | |
| **MHz** | | | | | |
| 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 |
| **GHz** | | | | | |
| >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**  **State or territory of the licence** | **Column 2**  **Tax rate ($)** |  |
| --- | --- | --- |
| Australian Capital Territory | $1,268 |  |
| New South Wales | $120,176 |  |
| Northern Territory | $3,355 |  |
| Queensland | $90,200 |  |
| 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

| **Frequency range** | **Amount ($)** | | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Area density* | | | | | | | | |
|  | | *Australia wide* | *High density* | *Medium density* | | *Low density* | *Remote density* | | |
| **MHz** | | | | | | | | |
| 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 |
| **GHz** | | | | | | | | |
| >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* | |
| **MHz** | | | | | | | |
| 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 |
| **GHz** | | | | | | | |
| >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* | |
| **MHz** | | | | | | | | |
| 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 |
| >960–2 690 | 1.4622 | | 0.3283 | | | 0.1520 | 0.0762 | 0.0380 |
| **GHz** | | | | | | | | |
| >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 |
| 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***

|  | **Column 1** | **Column 2** | **Column 3** |
| --- | --- | --- | --- |
| **Item** | **Significant urban area** | **FM/TV** | **AM** |
| 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* | | | | | |
|  | *Australia wide* | *High density* | *Medium density* | *Low  density* | *Remote density* | |
| **MHz** | | | | | |  |
| 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 |  |
| **GHz** | | | | | |  |
| >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***

| Item | Station | Amount ($) |
| --- | --- | --- |
| 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 |

15 Dictionary (definition of *minimum annual amount*)

Omit “$41.37”, substitute “$41.86”.