



Telecommunications Carrier Licence Charges (Annual Charges) Determination 2024

The Australian Communications and Media Authority makes the following determination under subsection 14(1) of the *Telecommunications (Carrier Licence Charges) Act 1997*.

Dated: 12 December 2024

Samantha York
[signed]
Member

Cathy Rainsford
[signed]
General Manager

Australian Communications and Media Authority

1 Name

This is the *Telecommunications Carrier Licence Charges (Annual Charges) Determination 2024*.

2 Commencement

- (1) This instrument commences on the later of:
 - (a) the start of the day after the day it is registered on the Federal Register of Legislation; and
 - (b) immediately after the commencement of the *Telecommunications Carrier Licence Charges (Specification of Costs by the ACMA) Determination 2024*.

Note 1: The Federal Register of Legislation may be accessed free of charge at www.legislation.gov.au.

Note 2: The *Telecommunications Carrier Licence Charges (Specification of Costs by the ACMA) Determination 2024* commences on 15 December 2024.

- (2) However, this instrument does not commence at all unless both of the events mentioned in paragraphs (1)(a) and (b) occur.

3 Authority

This instrument is made under subsection 14(1) of the *Telecommunications (Carrier Licence Charges) Act 1997*.

4 Repeal of this instrument

This instrument is repealed at the start of 1 July 2026.

5 Application

This instrument applies to carrier licences that were in force at the beginning of the 2023-2024 financial year.

6 Definitions

In this instrument:

ACCC means the Australian Competition and Consumer Commission.

Act means the *Telecommunications (Carrier Licence Charges) Act 1997*.

carrier licence means a carrier licence to which this instrument applies, as provided by section 5.

carrier licence charge means a charge within the meaning of Part 3 of the Act.

CSPA (or Consumer Safeguards Part A) means the program of work undertaken by the ACMA to enhance analysis, transparency and reporting of telecommunications complaints data.

eligible revenue has the same meaning as in the TCPSS Act.

eligible revenue period has the same meaning as in the TCPSS Act.

exempt carrier licence means a carrier licence that was held by a carrier that was a non-participating person for the eligible revenue period that began on 1 July 2022 and ended on 30 June 2023.

MBA means the Measuring Broadband Australia program conducted by the ACCC to monitor and report on the performance of fixed line broadband services delivered over the National Broadband Network (**NBN**).

NBN fixed line connection means a fixed line broadband service delivered over the NBN fixed line network.

Note: The NBN fixed line network is part of the NBN but does not include a fixed wireless network or satellite access network.

non-participating person has the same meaning as in the *Telecommunications (Participating Persons) Determination 2015*.

Note: The *Telecommunications (Participating Persons) Determination 2015* is available, free of charge, on the Federal Register of Legislation: www.legislation.gov.au.

qualifying retail carriage service provider or **QRCS** has the same meaning as in the *Telecommunications (Consumer Complaints) Record-Keeping Rules 2018*.

Note: The *Telecommunications (Consumer Complaints) Record-Keeping Rules 2018* are available, free of charge, on the Federal Register of Legislation: www.legislation.gov.au.

TCPS Act means the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

test segment means a class of broadband service that is tested in accordance with specified conditions under the MBA.

Note: The following expressions used in this instrument are defined in subsection 15(4) of the Act:

- (a) ACMA's telecommunications functions;
- (b) ACMA's telecommunications powers.

7 References to other instruments

In this instrument, unless the contrary intention appears:

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

Note 1: For references to Commonwealth Acts, see section 10 of the *Acts Interpretation Act 1901*; and see also subsection 13(1) of the *Legislation Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

Note 2: All Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation.

8 Carrier licence charge – exempt carrier licence

The amount of carrier licence charge imposed on an exempt carrier licence is \$0.

9 Method of ascertaining carrier licence charge – other carrier licences

- (1) This section applies to a carrier licence that is not an exempt carrier licence.
- (2) The amount of carrier licence charge imposed on a carrier licence in relation to a carrier named in column 2 of the table in Schedule 1 is equal to the sum of the amounts ascertained using the formulas in subsections (3) to (5), as applicable.

Note: The formula in subsection (3) applies to all the carriers named in column 2 of Schedule 1. In addition, the formula in subsection (4) applies to all the carriers named in column 2 of Schedule 2 (carriers who were also qualifying retail carriage service providers during the 2022-2023 financial year), and the formula in subsection (5) applies to all the carriers named in column 2 of Schedule 3.

- (3) The amount for the purposes of this subsection is ascertained using the formula:

$$(MCA - OTC) \times \frac{ER}{TER}$$

where:

MCA (maximum charge amount, excluding costs relating to the CSPA and the MBA) is \$29,480,166.

Note: This amount is the total sum of the amounts determined under subsection 15(1) of the Act as specified in the following instruments, excluding costs relating to the CSPA and the MBA:

- (a) the *Telecommunications Carrier Licence Charges (Specification of Costs by the ACMA) Determination 2024*, made by the ACMA under paragraphs 15(1)(a), (c) and (ca) of the Act (excluding the portion of the amount determined by the ACMA under paragraph 15(1)(a) that relates to the CSPA);
- (b) the *2024 Determination under Paragraph 15(1)(b)*, made by the ACCC under paragraph 15(1)(b) of the Act (excluding the portion of the amount that relates to the MBA); and
- (c) the *Telecommunications (Carrier Licence Charges) (Paragraph 15(1)(d)) Determination 2024*, made by the Minister under paragraph 15(1)(d) of the Act.

OTC (other telecommunications costs) is \$220,203.

Note: This amount relates to costs that:

- (a) are part of the proportion of the ACMA's costs for the 2022-2023 financial year that is attributable to the ACMA's telecommunications functions and powers; and
- (b) have been recovered from telecommunications charges (other than annual carrier licence charges).

The amount determined to be the proportion of the ACMA's costs for the 2022-2023 financial year that is attributable to the ACMA's telecommunications functions and powers is \$13,860,811 — see section 6 of the *Telecommunications Carrier Licence Charges (Specification of Costs by the ACMA) Determination 2024*. This figure includes the CSPA costs.

ER (eligible revenue), for the carrier, is the amount mentioned in column 4 of the row in the table in Schedule 1 in which the carrier's name appears in column 2.

Note: This amount is the eligible revenue of the carrier for the 2022-23 eligible revenue period as assessed by the ACMA under subsection 47(1) of the TCPSS Act.

TER (total eligible revenue) is \$25,474,470,520.

Note: This amount is the total sum of the eligible revenue of all the carriers named in Schedule 1 for the 2022-2023 eligible revenue period as assessed by the ACMA under subsection 47(1) of the TCPSS Act.

- (4) The amount for the purposes of this subsection is ascertained using the formula:

$$CSPA \times \frac{ERQRCSP}{TERQRCSP}$$

where:

CSPA (Consumer Safeguards Part A) program cost is equal to \$581,350.

Note: This amount is the portion of the costs incurred by the ACMA during the 2022-2023 financial year, as determined by the ACMA under paragraph 15(1)(a) of the Act, that relates to the CSPA.

ERQRCSP (eligible revenue of qualifying retail carriage service provider), for the QRCSP, is the amount mentioned in column 4 of the row in the table in Schedule 2 in which the QRCSP's name appears in column 2.

Note: This amount is the eligible revenue of the carrier, who was also a QRCSP for the 2022-2023 financial year, as assessed by the ACMA under subsection 47(1) of the TCPSS Act. Schedule 2 lists each carrier who was also a QRCSP in the 2022-2023 financial year and their eligible revenue for the 2022-2023 eligible revenue period.

TERQRCSP (total eligible revenue of qualifying retail carriage service providers) is \$14,137,438,527.

Note: This amount (specified in Schedule 2) is the total sum of the eligible revenue of all the carriers who were also QRCSPs for the 2022-2023 financial year, as assessed by the ACMA under subsection 47(1) of the TCPSS Act.

- (5) The amount for the purpose of this subsection is ascertained using the formula:

$$APC \times \frac{FLC}{TFLC}$$

where:

APC (annual program costs) is equal to \$1,644,950.

Note: This amount is the portion of the costs incurred by the ACCC during the 2022-2023 financial year, as determined by the ACCC under paragraph 15(1)(b) of the Act, that are attributable to the MBA.

FLC (fixed line connections) for the carrier, is the number listed in column 4 of the row in the table in Schedule 3 in which the carrier's name appears in column 2.

Note: The FLC figure for each carrier is derived from information provided by the ACCC about the number of NBN fixed line connections operated in a test segment which are attributable to the carriers named in column 2 of the table in Schedule 3, during the 2022-2023 financial year.

TFLC (total fixed line connections) is equal to 7,919,502.

Note: This figure is derived from information provided by the ACCC about the total number of NBN fixed line connections operated in a test segment that are attributable to the carriers named in column 2 of the table in Schedule 3, during the 2022-2023 financial year.

Schedule 1 Eligible revenue for carrier

(subsection 9(3))

Item	Carrier name	ACN/ABN	Eligible Revenue 2022-23
1	AARNet Pty Ltd	ACN 084 540 518	\$57,582,080.00
2	Aussie Broadband Ltd	ACN 132 090 192	\$262,007,842.45
3	ENE.HUB PTY Ltd	ACN 165 757 559	\$268,323,214.36
4	Iridium Australia Licensee Pty Ltd	ACN 136 396 855	\$33,803,963.00
5	Macquarie Technology Operations Pty Ltd	ACN 082 930 916	\$63,497,289.00
6	NBN Co Ltd	ACN 136 533 741	\$4,090,052,361.00
7	Optus Fixed Infrastructure Pty Ltd	ACN 092 450 783	\$14,998,569.00
8	Optus Mobile Pty Ltd	ACN 054 365 696	\$4,158,030,213.00
9	Optus Satellite Network Pty Ltd	ACN 091 789 945	\$328,706,323.00
10	UEComm Operations Pty Ltd	ACN 093 504 100	\$57,914,230.00
11	Pivotel Group Pty Ltd	ACN 102 274 322	\$43,667,594.32
12	O3b Teleport Services (Australia) Pty Ltd	ACN 161 700 509	\$62,608,654.30
13	STARLINK Australia Pty Ltd	ACN 636 841 533	\$43,819,881.86
14	Superloop (Australia) Pty Ltd	ACN 602 286 608	\$108,530,107.63
15	Swoop Telecommunications Pty Ltd	ACN 109 931 731	\$39,421,505.05
16	Telstra Corporation Ltd	ACN 051 775 556	\$6,491,074,730.00
17	Telstra Multimedia Pty Ltd	ACN 069 279 072	\$57,267,624.00
18	Telstra Ltd	ACN 086 174 781	\$5,511,173,970.00
19	TPG Telecom Ltd	ACN 096 304 620	\$2,930,735,706.00
20	Uniti Group Pty Ltd	ACN 158 957 889	\$2,584,096.00
21	LBN CO Pty Ltd	ACN 073 226 114	\$1,863,618.00
22	LINK US Pty Ltd	ACN 604 463 710	\$2,344,072.00
23	OPENetworks Pty Ltd	ACN 118 525 821	\$306,874.00
24	Opticomm Pty Ltd	ACN 117 414 776	\$169,883,107.28
25	Victorian Rail Track	ABN 55 047 316 805	\$56,276,196.36
26	Nextgen Networks Pty Ltd	ACN 094 147 403	\$85,486,563.00
27	Primus Telecommunications Pty Ltd	ACN 071 191 396	\$184,475,831.97
28	Skiron OpCo Pty Ltd	ACN 166 751 784	\$857,737.00
29	Vocus Fibre Pty Ltd	ACN 150 260 156	\$254,961,360.00
30	Waveconn Tower Company 1 Pty Ltd	ACN 641 087 372	\$92,215,206.74
		Totals	\$25,474,470,520.32

Schedule 2 Eligible revenue for carrier/QRCSP

(subsection 9(4))

Item	Carrier/QRCSP name	ACN/ABN	Eligible Revenue of QRCSP
1	Aussie Broadband Ltd	ACN 132 090 192	\$262,007,842
2	Optus Mobile Pty Ltd	ACN 054 365 696	\$4,158,030,213
3	Primus Telecommunications Pty Ltd	ACN 071 191 396	\$184,475,832
4	Superloop (Australia) Pty Ltd	ACN 602 286 608	\$108,530,108
5	Telstra Corporation Ltd	ACN 051 775 556	\$6,491,074,730
6	TPG Telecom Ltd	ACN 096 304 620	\$2,930,735,706
7	Uniti Group Pty Ltd	ACN 158 957 889	\$2,584,096
Total Eligible Revenue for QRCSPs			\$14,137,438,527

Schedule 3 Fixed line connections for carrier

(subsection 9(5))

Item	Name of carrier	ACN/ABN	FLC
1	Aussie Broadband Ltd	ACN 132 090 192	1,833,142
2	Optus Mobile Pty Ltd	ACN 054 365 696	1,130,025
3	Superloop (Australia) Pty Ltd	ACN 602 286 608	656,259
4	Telstra Corporation Ltd	ACN 051 775 556	612,518
5	TPG Telecom Ltd	ACN 096 304 620	266,282
6	Vocus Fibre Pty Ltd	ACN 150 260 156	3,421,276
Total fixed line connections			7,919,502