



Radiocommunications (Transmitter Licence Tax) (Consequential Amendments) Instrument 2025

The Australian Communications and Media Authority makes the following instrument under sections 115, 131AC, 144 and 147 of the *Radiocommunications Act 1992*.

Dated: 30 January 2025

Adam Suckling
[signed]
Member

Michael Brealey
[signed]
General Manager

Australian Communications and Media Authority

1 Name

This is the *Radiocommunications (Transmitter Licence Tax) (Consequential Amendments) Instrument 2025*.

2 Commencement

This instrument commences at the later of:

- (a) the start of the day after the day it is registered on the Federal Register of Legislation;
- (b) immediately after the commencement of the *Radiocommunications (Transmitter Licence Tax) Determination 2025*.

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

3 Authority

This instrument is made under sections 115, 131AC, 144 and 147 of the *Radiocommunications Act 1992*.

4 Amendments

The instruments that are specified in Schedule 1 are amended as set out in the applicable items in that Schedule.

Schedule 1—Amendments

(section 4)

Radiocommunications (Limitation of Authorisation of Third Party Users and Transfer of Apparatus Licences) Determination 2015 (F2015L01218)

1 Subsection 4(1) (definition of eligible person)

Omit ‘given by the Dictionary to the *Radiocommunications (Transmitter Licence Tax) Determination 2015*.’, substitute:

given by:

- (a) the *Radiocommunications (Transmitter Licence Tax) Determination 2025*; or
- (b) if a later instrument replaces that determination and defines the expression – the later instrument.

Note: The *Radiocommunications (Transmitter Licence Tax) Determination 2025* is a legislative instrument and is available, free of charge, from the Federal Register of Legislation at www.legislation.gov.au.

2 Subsection 4(1) (definition of exempt person)

Omit ‘regulation 5 of the *Radiocommunications Taxes Collection Regulations 1985*’, substitute ‘regulations made for the purpose of subsection 8(1) of the *Radiocommunications Taxes Collection Act 1983*’.

Radiocommunications (Register of Radiocommunications Licences) Determination 2017 (F2017L01069)

3 Section 5

Before ‘In’, insert ‘(1)’.

4 Section 5 (first note to the definition of s.145 determination)

Repeal Note 1, substitute:

Note: Each s.145 determination is a legislative instrument and is available, free of charge, from the Federal Register of Legislation and www.legislation.gov.au.

Tax Determination means:

- (a) the *Radiocommunications (Transmitter Licence Tax) Determination 2025*; or
- (b) if a later instrument replaces that determination – the later instrument.

Note 1: The *Radiocommunications (Transmitter Licence Tax) Determination 2025* is a legislative instrument and is available, free of charge, from the Federal Register of Legislation at www.legislation.gov.au.

5 At the end of section 5

Add:

- (2) In this instrument:
 - (a) a site is in a **high density area** if it is in the Sydney area, the Melbourne area or the Brisbane area, within the meaning given to those expressions by the Tax Determination; and
 - (b) a site is in a **medium density area** if it is in the Perth area, the Adelaide area or the Newcastle area, within the meaning given to those expressions by the Tax Determination; and

(c) a site is in a *low density area* if it is both:

- (i) in the East Australian area, the Western Australian area, the Tasmania area or the Darwin area, within the meaning given to those expressions by the Tax Determination; and
- (ii) not in a high density area or a medium density area.

6 Paragraph 10(4)(i)

Omit ‘*Radiocommunications (Transmitter Licence Tax) Determination 2015*’, substitute ‘Tax Determination’.

7 Paragraph 10(7)(e)

Omit ‘within the meaning of those terms in the *Radiocommunications (Transmitter Licence Tax) Determination 2015*’.

8 Paragraph 12(4)(e)

Omit ‘, within the meaning of those terms in the *Radiocommunications (Transmitter Licence Tax) Determination 2015*’.