

AMTA response to –
Updating the spectrum licence tax – we need to update the total annual EME Component payable in 2024-25



Submitted via the ACMA's website

23 August 2024

Dear Sir/Madam

Introduction

The Australian Mobile Telecommunications Association (AMTA) welcomes the opportunity to provide this submission in response to the consultation paper: *Updating the spectrum licence tax – we need to update the total annual EME Component payable in 2024-25* ("the consultation paper").

The AMTA is the peak industry body of Australia's mobile telecommunications industry. Our purpose is to be the trusted voice of industry, promoting the adoption, monetisation and sustainability of mobile telecommunications technology for the benefit of all Australians. AMTA's members include the mobile network service providers, handset manufacturers, network equipment suppliers, retail outlets and other suppliers to the industry. While AMTA supports the some of the work being funded by the spectrum tax total annual EME Component, we have two specific concerns related to the need to increase the annual amount and the outcomes for industry, consumers and the economy being generated by the utilisation of the funds

The EME component was introduced at a time when it was identified that "carriers commercial deployments of new and emerging technologies are causing the need for Government to respond to community concerns about 5G and EME".¹ The EME component is used to fund the Government's EME Program, which provides for research international engagement and public information concerning EME from telecommunications facilities.²

AMTA recognises that the EME component remains necessary to support the activities of the Government's EME Program and to enable the ACMA to recover the costs of its spectrum management activities relating to EME compliance. However, industry has no visibility of how the annual EME component is being spent and therefore whether the tax remains justified as a reasonable cost recovery mechanism. Greater transparency over the use of and deliverables from the annual EME funds should be provided.

While we acknowledge that an annual CPI adjustment to the tax amount maybe justified, it is unclear why the ACMA should not have discretion to lower the amount based on the actual costs to deliver the EME Program, or to adjust for any underspend in a prior year. Further, as 5G devices continue to proliferate, including potentially via new apparatus licensing and class licensing arrangements, 5G related EME is no longer confined to spectrum licensees. The ACMA should consider revisiting the range of licence holders responsible for cost recovery of the EME component of the spectrum licence tax.

Transparency of allocation and accountability for reporting on outcomes

AMTA requests that the ACMA provide an annual report on the allocation of the EME Component and the productivity outcomes of the utilisation of these funds. It would be hoped that there are some specific positive outcomes that flow to industry, consumers and the economy in allocating these funds.

The Department has informed us that some of the funds are allocated to the Enhanced EME Program. The Department has continued to work with industry on improving the education and communication to stakeholders.

¹ Explanatory Statement to the ACMA (Modifications to Apparatus and Spectrum Licence Taxes) Direction 2020

² Explanatory Statement to the ACMA (Modifications to Apparatus and Spectrum Licence Taxes) Direction 2020

In the last 12-months the Department has undertaken consumer research on EME and mobile infrastructure perception and consequently updating fact sheets and other resources available on their eme.gov.au website. They have also conducted webinars educating local government on EME and the benefits of mobile infrastructure.

On enquiring with ARPNSA we understand that funding also flows to them, but this funding is now integrated into ARPANSA's general appropriations. AMTA values ARPANSA's global leadership in EME research and management which has resulted in their members supporting and leading global bodies such as the WHO and ICNIRP. This has resulted in Australia and our management of mobile EME as arguably world's best practice.

Both the Department and ARPANSA were quick to respond to AMTA's queries around these funds and provided a summary of what had been delivered. However, this does not account for all the funds collected as part of the EME component. Further, a public itemised account of expenses would clearly be more transparent.

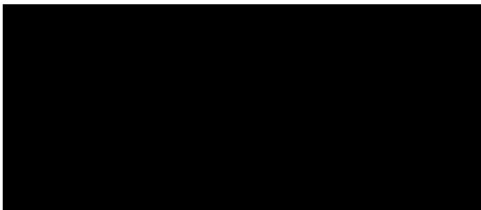
In summary, it remains unclear how the all the EME funds are being allocated and whether those that receive the funds also require an annual adjustment indexed to CPI increases, as have been imposed by the ACMA over the last couple of years. This raises concerns, and results in a call for transparency on the allocation of funds and reporting on how the funds were consumed and the resulting economic, social and industry benefits that have arisen. We suggest a report should accompany the ACMA's annual consultation on the EME Component that clearly:

- Itemises the allocation of funds
- Provides reports from the previous year's beneficiaries on the outcomes they achieved
- Provides a forecast on the outcomes to be delivered with the allocation of funds in the next year.

Contact

If you have any queries or comments in relation to the content of our submission, please contact Chris Coughlan, Head of Spectrum and Network Infrastructure, [REDACTED], or by email [REDACTED].

Yours sincerely,



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