

Proposal to remake the Broadcasting Services (Class Licences) Determination

Consultation paper

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Background

Under Part 4 of Chapter 3 of the *Legislation Act 2003*, unless an exemption applies, most legislative instruments ‘sunset’. That is, they are automatically repealed on 1 April or 1 October that first occurs 10 years after they are registered.

The [Broadcasting Services \(Class Licences\) Determination 2017](#) (Class Licences Determination) is due to sunset on 1 April 2027.

We have formed the preliminary view that this instrument is operating effectively and efficiently, and continues to form a necessary part of the legislative framework. We propose to remake it in a new instrument prior to the sunset date without any significant changes.

The ACMA proposes to remake the instrument with only such minor, necessary changes referred to below and to retitle it the Broadcasting Services (Class Licences) Determination 2027.

What the Class Licences Determination does

Class licences are an important part of the licensing framework under the *Broadcasting Services Act 1992* (BSA). They assist broadcasters by removing the need to individually apply for permission, or to pay fees, to provide certain broadcasting services.

Class licences:

- reduce costs and administrative burden for providers
- allow more efficient and standardised use of technology
- promote accessibility of broadcasting technology.

As set out in section 117 of the BSA, the instrument determines a class licence for the provision of the following categories of broadcasting services:

- subscription radio broadcasting services
- subscription radio narrowcasting services
- subscription television narrowcasting services
- open narrowcasting radio services
- open narrowcasting television services.

The BSA defines each of these services (see section 6 and Part 2).

This allows for the providers of these broadcasting services to access the benefits of class licences.

The class licences in the Class Licences Determination are subject to the conditions in clause 11 of Schedule 2 to the BSA. The Class Licences Determination does not impose any additional conditions. We have not proposed any new licence conditions as part of remaking the Class Licences Determination, as we are not aware of issues with any individual category of broadcasting service listed above that require additional conditions.

The Class Licences Determination is consistent with the intent of the regulatory policy, as set out in section 4 of the BSA where different levels of regulatory control are applied across the range of broadcasting services.

Proposed changes to the Class Licences Determination

We do not propose any changes to the substantive content of the Class Licences Determination. It is still considered to be operating effectively and efficiently.

The determination is drafted using the wording contained in section 117 of the BSA. As there have not been any changes to the wording of that section of the BSA, we see no reason to change the wording of the Class Licences Determination.

Only minor and necessary changes will be made to keep the Class Licences Determination up-to-date and functional:

- Changing of the title of the Class Licence Determination to reflect the year of remaking, 2027.
- Updating details to reflect the new title, commencement date, and to revoke the current Class Licences Determination.

The draft instrument of the proposed Broadcasting Services (Class Licences) Determination 2027 is available alongside this consultation paper on the ACMA website.

The ACMA does not propose to impose any additional conditions on any of the class licences.

Invitation to comment

Making a submission

Comments are sought from the public regarding our proposal to remake the legislative instrument referred to above, without any significant changes, on the basis it is operating effectively and efficiently.

- [Online submissions](#) can be made by uploading a document. Submissions in PDF, Microsoft Word or Rich Text Format are preferred.

- Submissions by post can be sent to:

The Manager
Broadcasting Carriage Policy Section
Australian Communications and Media Authority
PO Box 78
Belconnen ACT 2616

The closing date for submissions is **COB, Monday 19 October 2026**.

Consultation enquiries can be emailed to bcp@acma.gov.au.

Publication of submissions

The ACMA publishes submissions on our website, including personal information (such as names and contact details), except for information that you have claimed (and we have accepted) is confidential.

Confidential information will not be published or otherwise released unless required or authorised by law.

Privacy

View information about our policy on the [publication of submissions](#), including collection of personal information during consultation and how we handle that information.

Information on the *Privacy Act 1988*, how to access or correct personal information, how to make a privacy complaint and how we will deal with the complaint, is available in our [privacy policy](#).