Radiocommunications (Transmitter Licence Tax) Amendment Determination 2016 (No. 1)

Radiocommunications (Transmitter Licence Tax) Act 1983

The Australian Communications and Media Authority makes the following Determination under subsection 7(1) of the Radiocommunications (Transmitter Licence Tax) Act 1983.

Dated

Member

Member/General Manager

Australian Communications and Media Authority
1 Name

This is the Radiocommunications (Transmitter Licence Tax) Amendment Determination 2016 (No. 1).

2 Commencement

This Determination commences at the start of the day after it is registered on the Federal Register of Legislation.


3 Authority

This Determination is made under subsection 7(1) of the Radiocommunications (Transmitter Licence Tax) Act 1983.

4 Amendments

Schedule 1 amends the Radiocommunications (Transmitter Licence Tax) Determination 2015 [F2015L00322].
Schedule 1—Amendments

1 Paragraphs 201(1)(g), (h) and (t) of Schedule 2
Repeal the paragraphs.

2 Item 202 of Schedule 2
Omit “items 203 and 204”, substitute “item 204”.

3 Item 203 of Schedule 2
Repeal the item.

4 Item 205 of Schedule 2
Omit “, 203”.

5 Item 702 of Schedule 2 (table 702, item 14)
Repeal the item.

6 Schedule 2, after Part 8
Insert:

Part 8A—Space system licences

801A Licences
This Part applies to a licence that relates to any of the following:

(a) a fixed earth station;
(b) a mobile earth station;
(c) a space station.

802A Annual amount of tax for licence
Subject to items 803A and 804A, the amount of tax in respect of each spectrum access under the licence is the amount specified in Table 802A for the frequency range and area density type applicable to the spectrum access, multiplied by the bandwidth (in kHz) of the spectrum access.
Table 802A

<table>
<thead>
<tr>
<th>Frequency range</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Australia wide</td>
</tr>
<tr>
<td>MHz</td>
<td></td>
</tr>
<tr>
<td>0–30</td>
<td>1.1528</td>
</tr>
<tr>
<td>&gt;30–70</td>
<td>2.604</td>
</tr>
<tr>
<td>&gt;70–399.9</td>
<td>2.6716</td>
</tr>
<tr>
<td>&gt;399.9–403</td>
<td>2.6716</td>
</tr>
<tr>
<td>&gt;403–520</td>
<td>2.6716</td>
</tr>
<tr>
<td>&gt;520–960</td>
<td>2.6716</td>
</tr>
<tr>
<td>&gt;960–2 690</td>
<td>2.6676</td>
</tr>
<tr>
<td>GHz</td>
<td></td>
</tr>
<tr>
<td>&gt;2.69–5.0</td>
<td>2.6647</td>
</tr>
<tr>
<td>&gt;5.0–8.5</td>
<td>2.2498</td>
</tr>
<tr>
<td>&gt;8.5–17.3</td>
<td>0.9914</td>
</tr>
<tr>
<td>&gt;17.3–31.3</td>
<td>0.6940</td>
</tr>
<tr>
<td>&gt;31.3–51.4</td>
<td>0.1893</td>
</tr>
<tr>
<td>&gt;51.4</td>
<td>0.0267</td>
</tr>
</tbody>
</table>

Note: Schedule 1 sets out the area density types of spectrum accesses.

**803A Non-geostationary orbit satellite systems**

If the licence authorises the licensee to operate a non-geostationary orbit satellite system in a frequency band between 17.3 to 31.3 GHz, the amount of tax in respect of the spectrum access is the amount worked out under item 802A for the spectrum access, multiplied by 150 per cent.

**804A Collocated and co-frequency earth stations**

If the licence is an earth licence that relates to a fixed earth station (*the first station*) which is:

(a) located within a circle of radius 500 metres from the fixed location of another earth station or earth receive station; and

(b) operates on a transmit frequency that is coincident or overlaps with the receive or transmit frequency of the other earth station or earth receive station,

the amount of tax in respect of the spectrum access under the licence for the first station is the amount worked out under item 802A, multiplied by 70 per cent.

Note: The licence does not need to authorise the licensee to operate each of the stations referred to in item 804A.
805A Minimum annual amount

If the amount of tax worked out in respect of a spectrum access using this Part is less than the minimum annual amount, the amount of tax is taken to be the minimum annual amount.

7 Dictionary (definition of CDMA)
Repeal the definition.

8 Dictionary (Note, after the definition of wireless audio system)
Insert:

- earth licence
- earth receive station