Draft 2023–24 fees for service Cost Recovery Implementation Statement

Consultation paper

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Executive summary

The Australian Communications and Media Authority (the ACMA) is Australia's regulator for broadcasting, radiocommunications, telecommunications and interactive gambling, among other functions. As an Australian Government agency, we are required to define and implement, where feasible, charges for recovering the costs of our products and services, in accordance with the [Australian Government Charging Framework](https://www.finance.gov.au/government/managing-commonwealth-resources/implementing-charging-framework-rmg-302/what-australian-government-charging-framework) (Charging Framework).

The Charging Framework provides the overarching framework for government entities to plan, implement and review their charging activities. As part of the Charging Framework, agencies that undertake cost recovery activities are required to periodically update their charges to reflect current costs.

In this draft 2023–24 fees for service Cost Recovery Implementation Statement (Fees CRIS), we are consulting on our activities for radiocommunications, telecommunications and broadcasting services that are subject to charging arrangements. This includes the introduction of a number of new charges for the provision of amateur radio qualifications and call sign services as well as the introduction of additional charges associated with applications for the issue of an area-wide receive licence (AWRL).

# Issues for comment

The ACMA recently concluded consultation on the draft 2023–24 Fees CRIS on 7 July 2023, in which no changes were proposed to the ACMA hourly rates or current charges implemented on 1 October 2022.

The methodology for the calculation of the new charges is based on the ACMA’s hourly rate for services, multiplied by the estimated time taken to conduct the activity. The hourly rate used for the 2022–23 review was based on the net cost of services, which represented the actual costs incurred by the ACMA in executing its functions and activities for the 2020–21 financial year.

However, there are new changes proposed to the amateur radio framework and AWRL applications as indicated below:

Amateur radio: we are consulting separately on proposed new amateur radio qualification arrangements and assessor accreditation scheme. Under the new arrangements, we intend to cost recover the ACMA’s costs for issuing ACMA recognition certificates, assessing applications for recognition of prior learning, and assigning call signs.

AWRLs: we are proposing to issue AWRLs in the upcoming allocation process of apparatus licences in the 3.8 GHz band in metropolitan and regional areas. We are proposing to introduce an additional charge associated with applications for the issue of an AWRL.

The draft Fees CRIS has been updated to reflect the ACMA’s financial and non-financial performance information. A list of the current charges is set out in Appendix A of the draft Fees CRIS.

This consultation paper does not pose specific questions. However, we welcome comment from interested stakeholders on the proposed new charges, or any other issues relevant to the draft Fees CRIS.

Details on how to make a submission to the ACMA can be found in the [invitation to comment](#_Invitation_to_comment) section at the end of this paper.

# Proposed charges

## Amateur radio charges

We plan to provide amateur radio qualification and call sign services ourselves from February 2024, at the same time the amateur class licensing arrangements start.

We are proposing a new set of charges under those new arrangements, for considering applications for:

ACMA recognition certificates

recognition of prior learning

call signs.

The proposed charges for each activity are based on the time it is expected for staff to consider and assess each process.[[1]](#footnote-2) Indicative timings and the associated charges for the activities are outlined below.

### ACMA recognition certificates

Considering an application for giving, and giving (if applicable), any of the following ACMA recognition certificates in accordance with the proposed Radiocommunications (Amateur Stations) Class Licence 2023:

ACMA recognition certificate (Advanced)

ACMA recognition certificate (Foundation)

ACMA recognition certificate (Standard).

The total estimated time for ACMA staff to process an application is 12 minutes. Total charge (based on the hourly rate of $226.00) = **$45.20**

### Recognition of prior learning

Considering an application for recognition of prior learning made by a person who holds a:

Type 1 – Harmonised Amateur Radio Examination Certificate (HAREC)[[2]](#footnote-3)

Type 2 – Qualification or licence other than a HAREC.[[3]](#footnote-4)

#### Type 1 – HAREC[[4]](#footnote-5)

The total estimated time for ACMA staff to process an application is 20 minutes. Total charge (based on the hourly rate of $226.00) = **$75.35**

#### Type 2 – Qualification or licence other than a HAREC[[5]](#footnote-6)

The total estimated time for ACMA staff to process an application is 50 minutes. Total charge (based on the hourly rate of $226.00) = **$188.35**

### Call signs

Considering an application for a call sign of any of the following types under the proposed Radiocommunications (Amateur Stations) Class Licence 2023, and assigning the call sign:

#### Type 1 – Application for the next available call sign, not selected from the public list of available call signs

The total estimated time for ACMA staff to process an application is 8 minutes. Total charge (based on the hourly rate of $226.00) = **$30.15**

#### Type 2 – Application specifying preferred call signs, where:

the first and second preferences are from the public list of available call signs; and

both preferences consist of either:

prefix VK 1, 5, 6, 7 or 8, with 2 letters following the prefix; or

prefix VK and any single digit from 1 to 8, with 3 letters following the prefix.

The total estimated time for ACMA staff to process an application is 11 minutes. Total charge (based on the hourly rate of $226.00) = **$41.45**

#### Type 3 – Application specifying preferred call signs, where the first preference consists of:

prefix VK 2, 3 or 4;

with 2 letters following the prefix.

The total estimated time for ACMA staff to process an application is 14 minutes. Total charge (based on the hourly rate of $226.00) = **$52.75**

#### Type 4 – Application for a ‘special event call sign’, which is an application for:

a temporary call sign attributable for a special event; or

a call sign with prefix VK9 or VK0.

The total estimated time for ACMA staff to process an application is 50 minutes. Total charge (based on the hourly rate of $226.00) = **$52.75**

## AWRL charges

The area-wide licence type (AWL) is a transmitter licence type introduced in response to changes in technology and requests from spectrum users for additional flexibility within the apparatus licensing system. Currently the charges associated with the issue and variation of AWLs are categorised as below:

**FSS-only AWL:** anAWL that includes a condition that only authorises the operation of a fixed earth station.

**Standard AWL:** an AWL that is not an FSS-only AWL.

The current charges associated with the issue of AWLs are defined in Table 4 of Part 2 of Schedule 1 to the Radiocommunications (Charges) Determination 2022 (Radiocommunications Determination). The charges associated with the variation of AWLs are set in Table 7 of Part 2 of Schedule 1 to the Radiocommunications Determination.

We are proposing to issue both AWLs and AWRLs in the upcoming allocation process of apparatus licences in the 3.8 GHz band in metropolitan and regional areas, and are proposing to introduce an additional charge associated with the issue of an AWRL.

The issue and variation charges for the AWRL are the same as the existing charges for a standard AWL, as both licence types are substantially similar and the activities and associated costs of assessing applications are equivalent.

The below proposed charge for each activity is based on the time it is expected for staff to consider and assess each process. Indicative timings and the associated charges for the activities are outlined below.

### AWRL

Considering an application for an AWRL, and issuing it (if applicable), where the ACMA is not required to assess the application against an application for a standard AWL or for an AWRL made by another person

The total estimated time for ACMA staff to process an application is 225 minutes. Total charge (based on the hourly rate of $226.00) = **$847.00**

### AWRL – further charges

Further charges related to the processing of an application for the issue of an AWRL (***the first application***)where the ACMA is required to assess the first application against one or more other applications for a standard AWL or for an AWRL.

The amount is calculated using the following formula:

***THR***

 ***N***

where:

***THR*** means the total hourly rate, an amount worked out by multiplying the hourly rate by the time taken to assess each of the first application and any other application against which the first application is assessed

***N*** means the number of applications for the licence against which the first application is assessed.

**Note**: If further charges are applicable, the formula apportions the charge so that all applications that are assessed against each other will incur the same additional charge, determined using the hourly rate.

### AWL – further charges

The Radiocommunications Determination already sets out a further charge for where an application for a standard AWL has to be assessed against one or more other applications for a standard AWL. We intend to amend this so that it also applies where the application for a standard AWL has to be assessed against one or more applications for an AWRL, in addition to any other applications for a standard AWL,

The amount is calculated using the following formula:

***THR***

 ***N***

where:

***THR*** means the total hourly rate, an amount worked out by multiplying the hourly rate by the time taken to assess each of the first application and any other application against which the first application is assessed

***N*** means the number of applications for the licence against which the first application is assessed.

### AWRL – Varying licence conditions

Considering an application under section 111 of the *Radiocommunications Act 1992* to vary the condition of an AWRL (and varying it if applicable).

The total estimated time for ACMA staff to process an application is 225 minutes. Total charge (based on the hourly rate of $226.00) = **$847.00**

The details of the new charges are set out in sections 3.1.1, 3.3.1 and 3.3.2 of the draft Fees CRIS, which is available alongside this consultation paper.

## Changes to legislative instruments

We propose to amend the Radiocommunications Determination to implement the charges for amateur radio and AWRLs, as described above, as well as remove any redundant fees. No other changes are proposed to the instrument at this time.

# Invitation to comment

## Making a submission

We invite comments on the issues set out in this discussion paper.

[Online submissions](https://www.acma.gov.au/have-your-say) 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

Revenue, Cost Recovery, Budgets and Financial Operations
Australian Communications and Media Authority
PO Box 78

Belconnen ACT 2616

The closing date for submissions is COB, **Tuesday 26 September 2023**.

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

#### Publication of submissions

We publish 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.

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View information about our policy on the [publication of submissions](https://www.acma.gov.au/publication-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 any complaints, is available in our [privacy policy](https://www.acma.gov.au/privacy-policy).

1. This amount has been calculated from the Radiocommunications (Charges) Determination 2022, which determines that the hourly rate charge of $226.00 per hour. [↑](#footnote-ref-2)
2. HAREC arrangements are outlined in European Conference of Postal and Telecommunications Administration’s (CEPT) T/R 61-02 (Harmonised Amateur Radio Examination Certificate). [↑](#footnote-ref-3)
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