

Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No. 3)

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 2021 (No. 3)*.

2 Commencement

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

Note: The Federal Register of Legislation may be accessed free of charge at [www.legislation.gov.au](http://www.legislation.gov.au).

3 Authority

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

4 Amendments

The instrument that is specified in Schedule 1 is amended as set out in the applicable items in that Schedule.

Schedule 1—Amendments

Radiocommunications (Transmitter Licence Tax) Determination 2015 (F2015L00323)

1 Part 3

Repeal the Part, substitute:

Part 3 Transitional arrangements relating to the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No. 3)*

3.1 Definitions for Part 3

In this Part:

***amendment day*** means the day on which the Amendment Determination commenced.

***Amendment Determination*** means the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No. 3)*.

***implementation day*** means the day occurring 50 days after the amendment day.

***pre-amendment Determination*** means this Determination as in force immediately before the amendment day.

3.2 Transitional arrangements on or after commencement of the Amendment Determination

(1) Despite Part 2 of this Determination, if:

(a) transmitter licence tax is imposed on the issue of a transmitter licence; and

(b) the licence is issued on or after the amendment day; and

(c) the licence comes into force before the implementation day;

use the pre-amendment Determination to work out the amount of transmitter licence tax.

Note 1: If a licence is issued before the amendment day, the pre-amendment Determination is used to work out the amount of transmitter licence tax, whether or not the licence comes into force before the implementation day.

Note 2: If a licence is issued on or after the amendment day, and comes into force on or after the implementation day, this Determination as amended by the Amendment Determination is used to work out the amount of transmitter licence tax.

(2) Despite Part 2 of this Determination, if:

(a) transmitter licence tax is imposed on the anniversary of the day on which a transmitter licence came into force (***anniversary day***); and

(b) the anniversary day is on or after the amendment day but before the implementation day;

use the pre-amendment Determination to work out the amount of transmitter licence tax.

Note 1: If, for a transmitter licence, the anniversary day is before the amendment day, the pre-amendment Determination is used to work out the amount of transmitter licence tax.

Note 2: If, for a transmitter licence, the anniversary day is on or after the implementation day, this Determination as amended by the Amendment Determination is used to work out the amount of transmitter licence tax.

(3) Despite Part 2 of this Determination, if:

(a) transmitter licence tax is imposed on the holding of a transmitter licence; and

(b) the day on which the tax is payable is on or after the amendment day but before the implementation day;

use the pre-amendment Determination to work out the amount of transmitter licence tax.

Note 1: If tax is imposed on the holding of a transmitter licence on a particular day, and that day is before the amendment day, the pre-amendment Determination is used to work out the amount of transmitter licence tax.

Note 2: If tax is imposed on the holding of a transmitter licence on a particular day, and that day is on or after the implementation day, this Determination as amended by the Amendment Determination is used to work out the amount of transmitter licence tax.

Note 3: Subsections 6(5) and (6) of the Act impose tax on the holding of a licence.

2 Schedule 1, Part 1, paragraph 105(b)

Repeal the paragraph, substitute:

(b) inside the boundary:

(i) starting at easting 360900 and northing 6513800 of the Grid; and

(ii) proceeding in a straight line to easting 431600 and northing 6511300 of the Grid; and

(iii) proceeding in a straight line to easting 430800 and northing 6368500 of the Grid; and

(iv) proceeding in a straight line to easting 364600 and northing 6366100 of the Grid; and

(v) proceeding in a straight line to easting 360900 and northing 6513800 of the Grid.

3 Schedule 1, Part 1, paragraph 106(b)

Repeal the paragraph, substitute:

(b) inside the boundary:

(i) starting at easting 332900 and northing 6207000 of the Grid; and

(ii) proceeding in a straight line to easting 256500 and northing 6172400 of the Grid; and

(iii) proceeding in a straight line to easting 257000 and northing 6079400 of the Grid; and

(iv) proceeding in a straight line to easting 304300 and northing 6050900 of the Grid; and

(v) proceeding in a straight line to easting 332900 and northing 6207000 of the Grid.

4 Schedule 2, Part 2, paragraph 201(g)

Omit the paragraph, substitute:

(g) a narrowcasting service station, other than a narrowcasting service station that is operated under a licence to which Part 8 of this Schedule applies;

5 Schedule 2, Part 2 (table 202)

Omit the table, substitute:

*Table 202*

| **Frequency range** | **Amount ($)** | | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Area density* | | | | | | | | |
|  | | *Australia wide* | *High density* | | *Medium density* | | *Low density* | *Remote density* | |
| **MHz** | | | | | | | | |
| 0–30 | 1.2172 | | 1.2172 | | | 1.2172 | 1.2172 | 1.2172 |
| >30–403 | 2.7496 | | 1.0739 | | | 0.5298 | 0.1188 | 0.0592 |
| >403–520 | 2.8210 | | 2.0907 | | | 0.7227 | 0.1233 | 0.0000 |
| >520–960 | 2.8210 | | 1.5797 | | | 0.7227 | 0.1233 | 0.0615 |
| >960–2 690 | 2.8167 | | 0.6322 | | | 0.2923 | 0.1470 | 0.0733 |
| **GHz** | | | | | | | | |
| >2.69–5.0 | 2.8136 | | | 0.7586 | | 0.3506 | 0.1755 | 0.0877 |
| >5.0–8.5 | 1.1878 | | | 0.2196 | | 0.1023 | 0.0465 | 0.0226 |
| >8.5–14.5 | 0.1047 | | | 0.0377 | | 0.0089 | 0.0006 | 0.0003 |
| >14.5–31.3 | 0.1047 | | | 0.0279 | | 0.0061 | 0.0006 | 0.0003 |
| >31.3–51.4 | 0.0285 | | | 0.0152 | | 0.0033 | 0.0001 | 0.0001 |
| >51.4-100 | 0.0028 | | | 0.0003 | | 0.0003 | 0.0000 | 0.0000 |
| >100 | 0.0000 | | | 0.0000 | | 0.0000 | 0.0000 | 0.0000 |

6 Schedule 2, Part 2A (table 206)

Omit the table, substitute:

*Table 206*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Frequency range** | **Amount ($)** | | | | |
| *Area density* | | | | |
|  | *Australia wide* | *High density* | *Medium density* | *Low density* | *Remote density* |
| **MHz** | | | | | |
| 0–30 | 0.1217 | 0.1217 | 0.1217 | 0.1217 | 0.1217 |
| >30–403 | 0.2750 | 0.1074 | 0.0530 | 0.0119 | 0.0059 |
| >403–520 | 0.2821 | 0.2091 | 0.0723 | 0.0123 | 0.0000 |
| >520–960 | 0.2821 | 0.1580 | 0.0723 | 0.0123 | 0.0061 |
| >960–2 690 | 0.2817 | 0.0632 | 0.0292 | 0.0147 | 0.0073 |
| **GHz** |  |  |  |  |  |
| >2.69–5.0 | 0.2814 | 0.0759 | 0.0351 | 0.0175 | 0.0088 |
| >5.0–8.5 | 0.1188 | 0.0220 | 0.0102 | 0.0047 | 0.0023 |
| >8.5–14.5 | 0.0105 | 0.0038 | 0.0009 | 0.0001 | 0.0000 |
| >14.5–31.3 | 0.0105 | 0.0028 | 0.0006 | 0.0001 | 0.0000 |
| >31.3–51.4 | 0.0029 | 0.0015 | 0.0003 | 0.0000 | 0.0000 |
| >51.4-100 | 0.0003 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| >100 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |

7 Schedule 2, Part 3 (table 302)

Omit the table, substitute:

*Table 302*

| **Frequency range** | **Amount ($)** | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Area density* | | | | | | | |
|  | | *Australia wide* | *High density* | | *Medium density* | *Low density* | *Remote density* | |
| **MHz** | | | | | | | |
| 0–30 | 89.9990 | | | 89.9990 | 89.9990 | 89.9990 | 89.9990 |
| >30–403 | 203.2955 | | | 79.4035 | 39.1699 | 8.7809 | 4.3800 |
| >403–520 | 208.5724 | | | 154.5813 | 53.4362 | 9.1146 | 0.0000 |
| >520–960 | 208.5724 | | | 116.8005 | 53.4362 | 9.1146 | 4.5469 |
| >960–2 690 | 208.2595 | | | 46.7411 | 21.6081 | 10.8666 | 5.4229 |
| **GHz** | | | | | | | |
| >2.69–5.0 | 208.0301 | | 56.0851 | | 25.9255 | 12.9732 | 6.4866 |
| >5.0–8.5 | 87.8194 | | 16.2374 | | 7.5607 | 3.4414 | 1.6686 |
| >8.5–14.5 | 7.7401 | | 2.7865 | | 0.6591 | 0.0480 | 0.0229 |
| >14.5–31.3 | 7.7401 | | 2.0607 | | 0.4526 | 0.0480 | 0.0229 |
| >31.3–51.4 | 2.1108 | | 1.1242 | | 0.2440 | 0.0083 | 0.0042 |
| >51.4-100 | 0.2086 | | 0.0209 | | 0.0209 | 0.0021 | 0.0021 |
| >100 | 0.0000 | | 0.0000 | | 0.0000 | 0.0000 | 0.0000 |

8 Schedule 2, Part 4 (table 402)

Omit the table, substitute:

*Table 402*

| **Frequency range** | **Amount ($)** | | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Area density* | | | | | | | | |
|  | | *Australia wide* | *High density* | *Medium density* | | *Low density* | *Remote density* | | |
| **MHz** | | | | | | | | |
| 0–30 | 22.4997 | | 22.4997 | | 22.4997 | 22.4997 | | 14.2871 |
| >30–403 | 50.8239 | | 19.8509 | | 9.7925 | 2.1952 | | 0.6953 |
| >403–520 | 52.1431 | | 38.6453 | | 13.3591 | 2.2787 | | 0.0000 |
| >520–960 | 52.1431 | | 29.2001 | | 13.3591 | 2.2787 | | 0.7218 |
| >960–2 690 | 1.2307 | | 0.2762 | | 0.1277 | 0.0642 | | 0.0320 |
| **GHz** | | | | | | | | |
| >2.69–5.0 | 1.2294 | | 0.3314 | | 0.1532 | 0.0767 | | 0.0383 |
| >5.0–8.5 | 0.5190 | | 0.0960 | | 0.0447 | 0.0203 | | 0.0099 |
| >8.5–14.5 | 0.0457 | | 0.0165 | | 0.0039 | 0.0003 | | 0.0001 |
| >14.5–31.3 | 0.0457 | | 0.0122 | | 0.0027 | 0.0003 | | 0.0001 |
| >31.3–51.4 | 0.0125 | | 0.0066 | | 0.0014 | 0.0000 | | 0.0000 |
| >51.4-100 | 0.0012 | | 0.0001 | | 0.0001 | 0.0000 | | 0.0000 |
| >100 | 0.0000 | | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 |

9 Schedule 2, Part 5 (table 502)

Omit the table, substitute:

*Table 502*

| **Frequency range** | **Amount ($)** | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Area density* | | | | | | | |
|  | | *Australia wide* | *High density* | *Medium density* | *Low density* | | *Remote density* | |
| **MHz** | | | | | | | |
| 0–30 | 89.9990 | | 89.9990 | 89.9990 | | 89.9990 | 56.4215 |
| >30–403 | 203.2955 | | 79.4035 | 39.1699 | | 8.7809 | 2.7459 |
| >403–520 | 208.5724 | | 154.5813 | 53.4362 | | 9.1146 | 0.0000 |
| >520–960 | 208.5724 | | 116.8005 | 53.4362 | | 9.1146 | 2.8505 |
| >960–2 690 | 1.2307 | | 0.2762 | 0.1277 | | 0.0642 | 0.0320 |
| **GHz** | | | | | | | |
| >2.69–5.0 | | 1.2294 | 0.3314 | 0.1532 | | 0.0767 | 0.0383 |
| >5.0–8.5 | | 0.5190 | 0.0960 | 0.0447 | | 0.0203 | 0.0099 |
| >8.5–14.5 | | 0.0457 | 0.0165 | 0.0039 | | 0.0003 | 0.0001 |
| >14.5–31.3 | | 0.0457 | 0.0122 | 0.0027 | | 0.0003 | 0.0001 |
| >31.3–51.4 | | 0.0125 | 0.0066 | 0.0014 | | 0.0000 | 0.0000 |
| >51.4-100 | | 0.0012 | 0.0001 | 0.0001 | | 0.0000 | 0.0000 |
| >100 | | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 |

10 Schedule 2, Part 6 (table 602)

Omit the table, substitute:

*Table 602*

| **Frequency range** | **Amount ($)** | | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Area density* | | | | | | | | |
|  | | *Australia wide* | *High density* | | *Medium density* | | *Low density* | *Remote density* | |
| **MHz** | | | | | | | | |
| 0–30 | 0.6245 | | 0.6245 | | | 0.6245 | 0.6245 | 0.6245 |
| >30–70 | 1.4106 | | 0.5509 | | | 0.2931 | 0.0632 | 0.0315 |
| >70–399.9 | 1.4472 | | 0.5939 | | | 0.2718 | 0.0609 | 0.0304 |
| >399.9–960 | 1.4472 | | 0.8104 | | | 0.3708 | 0.0632 | 0.0315 |
| >960–2 690 | 1.4450 | | 0.3243 | | | 0.1499 | 0.0754 | 0.0376 |
| **GHz** | | | | | | | | |
| >2.69–5.0 | 1.4434 | | | 0.3891 | 0.1799 | | 0.0900 | 0.0450 |
| >5.0–8.5 | 0.6093 | | | 0.1127 | 0.0525 | | 0.0239 | 0.0116 |
| >8.5–14.5 | 0.0537 | | | 0.0193 | 0.0046 | | 0.0003 | 0.0002 |
| >14.5–31.3 | 0.0537 | | | 0.0143 | 0.0031 | | 0.0003 | 0.0002 |
| >31.3–51.4 | 0.0146 | | | 0.0078 | 0.0017 | | 0.0001 | 0.0000 |
| >51.4-100 | 0.0014 | | | 0.0001 | 0.0001 | | 0.0000 | 0.0000 |
| >100 | 0.0000 | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 |

11 Schedule 2, Part 7 (table 702, item 1)

Repeal “Broadcasting licence (other than a service operated in the frequency range 2.3 MHz–26.1 MHz)”, substitute:

Broadcasting licence, other than:

(a) a broadcasting licence for a service operated in the frequency range 2.3 MHz–26.1 MHz; and

(b) a broadcasting licence to which another Part of this Schedule applies.

12 Schedule 2, Part 8, items 801 and 802 (including the table)

Repeal the items, substitute:

801 Licences

(1) Subject to subitem (2), this Part applies to:

(a) an HPON radio licence;

(b) an HPON television licence.

(2) This Part does not apply to

(a) a short-term licence; or

(b) subject to subitem (3), an HPON television licence that authorises the operation of a radiocommunications transmitter in Adelaide.

Note 1: Part 2 or Part 7 of this Schedule may apply to broadcasting licences not covered by this Part.

Note 2: For the licence mentioned in paragraph (b), see section 96A of the *Radiocommunications Act 1992*.

(3) In this item:

***Adelaide*** means the area of that name described by the Australian Bureau of Statistics as a significant urban area in 1270.0.55.004 – Australian Statistical Geographic Standard (ASGS): Volume 4 – Significant Urban Areas, Urban Centres and Localities, Section of State, July 2016, as existing on the day the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No. 3)* commenced.

Note 1: 1270.0.55.004 – Australian Statistical Geographic Standard (ASGS): Volume 4 – Significant Urban Areas, Urban Centres and Localities, Section of State, July 2016 is available, free of charge, from the Australian Bureau of Statistic’s website at [www.abs.gov.au](http://www.abs.gov.au).

Note 2: The significant urban area called Adelaide is not the same as the density area called Adelaide and described in Schedule 1.

***HPON radio licence*** means a broadcasting licence that authorises the operation of a radiocommunications transmitter:

(a) for the provision of an open narrowcasting radio service; and

(b) on a frequency:

(i) in the frequency range 525 kHz to 1606.5 kHz; or

(ii) in the frequency range 87.5 MHz to 108 MHz; and

(c) at a maximum power that is greater than:

(i) if the transmitter is operated in a residential area – 1 watt;

(ii) otherwise – 10 watts.

***HPON television licence*** means a broadcasting licence that authorises the operation of a radiocommunications transmitter:

(a) for the provision of an open narrowcasting television service; and

(b) on a frequency in the frequency range 520 MHz to 694 MHz; and

(c) at a maximum power that is greater than:

(i) if the transmitter is operated in a residential area – 1 watt;

(ii) otherwise – 10 watts.

***open narrowcasting radio service*** has the meaning given by the Broadcasting Services Act.

***open narrowcasting television service*** has the meaning given by the Broadcasting Services Act.

***residential area*** has the meaning given by the *Radiocommunications Licence Conditions (Broadcasting Licence) Determination 2015*.

***short term licence*** means an HPON radio licence or HPON television licence that specifies, for the purposes of subsection 103(2) of the *Radiocommunications Act 1992*,a period not greater than 6 months.

802 Annual amount of tax for licence

(1) Subject to item 803, the amount of tax in respect of the licence is:

(a) for a licence for a significant urban area that is specified in an item of column 1 of Table 802, that authorises operation of a radiocommunications transmitter on a frequency in the frequency range 87.5 MHz to 108 MHz – the amount specified in the corresponding item in column 2 of Table 802;

(b) for a licence for a significant urban area that is specified in an item of column 1 of Table 802, that authorises operation of a radiocommunications transmitter on a frequency in the frequency range 520 MHz to 694 MHz – the amount specified in the corresponding item in column 2 of Table 802;

(c) for a licence for a significant urban area that is specified in an item of column 1 of Table 802, that authorises operation of a radiocommunications transmitter on a frequency in the frequency range 525 kHz to 1606.5 kHz – the amount specified in the corresponding item in column 3 of Table 802;

(d) for any other licence – $41.

*Table 802*

|  | Column 1 | Column 2 | Column 3 |
| --- | --- | --- | --- |
| Item | Significant urban area | FM/TV | AM |
| 1 | Melbourne | $ 7,653 | $ 689 |
| 2 | Sydney | $ 7,649 | $ 688 |
| 3 | Brisbane | $ 3,813 | $ 343 |
| 4 | Perth | $ 3,209 | $ 289 |
| 5 | Adelaide | $ 2,091 | $ 188 |
| 6 | Gold Coast – Tweed Heads | $ 1,093 | $ 98 |
| 7 | Newcastle – Maitland | $ 767 | $ 69 |
| 8 | Canberra – Queanbeyan | $ 716 | $ 64 |
| 9 | Sunshine Coast | $ 536 | $ 48 |
| 10 | Central Coast | $ 519 | $ 47 |
| 11 | Wollongong | $ 476 | $ 43 |
| 12 | Geelong | $ 435 | $ 41 |
| 13 | Hobart | $ 337 | $ 41 |
| 14 | Townsville | $ 282 | $ 41 |
| 15 | Cairns | $ 239 | $ 41 |

(2) In subitem (1), each ***significant urban area*** is the area of that name described by the Australian Bureau of Statistics as a significant urban area in 1270.0.55.004 – Australian Statistical Geographic Standard (ASGS): Volume 4 – Significant Urban Areas, Urban Centres and Localities, Section of State, July 2016, as existing on the day the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No. 3)* commenced.

Note 1: 1270.0.55.004 – Australian Statistical Geographic Standard (ASGS): Volume 4 – Significant Urban Areas, Urban Centres and Localities, Section of State, July 2016 is available, free of charge, from the Australian Bureau of Statistic’s website at [www.abs.gov.au](http://www.abs.gov.au).

Note 2: The significant urban areas are not the same as the density areas described in Schedule 1, even if they have the same or a similar name.

(3) In subitem (1), a licence is ***a licence for a significant urban area*** if either:

(a) the licence only authorises the operation of a radiocommunications transmitter at a location within a significant urban area; or

(b) the licence describes a significant urban area, or a part of a significant urban area, to be the general area served by the licence.

13 Schedule 2, Part 8, subitem 803(2)

Omit “$989” (both occurrences), substitute “$41”.

14 Schedule 2, Part 8A (table 802A)

Omit the table, substitute:

*Table 802A*

| **Frequency range** | **Amount ($)** | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- |
| *Area density* | | | | | | | |
|  | | *Australia wide* | *High density* | *Medium density* | *Low  density* | *Remote density* | |
| **MHz** | | | | | | |  |
| 0–30 | 1.2172 | | 1.2172 | 1.2172 | 1.2172 | 1.2172 |  |
| >30–403 | 2.7496 | | 1.0739 | 0.5298 | 0.1188 | 0.0592 |  |
| >403–520 | 2.8210 | | 2.0907 | 0.7227 | 0.1233 | 0.0000 |  |
| >520–960 | 2.8210 | | 1.5797 | 0.7227 | 0.1233 | 0.0615 |  |
| >960–2 690 | 2.8167 | | 0.6322 | 0.2923 | 0.1470 | 0.0733 |  |
| **GHz** | | | | | | |  |
| >2.69–5.0 | 2.8136 | | 0.7586 | 0.3506 | 0.1755 | 0.0877 |  |
| >5.0–8.5 | 1.1878 | | 0.2196 | 0.1023 | 0.0465 | 0.0226 |  |
| >8.5–17.3 | 0.1047 | | 0.0377 | 0.0089 | 0.0006 | 0.0003 |  |
| >17.3–31.3 | 0.0733 | | 0.0195 | 0.0031 | 0.0003 | 0.0000 |  |
| >31.3–51.4 | 0.0200 | | 0.0106 | 0.0017 | 0.0001 | 0.0000 |  |
| >51.4-100 | 0.0028 | | 0.0003 | 0.0003 | 0.0000 | 0.0000 |  |
| >100 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 |  |

15 Schedule 2, Part 8A, paragraph 804AA(1)(b)

Repeal the paragraph, substitute:

(b) the spectrum access for each of the co-located earth stations is within a frequency range within which the licence authorises the operation of a radiocommunications transmitter.

16 Dictionary, paragraph (b) of the definition of *low power spectrum access*

Repeal the paragraph, substitute:

(b) permits the operation of 1 or more devices, each with a maximum permitted radiated power level of 8.3 watts EIRP; and:

(ba) is authorised under a licence in relation to which either:

(i) the applicant, in its application for the licence; or

(ii) the licensee, in writing given to the ACMA;

requests that the ACMA treats the licence as having a notional service area that consists of every point no more than 2 kilometres from:

(iii) if the spectrum access involves a particular site – that site; or

(iv) if the spectrum access involves a particular area – the centre of that area; and

17 Dictionary, after the definition of *low power spectrum access*

Insert:

Note: For paragraph (ba):

* a request of an applicant or a licensee may be made, on their behalf, by an accredited person;
* no form of words is prescribed or required to be used for making the request;
* the ‘notional service area’ is used by the ACMA and accredited persons in planning and coordinating radiocommunications.

18 Dictionary, paragraph (b) of the definition of *micro power spectrum access*

Repeal the paragraph, substitute:

(b) permits the operation of 1 or more devices, each with a maximum permitted radiated power level of 1.7 watts EIRP; and:

(ba) is authorised under a licence in relation to which either:

(i) the applicant, in its application for the licence; or

(ii) the licensee, in writing given to the ACMA;

requests that the ACMA treats the licence as having a notional service area that consists of every point no more than 200 metres from:

(iii) if the spectrum access involves a particular site – that site; or

(iv) if the spectrum access involves a particular area – the centre of that area; and

17 Dictionary, after the definition of *micro power spectrum access*

Insert:

Note: For paragraph (ba):

* a request of an applicant or a licensee may be made, on their behalf, by an accredited person;
* no form of words is prescribed or required to be used for making the request;
* the ‘notional service area’ is used by the ACMA and accredited persons in planning and coordinating radiocommunications.