

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

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

Dated:

Member

Member/General Manager

Australian Communications and Media Authority

1 Name

This is the *Radiocommunications (Receiver 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 (Receiver 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 (Receiver Licence Tax) Determination 2015 (F2015L00321)

1 Part 3

Repeal the Part, substitute:

Part 3 Transitional arrangements relating to the *Radiocommunications (Receiver 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 (Receiver 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) receiver licence tax is imposed on the issue of a receiver 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 receiver 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 receiver 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 receiver licence tax.

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

(a) receiver licence tax is imposed on the anniversary of the day on which a receiver 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 receiver licence tax.

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

Note 2: If, for a receiver 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 receiver licence tax.

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

(a) receiver licence tax is imposed on the holding of a receiver 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 receiver licence tax.

Note 1: If tax is imposed on the holding of a receiver 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 receiver licence tax.

Note 2: If tax is imposed on the holding of a receiver 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 receiver 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 (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 |

5 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 | 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 |

6 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 | 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 |  |

7 Schedule 2, Part 4, paragraph 404A(1)(b)

Repeal the paragraph, substitute:

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