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**Radiocommunications Licence Fees Act 1982**

**No. 65 of 1982**

**An Act to provide for the payment of fees in respect of licences under the *Wireless Telegraphy Act* 1905**

[*Assented to 16 June 1982*]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**Short title.**

**1.** This Act may be cited as the Radiocommunications Licence Fees Act

1982.

**Commencement**

**2.** This Act shall come into operation on a date to be fixed by Proclamation.

**Incorporation of Wireless Telegraphy Act**

**3.** The *Wireless Telegraphy Act* 1905 is incorporated and shall be read as one with this Act.

**Interpretation**

**4.** In this Act, unless the contrary intention appears-

“fee” means a fee that is by way of or in the nature of a tax;

“licence” means a licence referred to in section 5 of the *Wireless Telegraphy Act* 1905.

**Extension of Act to external Territories**

**5.** This Act extends to every external Territory, other than a Territory (if

any) that is not a Territory for the purposes of the Wireless Telegraphy Act

1905.

**Licence Fees**

**6.** Subject to any regulations referred to in section 9 and to sub-section 12

(3), where a licence is granted or renewed, there is payable to the Commonwealth by the person to whom the licence is granted or the person who

holds the licence that is renewed, as the case may be, a fee in respect of the licence.

**Time of payment**

**7.** Subject to sub-section 12 (2), a fee payable under section 6 by reason of

the grant or renewal of a licence is payable on the grant or renewal of the

licence, as the case may be.

**Amount of fees**

**8.** Fees payable under section 6 shall be ascertained in accordance with the

regulations.

**Reduced fees and exemptions**

**9.** The regulations may—

(a) provide for different fees under section 6 in respect of persons included in different classes of persons or in respect of licences included in different classes or categories of licences, or both; and

(b) exempt persons included in a specified class of persons from the payment of fees under section 6 in respect of licences included in a specified class or category of licences.

**Extension of Act to authorities**

**10.** Notwithstanding any law of the Commonwealth passed or made before the commencement of this Act but subject to any regulations referred to in section 9, section 6 applies in relation to the grant of a licence to, and the renewal of a licence held by, a corporation established by or under a law of the Commonwealth or a law of a Territory.

**Application**

**11.** This Act applies in relation to the grant or renewal of a licence on or after 1 July 1981.

**Fees in respect of licences granted or renewed during a period before** **commencement of Act**

**12. (1)** In this section, ‘‘prescribed period’’ means the period from and

including 1 July 1981 to and including the day immediately preceding the date

of commencement of this Act.

**(2)** A fee payable under section 6 by reason of the grant or renewal of a

licence during the prescribed period is payable within 14 days after the

commencement of this Act.

**(3)** A fee is not payable under section 6 by reason of the grant or renewal

of a licence during the prescribed period if a fee under section 5 of the

Wireless Telegraphy Act 1905 was paid in respect of the grant or renewal of

the licence, as the case may be, not being a fee the whole or any part of

which has been repaid by the Commonwealth, otherwise than under section 6 of

the Radiocommunications (Miscellaneous Provisions) Act 1982.

**Regulations**

**13.** The Governor-General may make regulations, not inconsistent with this Act, prescribing matters—

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.