



Telecommunications (Universal Service Levy) Act 1997

Act No. 53 of 1997 as amended

This compilation was prepared on 1 July 2012
taking into account amendments up to Act No. 44 of 2012

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

Prepared by the Office of Legislative Drafting and Publishing,
Attorney-General's Department, Canberra

Contents

| | | |
|---|--|---|
| 1 | Short title [<i>see</i> Note 1]..... | 1 |
| 2 | Commencement..... | 1 |
| 3 | Act to bind Crown..... | 1 |
| 4 | Extension to external Territories..... | 1 |
| 5 | Definition..... | 1 |
| 6 | Imposition of levy..... | 1 |
| 7 | Amount of levy..... | 2 |
| 8 | Participating person liable to pay levy..... | 2 |

Notes

3

An Act to impose a levy in connection with ensuring that standard telephone services, payphones and prescribed carriage services are reasonably accessible to all people in Australia

1 Short title [see Note 1]

This Act may be cited as the *Telecommunications (Universal Service Levy) Act 1997*.

2 Commencement

This Act commences on 1 July 1997.

3 Act to bind Crown

This Act binds the Crown in right of each of the States, of the Australian Capital Territory, of the Northern Territory and of Norfolk Island.

4 Extension to external Territories

This Act extends to each external Territory referred to in section 8B of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

5 Definition

In this Act:

participating person has the same meaning as in Part 2 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

6 Imposition of levy

If a participating person has a levy debit balance for a claim period because of section 20S of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*, levy is imposed on that balance.

Section 7

Note: The last claim period will end on or before 30 June 2012: see section 8D of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

7 Amount of levy

The amount of a levy that this Act imposes on a levy debit balance for a claim period is equal to that balance.

8 Participating person liable to pay levy

Levy imposed on a participating person's levy debit balance for a claim period is payable by the participating person.

Table of Acts**Notes to the *Telecommunications (Universal Service Levy) Act 1997*****Note 1**

The *Telecommunications (Universal Service Levy) Act 1997* as shown in this compilation comprises Act No. 53, 1997 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions see Table A.

Table of Acts

| Act | Number and year | Date of Assent | Date of commencement | Application, saving or transitional provisions |
|---|-----------------|----------------|--|--|
| <i>Telecommunications (Universal Service Levy) Act 1997</i> | 53, 1997 | 24 Apr 1997 | 1 July 1997 | |
| <i>Telecommunications (Universal Service Levy) Amendment Act 1999</i> | 51, 1999 | 5 July 1999 | 1 July 1999 | Sch. 1 (item 5) |
| <i>Telecommunications (Universal Service Levy) Amendment Act 2000</i> | 131, 2000 | 13 Nov 2000 | (a) | Sch. 1 (item 6) |
| <i>Statute Stocktake (Regulatory and Other Laws) Act 2009</i> | 111, 2009 | 16 Nov 2009 | Schedule 1 (item 103): 17 Nov 2009 | — |
| <i>Telecommunications Legislation Amendment (Universal Service Reform) Act 2012</i> | 44, 2012 | 16 Apr 2012 | Schedule 1 (item 107): 1 July 2012 (see s. 2(1)) | — |

Act Notes

(a) Section 2 of the *Telecommunications (Universal Service Levy) Amendment Act 2000* provides as follows:

2 This Act commences, or is taken to have commenced, immediately after the commencement of Schedule 1 to the *Telecommunications (Consumer Protection and Service Standards) Amendment Act (No. 2) 2000*.

Schedule 1 commenced on 1 July 2000.

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

| Provision affected | How affected |
|--------------------|---------------------------------------|
| Title | am. No. 51, 1999; No. 111, 2009 |
| S. 4 | am. No. 51, 1999; No. 131, 2000 |
| S. 5 | am. No. 51, 1999; No. 131, 2000 |
| S. 6 | am. No. 51, 1999 rs. No. 131, 2000 |
| Note to s. 6..... | ad. No. 44, 2012 |
| S. 7 | am. No. 131, 2000 |
| S. 8 | rs. No. 131, 2000 |

Table A

Table A

Telecommunications (Universal Service Levy) Amendment Act 1999
(No. 51, 1999)

Schedule 1

5 Application

Despite:

- (a) the amendments made by this Schedule; and
- (b) the repeal of Part 7 of the *Telecommunications Act 1997* by the *Telecommunications Legislation Amendment Act 1999*;

the *Telecommunications (Universal Service Levy) Act 1997* continues to apply, after the commencement of this item, in relation to levy for a financial year that ended on or before 30 June 1999, as if those amendments had not been made and that repeal had not happened.

Telecommunications (Universal Service Levy) Amendment Act 2000
(No. 131, 2000)

Schedule 1

6 Application

Despite the amendments made by this Schedule, the *Telecommunications (Universal Service Levy) Act 1997* continues to apply, after the commencement of this item, in relation to levy for a financial year that ended on or before 30 June 2000, as if those amendments had not been made.