Radiocommunications (Receiver Licence Tax) Amendment Determination 2011 (No. 3)

Radiocommunications (Receiver Licence Tax) Act 1983

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under subsection 7 (1) of the Radiocommunications (Receiver Licence Tax) Act 1983.

Dated 15 December 2011

Chris Chapman
[signed]
Member

Richard Bean
[signed]
Member/General Manager

Australian Communications and Media Authority

1 Name of Determination
This Determination is the Radiocommunications (Receiver Licence Tax) Amendment Determination 2011 (No. 3).

2 Commencement
This Determination commences on the day after it is registered.

Note All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the Legislative Instruments Act 2003. See http://www.frli.gov.au.

3 Amendment of Radiocommunications (Receiver Licence Tax) Determination 2003 (No. 2)
Schedule 1 amends the Radiocommunications (Receiver Licence Tax) Determination 2003 (No. 2).
Schedule 1

Amendments

(Section 3)

[1] Paragraph 1.3(1)(b)

Omit

‘, made by the ACA under section 54 of the Australian Communications Authority Act 1997’

[2] Part 4

Substitute

Part 4

Transitional arrangements relating to Radiocommunications (Receiver Licence Tax) Amendment Determination 2011 (No. 3)

4.1 Definitions for Part 4

In this Part:

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

Note The Amendment Determination commenced on the day after it was registered on the Federal Register of Legislative Instruments.

Amendment Determination means the Radiocommunications (Receiver Licence Tax) Amendment Determination 2011 (No. 3).

Pre-amendment Determination means this Determination as in force immediately before the commencement of the Amendment Determination.

4.2 Transitional arrangements after commencement of Amendment Determination

(1) In spite of the amendments made by the Amendment Determination, if:

(a) apparatus 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 on or after 4 April 2011 and before 5 April 2012;

use the pre-amendment Determination to work out the amount of the receiver licence tax.
(2) In spite of the amendments made by the Amendment Determination, if:
   (a) apparatus licence tax is imposed on the anniversary of the day on which a receiver licence came into force; and
   (b) the anniversary of the day on which the licence came into force is on or after the amendment day but before 5 April 2012;
       use the pre-amendment Determination to work out the amount of the receiver licence tax.

(3) In spite of the amendments made by the Amendment Determination, if:
   (a) apparatus licence tax is imposed on the holding of a receiver licence; and
   (b) the day when the tax is payable is on or after the amendment day but before 5 April 2012;
       use the pre-amendment Determination to work out the amount of the receiver licence tax.

(4) If:
   (a) apparatus 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 on or after 5 April 2012;
       use this Determination, as amended by the Amendment Determination, to work out the amount of the receiver licence tax.

(5) If:
   (a) apparatus licence tax is imposed on the anniversary of the day on which a receiver licence came into force; and
   (b) the anniversary of the day on which the licence came into force is on or after 5 April 2012;
       use this Determination, as amended by the Amendment Determination, to work out the amount of the receiver licence tax.

(6) If:
   (a) apparatus licence tax is imposed on the holding of a receiver licence; and
   (b) the day when the tax is payable is on or after 5 April 2012;
       use this Determination, as amended by the Amendment Determination, to work out the amount of the receiver licence tax.
[3] **Schedule 2, Part 2, table 202, including the note**  

*substitute*

**Table 202**

<table>
<thead>
<tr>
<th>Frequency range</th>
<th>Amount ($)</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Australia wide</td>
<td>High density</td>
<td>Medium density</td>
<td>Low density</td>
<td>Remote density</td>
</tr>
<tr>
<td>MHz</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0–30</td>
<td>1.0641</td>
<td>1.0641</td>
<td>1.0641</td>
<td>1.0641</td>
<td>1.0641</td>
</tr>
<tr>
<td>&gt;30–70</td>
<td>2.4037</td>
<td>0.9387</td>
<td>0.4994</td>
<td>0.1077</td>
<td>0.0539</td>
</tr>
<tr>
<td>&gt;70–399.9</td>
<td>2.4660</td>
<td>1.0121</td>
<td>0.4631</td>
<td>0.1038</td>
<td>0.0518</td>
</tr>
<tr>
<td>&gt;399.9–960</td>
<td>2.4660</td>
<td>1.3810</td>
<td>0.6318</td>
<td>0.1077</td>
<td>0.0539</td>
</tr>
<tr>
<td>&gt;960–2 690</td>
<td>2.4624</td>
<td>0.5526</td>
<td>0.2555</td>
<td>0.1285</td>
<td>0.0641</td>
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<tr>
<td>GHz</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;2.69–5.0</td>
<td>2.4597</td>
<td>0.4570</td>
<td>0.1852</td>
<td>0.1534</td>
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<tr>
<td>&gt;5.0–8.5</td>
<td>2.0767</td>
<td>0.3838</td>
<td>0.1788</td>
<td>0.0814</td>
<td>0.0394</td>
</tr>
<tr>
<td>&gt;8.5–14.5</td>
<td>0.9151</td>
<td>0.3294</td>
<td>0.0780</td>
<td>0.0057</td>
<td>0.0027</td>
</tr>
<tr>
<td>&gt;14.5–31.3</td>
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<td>0.2437</td>
<td>0.0536</td>
<td>0.0057</td>
<td>0.0027</td>
</tr>
<tr>
<td>&gt;31.3–51.4</td>
<td>0.2495</td>
<td>0.1329</td>
<td>0.0288</td>
<td>0.0010</td>
<td>0.0004</td>
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<td>&gt;51.4</td>
<td>0.0247</td>
<td>0.0025</td>
<td>0.0025</td>
<td>0.0002</td>
<td>0.0002</td>
</tr>
</tbody>
</table>

*Note*  Schedule 1 sets out the area density types of spectrum accesses.

[4] **Schedule 2, Part 3, table 302, including the note**  

*substitute*

**Table 302**

<table>
<thead>
<tr>
<th>Frequency range</th>
<th>Amount ($)</th>
<th></th>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Australia wide</td>
<td>High density</td>
<td>Medium density</td>
<td>Low density</td>
<td>Remote density</td>
</tr>
<tr>
<td>MHz</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Radiocommunications (Receiver Licence Tax) Amendment Determination  
2011 (No. 3)

Federal Register of Legislative Instruments F2011L02769
### Frequency range | Amount ($)  
---|---
Australia wide | High density | Medium density | Low density | Remote density

<table>
<thead>
<tr>
<th>Frequency range</th>
<th>Amount ($)</th>
<th>Area density</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt;30–70</td>
<td>44.4285</td>
<td>17.3529</td>
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<tr>
<td>&gt;70–399.9</td>
<td>45.5817</td>
<td>18.7067</td>
</tr>
<tr>
<td>&gt;399.9–960</td>
<td>45.5817</td>
<td>25.5258</td>
</tr>
<tr>
<td>&gt;960–2 690</td>
<td>1.0759</td>
<td>0.2414</td>
</tr>
</tbody>
</table>

**Note**  
Schedule 1 sets out the area density types of spectrum accesses.

### [5] Dictionary, definition of ACA

substitute  
**ACMA** means the Australian Communications and Media Authority.

### [6] Further amendments

<table>
<thead>
<tr>
<th>Provision</th>
<th>omit each mention of</th>
<th>insert</th>
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</thead>
<tbody>
<tr>
<td>Schedule 2, subitem 203 (1)</td>
<td>$249</td>
<td>$258</td>
</tr>
<tr>
<td>Schedule 2, items 204 and 303</td>
<td>$34.91, the amount of tax is taken to be $34.91.</td>
<td>$36.17, the amount of tax is taken to be $36.17.</td>
</tr>
<tr>
<td>Schedule 3, step 3 of tables 103, 104 and 105</td>
<td>$34.91, increase the amount to $34.91.</td>
<td>$36.17, increase the amount to $36.17.</td>
</tr>
</tbody>
</table>