

Telecommunications (Annual Charge) Determination 2014

*Telecommunications (Numbering Charges) Act 1997*

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under subsections 20(1) and 22(2) of the *Telecommunications (Numbering Charges) Act 1997*.

Dated *15 December 2014*

*Chris Chapman*
[signed]
Member

*Richard Bean*
[signed]
Member/~~General Manager~~

Australian Communications and Media Authority

1 Name of Determination

 This Determination is the *Telecommunications (Annual Charge) Determination 2014*.

2 Commencement

 This Determination commences on 1 April 2015.

*Note* All legislative instruments and compilations must be registered on the Federal Register of Legislative Instruments required to be maintained under the *Legislative Instruments Act 2003*.

3 Revocation

 The *Telecommunications (Annual Charge) Determination 2007 (No. 2)* (FRLI No. F2007L04138) is revoked.

4 Definition

 In this Determination:

***Act*** means the *Telecommunications (Numbering Charges) Act 1997*.

***Budget Papers*** means the papers so known, tabled in the Commonwealth Parliament by the Treasurer in relation to the budget of the Commonwealth for the year to which the papers relate.

***census date***, for a year,is the day in April determined for the year under subsection 18(2) of the Act.

***community service*** has the meaning given in the Dictionary to the plan or in a corresponding provision of a replacement plan.

***geographic number*** has the meaning given by section 3.3 of the plan or in a corresponding provision of a replacement plan.

***incoming only international number*** has the meaning given in the Dictionary to the plan or in a corresponding provision of a replacement plan.

***internal network service*** has the meaning given in the Dictionary to the plan or in a corresponding provision of a replacement plan.

***plan*** means the *Telecommunications Numbering Plan 1997.*

***replacement plan*** means a numbering plan made after the commencement of this Determination that replaces the plan.

***special services number*** has the meaning given by section 3.11 of the plan or in a corresponding provision of a replacement plan.

***testing service*** has the meaning given in the Dictionary to the plan or in a corresponding provision of a replacement plan.

*Note*   In accordance with paragraph 13(1)(b) of the *Legislative Instruments Act 2003,* otherexpressions in this Determination have the same meaning as in the Act, including:

• ACMA

• carriage service provider

* number

• numbering plan

* standard telephone service.

5 Amount of charge

 (1) The amount of charge imposed on a number held at the beginning of the census date is calculated in accordance with the following formula:



where:

***AOC*** means, for the chargeable holding that includes the number, the amount calculated under subsection (2).

***N*** means the quantity of numbers comprising the chargeable holding.

 (2) For subsection (1), the value of AOC for a chargeable holding is determined as follows:

 AOC = quantity of numbers x lesser of BNC amount and $100 000

where

***BNC amount***, for a chargeable holding, is the base number charge multiplied by:

 (a) the applicable multiplier; and

 (b) 10 to the power of (10 – number length).

***base number charge*** means the amount of charge determined by solving the following equation using the method known as the Newton‑Raphson method:

 Revenue Target = the sum of (quantity of numbers x the lesser of (BNC amount or $100 000)) for each chargeable holding of every carriage service provider.

*Note*   Following its determination, the base number charge is published by the ACMA on its website (http://www.acma.gov.au).

***chargeable holding*** means one number or a group of numbers held by a carriage service provider, all of which:

 (a) have the same amount of digits; and

 (b) are of the same service type.

***exempt service type***, in relation to a number in a chargeable holding, means a number that, under section 6, is exempt from charge.

***multiplier*** means:

 (a) for a chargeable holding containing only normal service type numbers — 1;

 (b) for a chargeable holding containing only reduced service type numbers — 0.01;

 (c) for a chargeable holding containing only exempt service type numbers — 0.

***normal service type***, in relation to a number in a chargeable holding, means a number that is not a reduced service type or an exempt service type.

***number length*** means the amount of digits in the number concerned.

***reduced service type***, in relation to a number in a chargeable holding, means a number of any of the following kinds:

 (a) incoming only international numbers;

 (b) numbers used only for an internal network service;

 (c) numbers used only for a testing service.

***Revenue Target***, for a year, is:

 (a) $60 000 000; or

 (b) if:

 (i) the Budget Papers for the year specify, as the total charge applying under subsection 18(1) of the Act, a revenue target that is a different amount; and

 (ii) the ACMA publishes that amount on its internet website as the revenue target for the year;

 that amount.

*Note*   The Revenue Target for a year, whether it is $60 000 000 or an amount under paragraph (b), is published by the ACMA on its website (http://www.acma.gov.au).

6 Numbers exempt from charge

 The following numbers are exempt from charge:

 (a) a number specified in the plan or a replacement plan for use for a community service;

 (b) a geographic number other than a number mentioned in subsection 22(1) of the Act;

 (c) a number that is an international signalling point code, within the meaning of section 5A.1 of the plan or in a corresponding provision of a replacement plan;

 (d) a telex number, within the meaning of section 5.3 of the plan or in a corresponding provision of a replacement plan;

 (e) a number that is a special services number in Part 2 of Schedule 4 of the plan or in a corresponding provision of a replacement plan;

 (f) a number that is a special services number in Part 3 of Schedule 4 of the plan or in a corresponding provision of a replacement plan;

 (g) a number that is a special services number in Part 4 of Schedule 4 of the plan or in a corresponding provision of a replacement plan;

 (h) a number that is a four or five digit special services number in Part 6 of Schedule 4 of the plan or in a corresponding provision of a replacement plan.

Example

A carriage service provider has 2 chargeable holdings:

(a) holding Y, that, on the census date, contains 500 numbers, each of which is:

 (i) 5 digits in length; and

 (ii) an international signalling point code; and

(b) holding Z, that, on the census date, contains 10 000 numbers, each of which is:

 (i) 10 digits in length; and

 (ii) a normal service type number.

For the purpose of the example, the base number charge for the year is $0.90, determined on the basis of a revenue target of $60 000 000 (there being no Budget Papers specifying a different amount).

Calculation of AOC for holding Y:

AOC = quantity of numbers x the lesser of BNC amount and $100 000;

thus = 500 x the lesser of ($0.90 x 0 x 10^(10 – 5)) and $100 000;

thus = 500 x the lesser of ($0.90 x 0 x 100 000) and $100 000;

thus = 500 x the lesser of $0 and $100 000;

thus = 500 x 0;

thus = $0.

Calculation of AOC for holding Z:

AOC = quantity of numbers x the lesser of BNC amount and $100 000;

thus = 10 000 x the lesser of ($0.90 x 1 x 10^(10 – 10)) and $100 000;

thus = 10 000 x the lesser of ($0.90 x 1 x 1) and $100 000;

thus = 10 000 x the lesser of $0.90 and $100 000;

thus = 10 000 x $0.90;

thus = $9 000.

Calculation of total AOC for the year for the carriage service provider:

AOC = AOC for holding Y + AOC for holding Z;

thus = $0 + $9 000;

thus = $9 000.