Radiocommunications (Transmitter Licence Tax) Amendment Determination 2025 (No. 2)

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

Dated: 4 September 2025

Samantha Yorke
[signed]
Member

Michael Brealey
[signed]
General Manager

Australian Communications and Media Authority

1 Name

This is the *Radiocommunications (Transmitter Licence Tax) Amendment Determination 2025 (No. 2)*.

2 Commencement

This instrument commences on 23 September 2025.

Note: The Federal Register of Legislation may be accessed, free of charge, at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 7(1) of the *Radiocommunications (Transmitter Licence Tax) Act 1983.*

4 Amendments

The instrument that is specified in Schedule 1 to this instrument is amended as set out in the applicable items of the Schedule, and any other item in Schedule 1 has effect according to its terms.

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Schedule 1—Amendments

(section 4)

Radiocommunications (Transmitter Licence Tax) Determination 2025 (F2025L00058)

Part 1 Tax rate for a fixed licence (point to multipoint system) in 3400 MHz to 3475 MHz or 3950 MHz to 4000 MHz

1 Subsection 5(1)

Insert:

fixed licence (point to multipoint system) has the meaning given by:

(a) the *Radiocommunications Licence Conditions (Fixed Licence) Determination 2025*; or

(b) if a later instrument replaces that determination and defines the term – the later instrument.

fixed licence (point to multipoint system – 3.4 GHz band) means a fixed licence (point to multipoint system) that authorises the operation of a radiocommunications transmitter in either or both of the following frequency bands:

(a) 3400 MHz to 3475 MHz;

(b) 3950 MHz to 4000 MHz.

2 Subsection 5(1) (definitions of *Part 1 licence*, *Part 3 licence*, *Part 7 licence*, *Part 9 licence*, *Part 10 licence*, *Part 11 licence*, *Part 12 licence*, *set amount licence* and *spectrum access licence*)

Omit ‘subclause’, substitute ‘sub-item’.

3 Subsection 5(1) (definitions of *Part 2 licence*, *Part 4 licence*, *Part 5 licence*, *Part 8 licence* and *Part 13 licence*)

Omit ‘clause’, substitute ‘item’.

4 Subsection 5(1) (definition of *Part 6 licence*)

Omit ‘clause 29’, substitute ‘sub-item 29(2)’.

5 Paragraph 5(5)(d)

After ‘Part 6 licence’, insert ‘(other than a fixed licence (point to multipoint system – 3.4 GHz band))’.

6 Subparagraph 5(6)(a)(iii)

Repeal the subparagraph, substitute:

(iii) a licence that authorises the operation of a station that is part of a land mobile system other than a wireless audio system;

(iv) a fixed licence (point to multipoint system – 3.4 GHz band); and

7 Sub-item 11(2) of Schedule 1

Repeal the sub-item, substitute:

(2) This Part does not apply to:

(a) a harmonised government spectrum area licence; or

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(b) a fixed licence (point to multipoint system – 3.4 GHz band).

Note 1: For harmonised government spectrum area licences, see Part 4 of this Schedule.

Note 2: For fixed licences (point to multipoint system – 3.4 GHz band), see Part 6 of this Schedule.

8 Part 6 of Schedule 1 (heading)

Repeal the heading, substitute:

Part 6—Licences for point to multipoint stations, and fixed licences (point to multipoint system – 3.4 GHz band)

9 Item 29 of Schedule 1

Repeal the item, substitute:

29 Application of Part 6

(1) This Part applies to a licence that authorises the operation of a point to multipoint station, other than a licence to which Part 3 of this Schedule applies.

Note 1: A station may comprise one or more radiocommunications transmitters, and one or more radiocommunications receivers. A licence will only authorise the operation of the radiocommunications transmitters that are part of the station.

Note 2: Part 3 of this Schedule applies to a licence that authorises the operation of a point to multipoint station that is part of a point to multipoint system, other than a fixed licence (point to multipoint system – 3.4 GHz band). Therefore this Part applies to a fixed licence (point to multipoint system – 3.4 GHz band).

(2) A licence to which this Part applies is a ***Part 6 licence***.

10 Item 30 of Schedule 1

Omit ‘items 31 and 32’, substitute ‘items 31, 31A and 32’.

11 After item 31 of Schedule 1

Insert:

31A Adjustment for micro power spectrum access for fixed licence (point to multipoint system – 3.4 GHz band)

Subject to item 32, the annual amount for a micro power spectrum access for a fixed licence (point to multipoint system – 3.4 GHz band) is the amount worked out under item 30 for the spectrum access, multiplied by 5 per cent.

12 Item 32 of Schedule 1

Omit ‘item 30 or item 31’, substitute ‘item 30, item 31 or item 31A’.

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Part 2 Tax rate for underground PTS licence

13 Subsection 5(1)

Insert:

underground PMTS licence means a PTS licence (PMTS Class B) that:

(a) authorises the operation of a radiocommunications transmitter only in the 3.4 GHz band; and

(b) is subject to one or more conditions that have the following effect (whether or not it is subject to any other conditions):

(i) a radiocommunications transmitter must only be operated in an underground space;

(ii) a radiocommunications transmitter must not be operated if the maximum EIRP density of the transmitter would exceed 3 nW per MHz, when measured at any aboveground opening that connects to the underground space.

underground PMTS licence (ASMG) means an underground PMTS licence, other than an underground PMTS licence (non-ASMG).

underground PMTS licence (non-ASMG) means an underground PMTS licence that authorises the operation of one or more radiocommunications transmitters only outside the area covered by the ASMG.

14 Schedule 1 (at the end of Table 8)

Add:

16	Underground PMTS licence (ASMG)	(a) first, identify the spectrum accesses for the licence; (b) second, identify how many Level 2 HCIS blocks include one or more of those spectrum accesses; (c) third, multiply the number of Level 2 HCIS blocks by the minimum annual amount
17	Underground PMTS licence (non-ASMG)	(a) first, identify how many spectrum accesses there are for the licence; (b) second, multiply the number of spectrum accesses by the minimum annual amount

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