

1980-81-82

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

EXPLANATORY MEMORANDUM

RADIOCOMMUNICATIONS LICENCE FEES BILL 1982

The Bill will expressly impose fees in the nature of taxes for the grant or renewal of radiocommunications licences with the actual rates and form of any concession or exemption fixed by regulations.

The Bill will be deemed to have taken effect on 1 July 1981 but will not involve increased payments in respect of the period from that date to commencement of the Bill. In some cases fees will be reduced. An example will be certain television stations employing a large number of broadband fixed links for programming transfers. The proposed full measure of fees will be phased in over a three year period under the regulations.

NOTES ON CLAUSES

RADIOCOMMUNICATIONS LICENCE FEES BILL 1982

- Clause 1 short title
- Clause 2 provides for the proposed Act to commence on a date to be proclaimed
- Clause 3 incorporates the Bill with the Wireless Telegraphy Act 1905, for general ease of interpretation
- Clause 4 defines "fee" as a fee in the nature of a tax and "licence" as a licence referred to in section 5 of the Wireless Telegraphy Act 1905, to indicate that the licences are those granted under the Wireless Telegraphy Act 1905.
- Clause 5 extends the Bill to external territories, as the Wireless Telegraphy Act 1905 also applies to external territories
- Clause 6 provides that upon any grant or renewal of a licence a fee is payable to the Commonwealth. This is the central provision of the Bill, which actually imposes a fee for such licences
- Clause 7 provides that fees are payable at the time of the grant or renewal of the licence
- Clause 8 provides that fees payable shall be ascertained by the regulations. This means that the scale of fees and other associated matters, including concessions, may be set by regulation, allowing for flexible and adaptive fee practices.
- Clause 9 provides that the Regulations may provide for reduced fees and for exemption from fees.
- Clause 10 applies the fees to Corporations of the Commonwealth. This is so that all Commonwealth authorities, even those which are not normally subject to Commonwealth taxes, will be liable for the fees.
- Clause 11 applies the Bill to all grants or renewals of licences after 1 July 1981.
- Clause 12 a transitional provision. Those licensees who have already paid licence fees under the Wireless Telegraphy Act are not required to pay fees under the new Bill in respect of grant or renewal during the period 1 July 1981 to the date of commencement. Licensees who have not paid must do so within 14 days of commencement.
- Clause 13 regulation making power, under which the scale of fees, concessions and other connected matters, will be determined.