Date Introduced: 22 September 1983
House: House of Representatives
Presented by: Hon. M.J. Duffy, M.P., Minister for Communications

Short Digest of Bill

Purpose

To provide for a fee upon grant of a frequency reservation certificate under the Radiocommunications Bill 1983, a scheme to facilitate forward planning in regulation of the radio frequency spectrum.

Background

The radio frequency spectrum in Australia is currently regulated under the Wireless Telegraphy Act 1905. Section 5 of that Act provides for grant of a licence for use of radio equipment. The fee for such grant is imposed by the Radiocommunications Licence Fees Act 1982, satisfying the requirement in section 55 of the Constitution that laws imposing taxation deal with no other matters.

A new scheme of management of the radio frequency spectrum, established by the Radiocommunications Bill 1983, distinguishes five types of more specific licences for which a fee is payable. Conformably to section 55's requirement that laws imposing taxation deal with only one subject of taxation, licence fees are imposed in five separate Bills, with an additional Bill regulating collection of the tax.

Frequency reservation certificates under clause 21 of the Radiocommunications Bill 1983 permit reservation of unallocated frequencies for a particular potential user and thereby facilitate the orderly planning of future uses in management of the radio frequency spectrum.

Main Provisions

The form of the Bill is similar to that of other taxing Bills associated with the Radiocommunications Bill 1983. Tax is imposed by clause 6. Clause 7 provides that differing rates of tax may be prescribed for various classes
of frequency reservation certificates, at rates prescribed by regulations made by the Governor-General under clause 9. Collection is provided for by incorporation of the Radiocommunications Tax Collection Bill 1983 (clause 3).

Clause 8 provides that whatever rates are prescribed for a frequency reservation certificate shall be proportionately reduced so as not to effectively apply to any period prior to commencement of the whole of the Radiocommunications Bill 1983.

For further information, if required, contact:

10 October 1983

Education and Welfare Group
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