

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Presented and read a first time, 7 May 1991

(Minister for Transport and Communications)

A BILL**FOR**

**An Act to provide for the payment of fees for general
telecommunications licences and public mobile licences
issued under the *Telecommunications Act 1991***

The Parliament of Australia enacts:

Short title

1. This Act may be cited as the *Telecommunications (Carrier Licence Fees) Act 1991*.

Commencement

2. (1) Subject to this section, this Act commences on 1 July 1991.

(2) Sections 1 and 2 commence on the day on which this Act receives the Royal Assent.

Interpretation

3. An expression has in this Act the same meaning as it has in the *Telecommunications Act 1991*.

Fees for carrier licences

4. The holder of a general telecommunications licence or a public mobile licence must pay to the Commonwealth, by way of tax in respect of the licence, on each 1 July that occurs while the licence is in effect or within 12 months after it ceases to be in effect, a fee of an amount determined in accordance with the regulations as in force immediately before that 1 July.

How the regulations may provide for fees to be determined

5. (1) Without limiting section 4, regulations made for the purposes of that section may:

- (a) prescribe as the amount of a fee an amount specified in the regulations; or
- (b) prescribe a procedure in accordance with which the amount of a fee is to be determined.

(2) Without limiting section 4, regulations that are made for the purposes of that section and prescribe as mentioned in paragraph (1) (a) of this section may prescribe as the amount of the fee payable by the holder of a general telecommunications licence an amount different from the amount they prescribe as the amount of the fee payable by the holder of a public mobile licence.

Limit on total of annual fees

6. The total of the fees that become payable under this Act on 1 July in a financial year must not exceed the total of all amounts appropriated, in respect of the immediately preceding financial year, for the purposes of AUSTEL.

Recovery of fee

7. A fee payable under this Act may be recovered in a court of competent jurisdiction as a debt due to the Commonwealth.

Regulations

8. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

