

2004-2005-2006

The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

*Presented and read a first time*

## **Datacasting Transmitter Licence Fees Bill 2006**

**No.     , 2006**

*(Communications, Information Technology and the Arts)*

**A Bill for an Act to impose fees, by way of taxes, in  
relation to channel A datacasting transmitter  
licences, and for related purposes**

---

## Contents

1	Short title.....	1
2	Commencement.....	1
3	Definitions.....	2
4	Non-cash consideration.....	2
5	Act to bind Crown.....	2
6	External Territories.....	2
7	Imposition of fees.....	3
8	Amount of fees.....	3
9	Earnings of subsidiary companies etc.....	5
10	Regulations.....	6

1     **A Bill for an Act to impose fees, by way of taxes, in**  
2     **relation to channel A datacasting transmitter**  
3     **licences, and for related purposes**

4     The Parliament of Australia enacts:

5     **1 Short title**

6                     This Act may be cited as the *Datacasting Transmitter Licence Fees*  
7                     *Act 2006*.

8     **2 Commencement**

9                     This Act commences on 1 January 2007.

1     **3 Definitions**

2                     In this Act:

3                     **ACMA** means the Australian Communications and Media  
4                     Authority.

5                     **gross earnings**, in respect of a licence in relation to a period,  
6                     means so much of the gross earnings of the licensee during that  
7                     period as are attributable to the transmission of matter by  
8                     radiocommunications transmitters operating under the licence. To  
9                     avoid doubt, clause 46 of Schedule 6 to the *Broadcasting Services*  
10                    *Act 1992* does not apply to this definition.

11                    **licence** means a channel A datacasting transmitter licence (as  
12                    defined by the *Radiocommunications Act 1992*).

13                    **radiocommunications transmitter** has the same meaning as in the  
14                    *Radiocommunications Act 1992*.

15     **4 Non-cash consideration**

16                    For the purposes of this Act, if, in connection with any transaction,  
17                    any consideration is paid or given otherwise than in cash, the  
18                    money value of that consideration is taken to have been paid or  
19                    given.

20     **5 Act to bind Crown**

21                    This Act binds the Crown in right of each of the States, of the  
22                    Australian Capital Territory, of the Northern Territory and of  
23                    Norfolk Island. However, it does not bind the Crown in right of the  
24                    Commonwealth.

25     **6 External Territories**

26                    This Act extends to every external Territory.