

20 May 2021

Mr Jason Lange
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
1 National Circuit
BARTON ACT 2600

ACMA file reference: ACMA2021/248

Email: helpdesk-OBPR@pmc.gov.au

Dear Mr Lange

Certification of independent review: Implementation of the 1st tranche of the Spectrum Pricing Review

I am writing to certify that the attached independent review 'Implementation of the 1st tranche of the Spectrum Pricing Review' has undertaken a process and analysis equivalent to a Regulation Impact Statement (RIS). This review was initiated by the Department of Infrastructure, Transport, Regional Development and Communications with the publication of their initial review:

- [Spectrum Pricing Review](#), March 2018 (initial review)

Following the publication of the initial review, two papers have been published by the ACMA, each of which advanced the review to a further stage of the ACMA's spectrum pricing review process:

- [Implementation of the Spectrum Pricing Review](#), March 2020 (consultation paper)
- [Response to implementation of the Spectrum Pricing Review](#), December 2020 (response paper)

I certify that these documents adequately address all seven RIS questions and is submitted to the Office of Best Practice Regulation for the purposes of a final policy decision.

I am satisfied that the scope of the problem and the recommendations identified in the certified review are substantially the same as the identified problem and recommendations in the policy proposal.

I further certify that fewer than three policy options are examined for the following reasons:

- The Department of Infrastructure, Transport, Regional Development and Communications conducted the Spectrum Pricing Review and delivered the review report in March 2018 that recommended a number of spectrum pricing reforms for the ACMA to implement.
- The ACMA's March 2020 consultation paper consulted on a number of focus areas to help the ACMA prioritise the broad set of recommendations and identify tangible reform options to consider for implementation.
- The options identified were direct responses to known pricing problems, assessed against the status quo, and received broad industry support during consultation.

The general tax reductions in the 1st tranche of reforms are expected to benefit existing licensees by reducing their annual licence costs by approximately \$35 million. This is expected to predominantly benefit licensees using spectrum to provide fixed services, radiodetermination services, and the space industry and companies looking to provide innovative services in higher frequency ranges of spectrum. Approximately 750 unique existing licensees are expected to benefit from implementation of the 1st tranche of these spectrum pricing reforms. Note that this estimate of benefits does not account for any potential increase in demand for spectrum arising from the general price decreases, or the benefits associated with the provision of new downstream services, which are very difficult to quantify.

The earth station system prices and the land mobile 'micro' discounts are expected to benefit licensees in the space and land mobile sectors deploying more spectrally efficient networks.

The regulatory burden to business, community organisations or individuals is quantified using the Australian Government's *Regulatory Burden Measurement* framework and is provided below. I note that licensees are not obliged to obtain licences or do anything differently from the implementation of these proposals and consequently will involve no increases in regulatory burden.

Regulatory burden estimate table

Average annual regulatory costs (from business as usual)

Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total, by sector	\$0	\$0	\$0	\$0

Accordingly, I am satisfied that the attached report is consistent with the *Australian Government Guide to Regulatory Impact Analysis*.

**Australian
Communications
and Media Authority**

www.acma.gov.au

Yours sincerely



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