



Radiocommunications Amendment Regulations 2017

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 6th day of June 2017

Present:

Her Excellency the Administrator of the Government in Council

These regulations are made under section 135 of the Radiocommunications Act 1989 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Radiocommunications Amendment Regulations 2017.

2 Commencement

These regulations come into force on 1 October 2017.

3 Principal regulations

These regulations amend the Radiocommunications Regulations 2001 (the **principal regulations**).

4 Regulation 3 amended

- (1) In regulation 3, insert in their appropriate alphabetical order:

electronic payment means a payment by electronic means, including, without limitation, use of an Internet site, a bank transfer, or an electronic funds transfer at point of sale device

manual payment means payment made by cash, cheque, or any other kind of payment other than an electronic payment or any payment by credit card

- (2) In regulation 3, revoke the definition of **online service**.

5 Regulation 38 amended (Fees payable to chief executive for radio licences)

In regulation 38(1), replace “third” with “fourth”.

6 Regulation 39 amended (Fees payable to chief executive for spectrum licences)

In regulation 39(2), replace “third” with “fourth”.

7 Regulation 43 amended (Fees inclusive of GST)

In regulation 43, replace “in Schedule 6” with “by these regulations”.

8 New regulation 44AA inserted (Manual payment fee)

After regulation 44, insert:

44AA Manual payment fee

- (1) If a person pays 1 or more annual administration fees by manual payment, the person must pay a manual payment fee in addition to the annual administration fees.
- (2) The manual payment fee is \$25 (inclusive of GST) per transaction, regardless of the number of annual administration fees the person pays in a transaction.

9 Regulations 44A to 44C revoked

Revoke regulations 44A to 44C.

10 Schedule 6 replaced

Replace Schedule 6 with the Schedule 6 set out in the Schedule.

Schedule
New Schedule 6 inserted

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Schedule 6			
Annual administration fees payable to chief executive for radio and spectrum licences			
Fee category	Name	Description of licences to which fee applies	Fee (\$) (including GST)
A	Amateur radio and spectrum licence fee	Licence for an amateur beacon, amateur fixed link, or amateur repeater.	50
B	Land mobile radio licence fee (up to 5 repeaters or pagers)	Land mobile radio licence for— <ul style="list-style-type: none"> • up to 5 land mobile repeater locations on a common frequency throughout New Zealand; or • up to 5 fixed paging radio transmitters on a common frequency throughout New Zealand. 	600
C	Land mobile radio licence fee (unlimited repeaters or pagers)	Land mobile radio licence for— <ul style="list-style-type: none"> • an unlimited number of land mobile repeater locations on a common frequency throughout New Zealand; or • an unlimited number of fixed paging radio transmitters on a common frequency throughout New Zealand. 	1,500
D	Standard licence fee	Every licence for radiocommunications issued under the Act that is not included in fee category A, B, or C, including— <ul style="list-style-type: none"> • any general user radio licence: • any general user spectrum licence: • a land mobile radio licence with— <ul style="list-style-type: none"> • 1 land mobile repeater location; or • 1 fixed paging radio transmitter; or • simplex transmission with an unlimited number of radio transmitters on a common frequency throughout New Zealand: • any other spectrum licence: 	150

Fee category	Name	Description of licences to which fee applies	Fee (\$) (including GST)
		<ul style="list-style-type: none"> • any other radio licence, including, without limitation, a licence for— <ul style="list-style-type: none"> • aeronautical services: • broadcasting services: • fixed services (point-to-point, point-to-multipoint, or multipoint-to-point): • maritime services: • meteorological services: • mobile services: • radio astronomy services: • radio determination services: • reception protection services: • satellite services. 	

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 October 2017, amend the Radiocommunications Regulations 2001 (the **principal regulations**).

These regulations replace Schedule 6 of the principal regulations, which sets out the fees to be paid for different types of radiocommunications licence. *New Schedule 6* reorganises the licence fees into 4 categories as opposed to the previous 47 fee categories.

The amendments introduce a new fee for manual payments. The amendments also revoke provisions of the principal regulations that created a discount for online payment.

Regulatory impact statement

The Ministry of Business, Innovation, and Employment produced a regulatory impact statement on 8 February 2017 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 8 June 2017.

These regulations are administered by the Ministry of Business, Innovation, and Employment.