



Datacasting Charge (Imposition) Amendment Bill 2004

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Law and Bills Digest Section

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Datacasting Charge (Imposition) Amendment Bill 2004

Date Introduced: 2 December 2004

House: House of Representatives

Portfolio: Communications, Information Technology and the Arts

Commencement: At the same time as the proposed Australian Communications and Media Authority is established.

Background

This Bill is one of a package of ten bills that merge the Australian Broadcasting Authority and the Australian Communications Authority into the proposed Australian Communications and Media Authority.

Section 55 of the Constitution provides that:

Laws imposing taxation shall deal only with the imposition of taxation, and any provision therein dealing with any other matter shall be of no effect.

Laws imposing taxation, except laws imposing duties of customs or of excise, shall deal with one subject of taxation only; but laws imposing duties of customs shall deal with duties of customs only, and laws imposing duties of excise shall deal with duties of excise only.

As a charge may be regarded as a tax, this Bill, which amends the *Datacasting Charge (Imposition) Act 1998* to replace references to the Australian Communications Authority with references to the Australian Communications and Media Authority, and provides for the continuing effect of determinations made by the Australian Communications Authority, is required to be separate from the Australian Communications and Media Authority Bill 2004.

For further background on this Bill, please refer to [Bills Digest 2004–05 No. 78](#), on the Australian Communications and Media Authority Bill 2004.

Warning:

This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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