



Australian Government

**Department of Broadband,
Communications and the Digital Economy**

Satellite Phone Subsidy Scheme Guidelines for Dealers 2009–13

REGISTRATION

Applying for dealer registration

1. If you wish to participate in the extended Satellite Phone Subsidy Scheme 2009-13 ('Scheme'), you must register under the Scheme using the *Dealer Registration Form 2009-13*, including the *GST Information Form* (Attachment A) and the *Bank Account Details Form* (Attachment B).
2. To be registered under the Scheme, you must sell satellite mobile phones to members of the public as part of your business activities.
3. At the time of applying for registration, you must also execute a *Dealer Agreement*, thereby agreeing to abide by the specified terms and conditions. You will only be considered for registration if you have executed the *Dealer Agreement*.
4. We may require further information from you before a final decision is made about your application for registration. It is your responsibility to provide sufficient information in support of your application to the Administrator.
5. If your application for registration is approved, the *Dealer Agreement* will be executed by the Department of Broadband, Communications and the Digital Economy (the Department) and a legally binding contract will govern the relationship between you and the Department.

NOTE: NO CONTRACT EXISTS UNLESS THE DEPARTMENT APPROVES THE APPLICATION AND EXECUTES THE DEED.

6. If registered, you will be allocated a registration number.

Removal from Scheme

7. The Department reserves the right to remove you from the Scheme if you do not comply with the *Dealer Agreement* or these *Guidelines for Dealers*.
8. You may at any time withdraw from the scheme upon giving the Department thirty (30) days' notice in writing. Upon receipt of your notice, the Department will deregister you.

Assisting applicants to the Scheme

9. When an applicant decides to complete an *Application for Subsidy Form*, you are able to certify that a copy of a proof of address document provided by an applicant for the higher level subsidy is a true and accurate copy of the original (see the *Application for Subsidy Form*, which must be completed by applicants for a subsidy). You must ensure that the copy is identical to the original in all material respects, and that no alterations have been made to the copy.

CONDITIONS FOR GRANT OF SUBSIDY

What does the subsidy cover?

10. You may only provide a reduced price for the purchase of a satellite mobile phone. The subsidy will not be paid to reimburse you in relation to the purchase of another product or service.
11. The subsidy is available for satellite mobile phones that are handheld or non-handheld and used in a mobile environment. This includes phones that are installed and used in a vehicle or vessel.
12. You may provide any make or model of satellite mobile phone selected by the phone purchaser. The equipment must provide voice services connected to the public switched telephone network.
13. The subsidy is only available for satellite mobile phones that are connected to a service provider under either a prepaid or monthly access plan.

Which customers can obtain the subsidy?

14. Only purchasers who have been approved under the Scheme may obtain the subsidy. You must not provide a subsidy, or commit to provide a subsidy, before the purchaser provides you with an *Approved Purchaser Form*.
15. At the time each phone purchaser application is approved, the Administrator will send a letter and *Claim Form* to the dealer nominated in the phone purchaser's application, advising that the purchaser's application has been approved, identifying the maximum subsidy level that the purchaser may receive and citing the purchaser's Approved Purchaser Number.
16. You will only be reimbursed for the subsidy if the purchaser presented you with an original, unaltered *Approved Purchaser Form* prior to the purchase of the satellite mobile phone.
17. You must check that the *Approved Purchaser Form* nominates your business. If another dealer is nominated, the subsidy will not be paid in relation to the satellite mobile phone purchase.
18. You may only provide a subsidy to the person specified on the *Approved Purchaser Form*, unless clause 19 applies.
19. You may only provide a subsidy to a person other than the approved purchaser if the person presents a written authorisation from the approved purchaser. This authorisation must contain both the approved purchaser's signature and the signature of the person who is collecting the satellite mobile phone on the purchaser's behalf. The authorisation must be presented together with the original of the *Approved Purchaser Form*. In addition, you must satisfy yourself as to the identity of the person collecting the satellite mobile phone by sighting either one Category A document or one Category B document in accordance with clause 30.
20. You must ensure that the person specified on the *Approved Purchaser Form* pays for the satellite mobile phone. If the purchaser pays by credit card, EFTPOS or cheque, you must verify that the relevant account is in the approved phone purchaser's name (i.e. by checking the name on the card or cheque).
21. You must also ensure that the satellite mobile phone account is established in the name of the approved phone purchaser as shown on the *Approved Purchaser Form*, and that the satellite mobile phone is connected in the name of the approved phone purchaser.
22. You must not provide a subsidy for a satellite mobile phone purchased after the expiry date specified on the *Approved Purchaser Form*. No subsidy will be paid for a satellite mobile phone purchase after the expiry date.
23. You must ensure that the satellite mobile phone is both supplied to the customer and connected by a service provider to a satellite mobile phone network before the expiry date on the *Approved Purchaser Form*. No subsidy will be paid unless the satellite mobile phone is supplied and connected on or before the expiry date.

How is the subsidy to be passed on to customers?

24. If the customer presents a valid *Approved Purchaser Form*, You must pass the subsidy on to the customer at the time of purchase in the form of a reduced purchase price for the satellite mobile phone.
25. You must obtain from the phone purchaser the retail price of the satellite mobile phone reduced by the amount of the subsidy. The retail price is the net amount the purchaser would have paid for the satellite mobile phone in the absence of the subsidy (generally the recommended retail price, less any promotional discount or rebate).
26. You may not impose any terms or conditions on the sale of the satellite mobile phone that are unfavourable to the customer. Importantly, you may not require the customer to provide a deposit, representing the full amount of the subsidy or a part thereof, pending payment of the subsidy from the Department. You must not require that the satellite mobile phone remain at the dealer's premises until the subsidy is reimbursed by the Department.
27. After the sale of the satellite mobile phone, you may seek reimbursement of the subsidy from the Department.

What information does the dealer need to obtain from the purchaser?

28. You must check the identification of the phone purchaser to verify that:
 - (a) the purchaser is the person or entity named on the *Approved Purchaser Form* (where the phone purchaser is a business or organisation, the purchaser must be the approved business/organisation; where the phone purchaser is an individual, the purchaser must be the approved individual); and
 - (b) the business or group name (if any), address and telephone numbers on the *Approved Purchaser Form* are correct.
29. The identity check specified in Clause 28 must be completed by you sighting either:
 - (a) one of the Category A documents; or
 - (b) two of the Category B documentsspecified in clause 30 below. The document(s) must be current.
30. For the purposes of these Guidelines 'Category A document' means any one of the following documents:
 - (a) a licence or permit issued under Commonwealth, state or territory law, such as a driver's licence or passport;
 - (b) a student card issued by a tertiary education institution (including a photograph);
 - (c) a Centrelink pension, benefit or health care card;
 - (d) a full birth certificate (an extract is insufficient); or
 - (e) a document that is recognised as a proof of identity under Commonwealth, state or territory law.'Category B document' means any one of the following documents:
 - (a) a credit, debit or automated teller machine (ATM) card including the phone purchaser's name and signature;
 - (b) a Medicare card in the phone purchaser's name;
 - (c) a passbook from a bank issued in the phone purchaser's name; or
 - (d) a fixed network telephone bill or local council rates statement issued in the last 12 months, showing the name and address of the phone purchaser.

What information does the dealer need to provide to the Administrator?

31. The Administrator is the primary contact for the Scheme.
32. You must quote your dealer registration number (if known) in correspondence with, and on tax invoices to the Department.
33. You will receive payment for a subsidy electronically and, accordingly, you must periodically provide up-to-date bank account details to the Administrator so that the Department can make the subsidy payments directly into your account on an ongoing basis.
34. You must, where you are registered for GST purposes, submit a tax invoice for the amount of the subsidy to the Department as soon as the sale of the phone has occurred, and in any case no later than thirty (30) days from the date of the sale. The invoice must be made out to the Department of Broadband, Communications and the Digital Economy, Satellite Phone Subsidy Scheme.
35. You may claim multiple subsidy payments on a single invoice. However, the phone purchaser's details and Approved Purchaser Number for each subsidy must be clearly identified.
36. The tax invoice must identify the retail price of the satellite mobile phone, separate from all other fees and charges.
37. In addition to the tax invoice, you must also provide the following documentation to the Department:
 - (a) a fully completed *Claim Form*;
 - (b) a copy of the sales invoice to the phone purchaser or other proof that the phone purchaser paid for the satellite mobile phone at the discounted price; and
 - (c) a copy of the Connection Confirmation or other document issued by the Service Provider that confirms the date of connection and the name of the person on the account.
38. An invoice will only be paid if the dealer's ABN and the business name cited on the invoice (or, if there is more than one business name cited, at least one of those names) are the same as the details listed on the Australian Business Register: www.abr.gov.au
39. You must retain records about transactions processed by you involving a subsidy for two years after the transaction occurs, and provide copies of these records to the Department where requested to do so.

When will the subsidy be reimbursed?

40. Once the Department receives a complete and correct tax invoice and the other required documentation, you should receive payment from the Department within 30 days.
41. Payment will be delayed where the documentation is incorrect or incomplete.
42. Payment may also be delayed during peak periods or due to other circumstances.
43. If you have contravened any of the requirements set out in these Guidelines or the *Dealer Agreement*, the Department may withhold payment of the subsidy, either temporarily or permanently.

CALCULATION OF SUBSIDY

44. You must calculate the subsidy amount in accordance with the rules set out in the Schedule.
45. Each *Approved Purchaser Form* will identify the relevant maximum subsidy level applicable to the phone purchaser.
46. You must not provide a subsidy in excess of the maximum level specified on the *Approved Purchaser Form*.

Miscalculations

47. The Department accepts no responsibility for any miscalculation of the subsidy amount by you.

Availability of funds

48. The provision of a subsidy is dependent up on the availability of funds.
49. The maximum amount of the subsidy remains at the discretion of the Department.

Commencement and closing dates of Scheme

50. The commencement date for the Scheme is 5 March 2009.
51. The closing date for the Scheme is 30 June 2013.

Submission of *Claim Forms* and tax invoices

52. All original tax invoices must be submitted to the Department for payment as soon as the phone sale is made.
53. The Department will accept faxed or emailed invoices and *Claim Forms*.

FURTHER INFORMATION

The Administrator
Satellite Phone Subsidy Scheme
Department of Broadband, Communications and the Digital Economy
GPO Box 2154
Canberra ACT 2601

Phone: 1800 674 058 (free call from a fixed phone)

Fax: 02 6271 1078

Email: satphone@dbcde.gov.au

Website: www.dbcde.gov.au/satphone

SCHEDULE: CALCULATING THE SUBSIDY

1. Registered dealers must use the relevant formula below to calculate the level of subsidy for each phone purchaser. The *Approved Purchaser Form* and *Claim Form* will identify the relevant formula to be used by the dealer to calculate the subsidy.

Formula for phone purchases approved under the Scheme for the period 5 MARCH 2009 to 30 JUNE 2013

2. The **maximum amount of the subsidy** depends upon the principal address of the phone purchaser and **will be specified on the *Approved Purchaser Form* and the *Claim Form***. There are two levels of subsidy available:
 - (a) For applicants with a **principal place of residence or a business operating address in an area without terrestrial mobile phone coverage**, the amount of the subsidy equals: **retail price of phone multiplied by '85 per cent' (up to a maximum of \$1000 including GST)**.
 - (b) For other applicants who spend more than 180 days (in the two years following the date the phone was purchased) in such areas, the amount of the subsidy equals: **retail price of phone multiplied by '50 per cent' (up to a maximum of \$700 including GST)**.

EXCLUSIONS

3. The dealer must not include in the calculation of the subsidy any:
 - (a) plan costs;
 - (b) the cost of any accessories (e.g. car kits);
 - (c) insurance costs;
 - (d) termination charges; or
 - (e) network charges.