
STATUTORY INSTRUMENTS

2006 No. 1806

The Wireless Telegraphy (Licence Award) (No. 2) Regulations 2006

PART 4

PROCEDURE WHERE THERE IS ONLY ONE BIDDER

Licence selection menu

12.—(1) Where there is only one bidder, OFCOM shall give notice to that bidder of the day by which that bidder must —

- (a) deliver to OFCOM a licence selection menu in the form set out in Schedule 4, completed in accordance with paragraph (2) and signed on its behalf by two authorised persons; and
- (b) pay into OFCOM's bank account with accompanying information which identifies the bidder, a sum determined in accordance with paragraph (4).

(2) The bidder must select one of the licences (and not more than one) listed on the licence selection menu.

(3) The licence fee shall be —

- (a) where the bidder has selected a licence which authorises use of frequencies comprising one frequency lot, fifty thousand pounds;
- (b) where the bidder has selected a licence which authorises use of frequencies comprising any two frequency lots, one hundred thousand pounds;
- (c) where the bidder has selected a licence which authorises use of frequencies comprising any three frequency lots, one hundred and fifty thousand pounds; and
- (d) where the bidder has selected a licence which authorises use of frequencies comprising all four frequency lots, two hundred thousand pounds.

(4) The sum which that bidder shall pay to OFCOM shall be —

- (a) where the initial deposit has not been forfeited in accordance with regulation 27, a sum equal to the licence fee less the initial deposit; and
- (b) where the initial deposit has been so forfeited, a sum equal to the licence fee.

(5) If the bidder fails to notify OFCOM of its licence selection or fails to pay OFCOM the required sum in accordance with this regulation it shall —

- (a) not be entitled to the grant of a licence; and
- (b) not receive a refund of its initial deposit, which shall (where it has not already been forfeited under regulation 27) be forfeited.

Grant of licence

13. Where OFCOM have received from the bidder a licence selection menu completed in accordance with regulation 12 and the sum determined in accordance with regulation 12(4) by the time specified, OFCOM shall grant the bidder the licence selected on the licence selection menu.

Completion of the award process

14. After the grant of a licence, OFCOM shall complete the award process by —
- (a) publishing on their internet website the identity of the person to whom a licence has been granted, the frequency lots in respect of which the licence was granted and the total licence fee paid; and
 - (b) refunding to applicants who were not qualified, or withdrew in accordance with regulation 10, the initial deposits (where such deposits have not already been forfeited under regulation 27) but not any interest which has accrued on the deposits.