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STATUTORY INSTRUMENTS

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**2012 No. 2817**

**The Wireless Telegraphy (Licence Award) Regulations 2012**

**PART 2**

**APPLICATION STAGE**

**Applications for the grant of a licence**

**3.** Applications for the grant of a licence shall only be made in accordance with the procedure set out in these Regulations.

**Application**

**4.—(1)** Only a body corporate may apply to OFCOM for a licence.

(2) A body corporate may only make one application.

(3) To apply for a licence, a body corporate must—

(a) on the day specified by OFCOM for receipt of applications, deliver to OFCOM at Riverside House, 2a Southwark Bridge Road, London SE1 9HA within the times on that day specified by OFCOM a sealed envelope containing—

(i) a document containing the application information required by, and the warranty set out in, Schedule 4, completed in respect of the applicant and signed on its behalf by two authorised persons;

(ii) for each person, not being an associate of the applicant, which the applicant wishes to join its applicant group, a document in the form set out in Schedule 5 which has been—

(aa) completed by the applicant and signed on its behalf by two authorised persons; and

(bb) completed by and signed by or on behalf of the person in respect of whom that document is completed;

(iii) a document setting out the details of the existing spectrum holdings of—

(aa) the applicant;

(bb) each other member of its applicant group;

(cc) each person in whom the applicant has a material interest;

(dd) each person in whom any other member of its applicant group has a material interest;

(ee) any person (“third party”) who has entered into a contract or arrangement with the applicant (or with any other member of its applicant group or any person in whom the applicant or any other member of its applicant group has a material interest) to acquire rights under a licence granted pursuant to the award process;

- (ff) any person who has a material interest in any such third party;
  - (gg) any person in whom a person referred to in sub-paragraph (ff) has a material interest; and
  - (hh) any person in whom any such third party has a material interest; and
- (b) by a deadline specified by OFCOM, pay into OFCOM's bank account by a same day electronic transfer, with accompanying information which identifies the applicant, an initial deposit of one hundred thousand pounds.
- (4) If the applicant wishes to bid in the opt-in round it must deliver to OFCOM in the sealed envelope a statement in writing that it wishes to participate in the opt-in round.
- (5) OFCOM shall publish the day, times and deadline on their internet website.
- (6) "Existing spectrum holdings" means—
- (a) any authorisation to establish or use a wireless telegraphy station, or to install or use wireless telegraphy apparatus, under a wireless telegraphy licence which relates to any of the frequencies in the frequency bands listed in Schedule 3; and
  - (b) any contract or arrangement under which such an authorisation is to be acquired.
- (7) The details of existing spectrum holdings that are required are—
- (a) the wireless telegraphy licence number; and
  - (b) the frequencies.