STATUTORY INSTRUMENTS

2012 No. 2817

The Wireless Telegraphy (Licence Award) Regulations 2012

PART 4

BIDDING PROCEDURE

CHAPTER 15

Grant Stage

Procedure where the amount of a winning bidder's deposit is less than the licence fee

109.—(1) Where, after completion of the assignment stage, the total amount a winning bidder has on deposit at that time is an amount that is less than the amount of the winning bidder's licence fee calculated in accordance with regulation 108, the bidder must by a deadline specified by OFCOM pay into OFCOM's bank account by a same day electronic transfer, with accompanying information which identifies the bidder, a sum in pounds calculated in accordance with paragraph (2).

(2) The sum which the bidder must pay to OFCOM shall be the difference between the amount of the winning bidder's licence fee calculated in accordance with regulation 108 and the amount the bidder has on deposit.

(3) Where a bidder has paid such sum by the deadline, OFCOM shall grant the bidder a licence authorising the use of—

(a) the frequencies that were assigned to the bidder under Chapter 11 of this Part; and

(b) the frequencies corresponding to the assignment stage options for which the bidder made winning assignment stage bids.

(4) Where a bidder has not paid such sum by the deadline, the bidder shall not be entitled to the grant of a licence under these Regulations and shall not receive a refund of any sum which the bidder has paid as a deposit under the Regulations which shall (where not already forfeited) be forfeited, together with any interest which has accrued on the deposit.