
STATUTORY INSTRUMENTS

2020 No. 1199

The Wireless Telegraphy (Licence Award) Regulations 2020

PART 6

Assignment stage

CHAPTER 8

Procedure for bidding in the assignment stage

Notice to bidders before the assignment stage round

77. Before the start of the assignment stage round, OFCOM shall notify each bidder that may make an assignment stage bid in the assignment stage round of—

- (a) the 3.6 GHz assignment stage options, 700 MHz individual frequency lot assignment stage options and the 700 MHz paired frequency lot assignment stage options, that are available to that bidder in the assignment stage round; and
- (b) the date on which, and the times on that date within which, the assignment stage round will take place.

Submission of assignment stage form to OFCOM

78.—(1) A bidder must submit the completed assignment stage form to OFCOM by using the electronic auction system, except as provided for in regulation 79.

(2) The completed assignment stage form must be received by OFCOM by the time notified to bidders under regulation 77 as the end of the assignment stage round.

Alternative method for submission of assignment stage form

79.—(1) Where OFCOM are satisfied that a bidder is unable to submit an assignment stage form by using the electronic auction system because of technical failure (or an event or circumstance with similar effect on the bidder's ability to use the electronic auction system), OFCOM shall notify the bidder of an alternative method of submitting the assignment stage form and any requirements relating to the authentication of communications made by means of the alternative method.

(2) The bidder must submit the assignment stage form by means of the alternative method and must comply with any requirements which have been notified to it under paragraph (1) relating to the authentication of communications.

Incomplete or defective assignment stage form

80.—(1) Where, due to the manner of completion, an assignment stage form is incomplete or defective but OFCOM believe that they can ascertain the bidder's intention in relation to the making of assignment stage bids, OFCOM shall ask the bidder to confirm in a notice to OFCOM by a

deadline specified by OFCOM that OFCOM have correctly ascertained the bidder's intention in relation to the making of assignment stage bids.

(2) Where the bidder confirms in a notice given to OFCOM by the deadline which is signed by two authorised persons that OFCOM have correctly ascertained the bidder's intention, the assignment stage form in its entirety shall be accepted by OFCOM on that basis.

(3) Where the bidder does not give such confirmation, the assignment stage form in its entirety shall be rejected by OFCOM and none of the assignment stage bids made on that assignment stage form shall be valid, and regulations 70(5), 73(5) and 76(5) shall apply.

Required assignment stage deposit

81.—(1) A further sum in pounds must be paid into OFCOM's bank account, with accompanying information which identifies the bidder, by a deadline specified by OFCOM (the "required assignment stage deposit").

(2) The required assignment stage deposit shall be an amount such that the total amount that the bidder has on deposit is not less than the amount which is the sum of—

- (a) the amount which is the bidder's total base price for its winning principal stage bids;
- (b) the amount which is the bidder's highest 700 MHz individual frequency lot assignment stage bid for a 700 MHz individual assignment stage option;
- (c) the amount which is the bidder's highest 700 MHz paired frequency lot assignment stage bid for a 700 MHz paired frequency lot assignment stage option; and
- (d) the amount which is the bidder's highest 3.6 GHz assignment stage bid for a 3.6 GHz assignment stage option.