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STATUTORY INSTRUMENTS

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**2020 No. 1199**

**The Wireless Telegraphy (Licence Award) Regulations 2020**

**PART 9**

**Grant Stage**

**CHAPTER 1**

Licences available, the determination of licence fees and the particular frequencies

**Interpretation**

**107.** In these Regulations—

- (a) a “3.6 GHz licence” is a licence that authorises the use of particular frequencies corresponding to a block of such number of 3.6 GHz lots as that bidder has been assigned in accordance with these Regulations; and
- (b) a “700 MHz licence” is a licence that authorises the use of particular frequencies corresponding to a block or pair of blocks (as the case may be) of such number of 700 MHz individual frequency lots and such number of 700 MHz paired frequency lots as that bidder has been assigned in accordance with these Regulations.

**Determination of licences, licence fees and frequencies associated with particular licences**

**108.** After notification of the results of the assignment stage under regulation 106 OFCOM shall determine—

- (a) the licences which may be granted; and
- (b) for each licence—
  - (i) the licence fee payable to OFCOM; and
  - (ii) the particular frequencies.

**Licences which may be granted under this award process**

**109.** The licences which may be granted to a bidder under this award process are—

- (a) for a bidder which won 3.6 GHz lots, a 3.6 GHz licence;
- (b) for a bidder which won—
  - (i) 700 MHz individual frequency lots;
  - (ii) 700 MHz paired frequency lots; or
  - (iii) both 700 MHz individual frequency lots and 700 MHz paired frequency lots, a 700 MHz licence.

**Licence fee payable by a winning bidder for a 3.6 GHz licence**

110. The licence fee payable by a winning bidder for a 3.6 GHz licence shall be an amount equal to the sum of—

- (a) that bidder's total 3.6 GHz base price; and
- (b) that bidder's 3.6 GHz lot additional price (if any).

**Licence fee payable by a winning bidder for a 700 MHz licence**

111. The licence fee payable by a winning bidder for a 700 MHz licence shall be an amount equal to the sum of—

- (a) that bidder's total 700 MHz individual frequency lot base price;
- (b) that bidder's total 700 MHz paired frequency lot base price;
- (c) that bidder's 700 MHz individual frequency lot additional price (if any); and
- (d) that bidder's 700 MHz paired frequency lot additional price (if any).

**Particular frequencies to be included in 3.6 GHz licence granted to a winning bidder**

112.—(1) Where a winning bidder won 3.6 GHz lots in accordance with regulation 97 or 98 the 3.6 GHz licence granted to that bidder shall authorise the use of the frequencies corresponding to the particular numbered 3.6 GHz lots for which the bidder made the winning 3.6 GHz assignment stage bid.

(2) Where a winning bidder was assigned 3.6 GHz lots in accordance with regulation 96 the 3.6 GHz licence granted to that bidder shall authorise the use of the frequencies corresponding to the particular numbered 3.6 GHz lots assigned in accordance with the valid full adjacency agreement.

**Particular frequencies to be included in 700 MHz lot licence granted to a winning bidder**

113. Where a winning bidder won 700 MHz individual frequency lots or 700 MHz paired frequency lots, any 700 MHz licence granted to that bidder shall authorise—

- (a) where that bidder made a winning 700 MHz individual frequency lot assignment stage bid, the frequencies corresponding to the 700 MHz individual frequency lot assignment stage option for which the bidder made that winning bid; and
- (b) where that bidder made a winning 700 MHz paired frequency lot assignment stage bid, the frequencies corresponding to the 700 MHz paired frequency lot assignment stage option for which the bidder made that winning bid.