

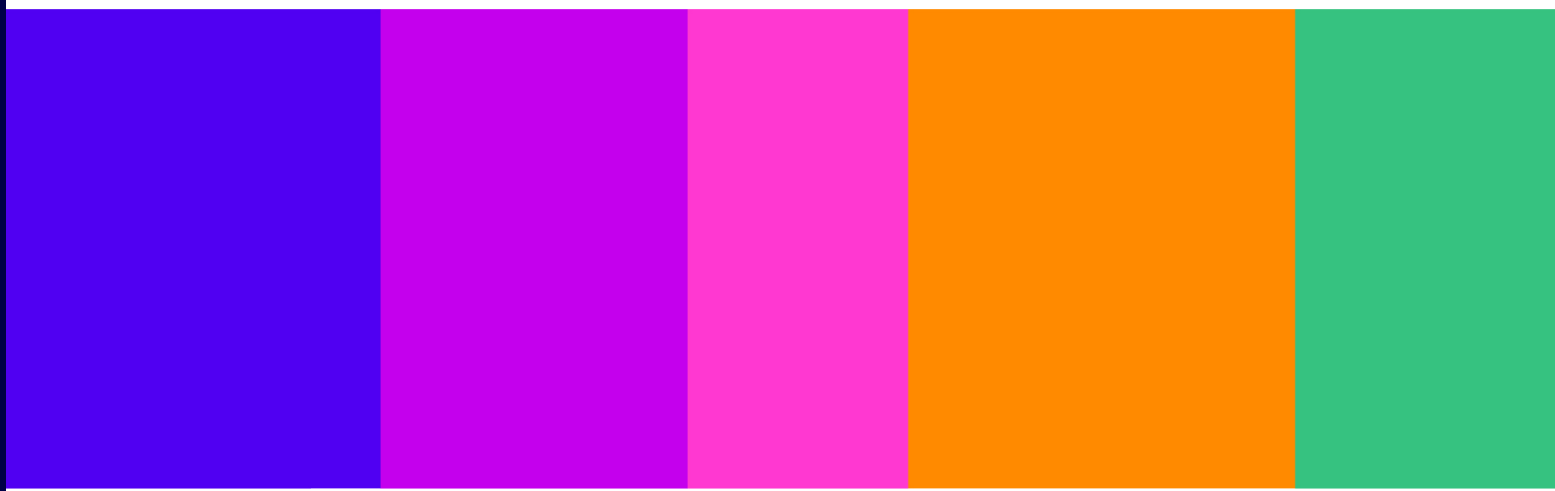
Notice of amendments to regulations

Ofcom's decision to implement changes to
spectrum trading and register rules

Statement

Published 16 May 2025

For more information on this publication, please visit [ofcom.org.uk](https://www.ofcom.org.uk)



Contents

Section

1. Overview.....	3
2. Background.....	4
3. Our decision to make the Regulations	6

Annex

A1. Final Draft of the Regulations.....	8
---	---

1. Overview

- 1.1 This document sets out Ofcom’s decision to make the Wireless Telegraphy (Spectrum Trading and Register) (Amendment) Regulations 2025 (the “Regulations”). This decision follows our Statutory Notice entitled “[Notice of proposed regulations](#)” published on 31 October 2024 (the “Notice”).
- 1.2 The Regulations come into force on 2 June 2025 and will amend the Wireless Telegraphy (Spectrum Trading) Regulations 2012 and the Wireless Telegraphy (Register) Regulations 2012 to implement previous Ofcom policy decisions. The Regulations change which wireless telegraphy licences are tradable under our spectrum trading rules, and which can be included in Ofcom’s [public registers](#) about spectrum trades (the Transfer Notification Register – TNR) and licences (the Wireless Telegraphy Register – WTR).

What we have decided – in brief

This statement confirms that, following publication of our [Notice](#), we have decided to make new regulations which will amend the existing Wireless Telegraphy (Spectrum Trading) Regulations 2012 and the Wireless Telegraphy (Register) Regulations 2012. The Regulations will come into force on 2 June 2025 and make the following changes:

- Allow for the total transfer of rights and obligations, both outright and concurrent, conferred by ‘Shared Access’ licences (including in the 2.3 GHz, 26 GHz and 40 GHz frequency bands), and enable Ofcom to include relevant information relating to these licences and transfers in its WTR and TNR;
 - Allow for rights and obligations conferred by Point-to-Point Fixed Links licences in the 7900-8400 MHz band to be transferred, and enable Ofcom to include relevant information relating to these licences and transfers in its WTR and TNR;
 - Remove the 64-66 GHz band for Self-Coordinated Links from the Trading Regulations and Register Regulations as the licence is no longer available for equipment operating in the band.
- 1.3 Before deciding to make the Regulations, in accordance with the requirements of section 122(4) and (5) of the WT Act we published the Notice of our proposal to make them. The Notice also contained a draft of the Regulations (the “Proposed Regulations”) and we invited comments from stakeholders on whether the Proposed Regulations properly gave effect to the relevant policy decisions previously consulted upon.
 - 1.4 Stakeholders had until Thursday 23 January 2025 to make any comments. We received no stakeholder responses to the Notice. We have therefore decided to adopt the Regulations as proposed. An unofficial copy of the Regulations is set out in Annex 1 for indicative purposes, in the form submitted for registration and publication after they have been made by Ofcom. Copies of the Regulations can be obtained [here](#).

2. Background

Introduction

- 2.1 Ofcom is responsible for authorising and managing use of radio spectrum in the UK. This is a limited and valuable resource, and one of our main duties is to secure its optimal use.
- 2.2 In managing the use of spectrum in the UK, Ofcom either authorises its use through a wireless telegraphy licence granted in accordance with section 8 of the Act, or by making its use licence exempt. It is unlawful and an offence to install or use wireless telegraphy apparatus without holding a licence granted by Ofcom unless the use of such equipment is exempted.
- 2.3 Ofcom has a range of powers and duties to help it secure the optimal use of spectrum. These include requirements for spectrum trading and the establishment of a public register containing relevant information about licences and licence transfers.

Statutory Notice

- 2.4 Before making any regulations, we are required by section 122(4) of the WT Act to give notice of our proposal to do so. Under section 122(5), the notice must state that Ofcom proposes to make the regulations in question, set out their general effect, specify an address from which a copy of the proposed regulations or order may be obtained, and specify a time before which any representations with respect to the proposal must be made to Ofcom. That time must be at least one month beginning with the day after that on which the notice is given or published.
- 2.5 The Notice proposed changes relevant to:
- Shared Access licences;
 - Self-coordinated links in the 64-66 GHz band; and
 - Point to point fixed links.

Shared Access licences

- 2.6 The Notice proposed to put in place the necessary regulations to enable all of the spectrum bands authorised under the Shared Access licence to be traded. This followed our 2019 [statement](#) which confirmed that we would create a Shared Access framework to meet emerging demand for localised wireless connectivity to support innovative and new uses of spectrum.
- 2.7 In 2023, we made a [decision](#) to include additional spectrum bands in the Shared Access licence covering the 26 GHz and 40 GHz band. In our 2024 [statement](#) we added a further 20 MHz of spectrum in the 2.3 GHz band to the list of spectrum authorised under the Shared Access Framework.
- 2.8 Specifically, the proposed regulations would enable an outright and concurrent total transfer of rights and obligations conferred by Shared Access licences in the following bands:
- a) 1800 MHz band (1781.7-1785 MHz paired with 1876.8-1880 MHz);
 - b) 2.3GHz band (2320-2340 MHz and 2390-2400 MHz);

- c) 3.8-4.2 GHz;
- d) 26 GHz band (24.45-27.5 GHz); and
- e) 40 GHz band (40.5-43.5 GHz)

Self Coordinated Links in the 64-66 GHz band

- 2.9 The Notice proposed to remove the 64-66 GHz band from the list of tradeable frequencies for the Self-Coordinated Link licence product because this licence is not available for equipment operating in the band. This reflects our November 2018 [decision](#).

Point to Point Fixed Links

- 2.10 The Notice proposed to amend the Wireless Telegraphy (Spectrum Trading) Regulations 2012 regarding Point to Point Fixed Links to include the 7900-8400 MHz band. This aligns with our general approach to fixed links, which have been tradeable since our [2004 decision](#).

Wireless Telegraphy Register

- 2.11 The Notice also proposed to amend the Register Regulations to reflect the changes made to the Trading Regulations. Specifically, by: a) adding all Shared Access licences; b) removing 64-66 GHz Self Coordinated link licences; and c) adding point to point fixed link licences in the 7900-8400 MHz band. Amongst other things, this would enable Ofcom to publish relevant information when Shared Access licences are granted or when rights and obligations under such licences are traded.

Comments and representations

- 2.12 We published the Notice on 31 October 2024. The Notice included a copy of the Proposed Regulations. Stakeholders had until 23 January 2025 to make any comments. In particular, we asked the following:

Question 1: Do you have any comments on our proposal to amend the Trading and Register Regulations, including on the drafting of the Proposed Regulations? Please give reasons supported by evidence for your views.

Question 2: Do you have any comments relating to any other matter in this Notice?

- 2.13 We received no stakeholder responses to the Notice, and therefore we have proceeded with making of the Regulations as set out in the proposed Notice.

3. Our decision to make the Regulations

Scope of the Regulations

Ofcom's decision

- 3.1 On 12 May 2025 Ofcom made the Regulations as proposed.
- 3.2 This followed the October 2024 consultation, in which we published a Notice with a draft of the proposed regulation and our impact assessments (Annex 2). We did not receive any responses from stakeholders.
- 3.3 Our decision is based on the rationale set out in the Notice and takes account of the absence of stakeholder comments on the Notice and impact assessments. It is intended to ensure that the Regulations will correctly implement Ofcom policy decisions. As set out in the Impact Assessments the Regulations are not expected to negatively impact any groups sharing protected characteristics or using the Welsh language.
- 3.4 The Regulations come into force on 2 June 2025. The general effect of the Regulations is summarised below.

Extent of application and entry into force of the Regulations

- 3.5 The Regulations will apply in the United Kingdom but not the Channel Islands or the Isle of Man.
- 3.6 The Regulations will come into force on 2 June 2025.
- 3.7 An unofficial copy of the Regulations is set out in Annex 1 for indicative purposes, in the form submitted for registration and publication as they have been made by Ofcom.

General effect on the Trading Regulations

- 3.8 Regulation 2 amends the Trading Regulations. In particular, it:
 - a) amends the frequencies listed in Part 10 of Schedule 2. This makes the rights and obligations conferred by Point to Point Fixed Link licences in the 7900-8400 MHz band transferable (both outright or concurrent total or partial transfer of rights), and removes Self Coordinated Link licences in the 64-66 GHz band from the Trading Regulations; and
 - b) inserts a new Part 22 to Schedule 2. This makes the rights and obligations conferred by the Shared Access licences in the frequency bands set out in Column 2 transferable (by an outright or concurrent total transfer of rights).

General effect on the Register Regulations

- 3.9 Regulation 3 amends the Register Regulations. In particular, it:
 - a) amends the frequencies listed in Part 1 of Schedule 2. This removes Self Coordinated Links in the 64-66 GHz band from the Register Regulations;

- b) amends the frequencies listed in Part 3 of Schedule 2. This adds Point to Point Fixed link licences in the 7900-8400 MHz band to the Register Regulations, thereby enabling relevant information about those licences to be published by Ofcom electronically in its on-line registers, the WTR and TNR; and
- c) adds a new Part 15 to Schedule 2. This adds the Shared Access licence classes to the Register Regulations, thereby enabling relevant information about those licences to be published by Ofcom in the WTR and TNR.

The overview section in this document is a simplified high-level summary only. The decisions we have taken and our reasoning are set out in the full document.

A1. Final Draft of the Regulations

A1.1

STATUTORY INSTRUMENTS

2025 No. 0000

ELECTRONIC COMMUNICATIONS

**The Wireless Telegraphy (Spectrum Trading and Register)
(Amendment) Regulations 2025**

Made - - - -

12th May 2025

Coming into force

2nd June 2025

The Office of Communications (“OFCOM”) makes the following Regulations in exercise of the powers conferred by sections 30(1) and (3), section 31(1) and section 122(7) of the Wireless Telegraphy Act 2006⁽¹⁾⁽²⁾ (the “Act”).

Before making these Regulations, OFCOM has given notice of its proposal to do so in accordance with section 122(4) of the Act, published notice of its proposal in accordance with section 122(4)(b) of the Act, and has considered the representations made to it before the time specified in the notice in accordance with section 122(4)(c) of the Act.

Citation and commencement

1.—(1) These Regulations may be cited as the Wireless Telegraphy (Spectrum Trading and Register) (Amendment) Regulations 2025 and come into force on 2nd June 2025.

(2) These Regulations shall not extend to the Channel Islands or Isle of Man.

Amendment of the Wireless Telegraphy (Spectrum Trading) Regulations 2012

2.—(1) The Wireless Telegraphy (Spectrum Trading) Regulations 2012⁽³⁾ are amended as follows.

(2) In regulation 4 (transfer of all the rights and obligations arising by virtue of a wireless telegraphy licence), paragraph 3, for “Colum 1 of each of Parts 3 to 21” substitute “Column 1 of each of Parts 3 to 22”.

⁽¹⁾ 2006 c.36.

⁽²⁾ Section 30(1) and (3), section 31(1) and section 122(7) were extended to the Bailiwick of Guernsey by article 2 of the Wireless Telegraphy (Guernsey) Order 2006 (S.I. 2006/3325). Section 31(1) and section 122(7) were extended to the Bailiwick of Jersey by article 2 of the Wireless Telegraphy (Jersey) Order 2006 (S.I. 2006/3324); and to the Isle of Man by article 2 of the Wireless Telegraphy (Isle of Man) Order 2007 (S.I. 2007/278).

⁽³⁾ S.I. 2012/2187, as amended by S.I. 2015/1338 and S.I. 2019/950.

(3) Schedule 2 (licence classes and frequency bands) is amended in accordance with paragraphs (4) and (5).

(4) In Part 10, in column 2—

(a) for “7425-7900 MHz” substitute “7425-8400 MHz”; and

(b) omit “64-66 GHz”.

(5) After Part 21, insert—

PART 22

<i>Column 1</i>	<i>Column 2</i>
Licence class	Frequency bands
Shared Access (Low Power)	1781.7-1785 MHz
Shared Access (Medium Power)	1876.8-1880 MHz
	2320-2340 MHz
	2390-2400 MHz
	3.8-4.2 GHz
	24.45-27.5 GHz
	40.5-43.5 GHz

Amendment of the Wireless Telegraphy (Register) Regulations 2012

3.—(1) The Wireless Telegraphy (Register) Regulations 2012⁽⁴⁾ are amended as follows.

(2) In regulation 4 (relevant information), in paragraph (1)(a), for “14” substitute “15”.

(3) In Schedule 2 (classes and frequency bands)—

(a) in Part 1, in Column 2, omit “64-66 GHz”;

(b) in Part 3, in Column 2, for “7425-7900 MHz” substitute “7425-8400 MHz”; and

(c) after Part 14, insert—

PART 15

<i>Column 1</i>	<i>Column 2</i>
Class	Frequency bands
Shared Access (Low Power)	1781.7-1785 MHz
Shared Access (Medium Power)	1876.8-1880 MHz
	2320-2340 MHz
	2390-2400 MHz
	3.8-4.2 GHz
	24.45-27.5 GHz
	40.5-43.5 GHz

Date _____

Name
Group Director, Spectrum Group
For and on behalf of the Office of Communication

⁽⁴⁾ S.I. 2012/2186, as amended by S.I. 2013/640, S.I. 2015/1400, S.I. 2018/90 and S.I. 2019/952.