

Spectrum Trading (outright transfer) Application form – OfW437

Guidance for completing this form

Who should use this form?

You may use this form for an outright transfer of the rights and obligations of a licence regulated by the Wireless Telegraphy (Spectrum Trading) Regulations 2012. The regulations set out the classes of licences for which may be traded and the process to be followed.

This involves the original licence holder giving up all their existing spectrum rights. This will involve the original licence being surrendered and a new licence issued to the transferee.

Conditions

Under the Wireless Telegraphy Act 2006, you must have a licence issued by Ofcom before you establish or use any radio equipment.

Communication preference

Where possible, all correspondence will be sent to licensees electronically. If you do not wish to receive documents electronically, you must opt out by ticking the box for the transferee.

Completing this form

When completing this application please refer to all the application notes and complete in dark ink in BLOCK CAPITALS. All fields are mandatory unless stated otherwise.

Important

When making a new application, you are advised not to commit to the purchase of the equipment until you have received your licence documentation.

We make regulations, which set out the fees for licences to use equipment issued under the Wireless Telegraphy Act. Additionally, information can be found on the Ofcom website detailing how to calculate your licence fee. www.ofcom.org.uk/_data/assets/pdf_file/0022/36823/nonexcelguide.pdf.

How we use your data

We require this information to carry out our licensing duties under the Wireless Telegraphy Act.

Please see [Ofcom's General Privacy Statement](#) for further information about how Ofcom handles your personal information and your corresponding rights.

For help contact:

Ofcom
FAO Spectrum Licensing
PO Box 1285
Warrington
WA1 9GL

Email: spectrum.licensing@ofcom.org.uk
Website: www.ofcom.org.uk/manage-your-licence
Telephone: 020 7981 3131

General guidelines on Ofcom's policies and procedures relating to spectrum trading can be found in the [Trading Guidance notes \(OfW513\)](#).

Difference between outright and concurrent trade

In an outright transfer, the rights and obligations of the person making the transfer become the rights and obligations of the transferee to the exclusion of the person making the transfer. After such a transfer, the original licensee (that traded the licence) no longer has any rights and/or obligations under the traded licence. You should use this application form for an outright trade.

In a concurrent transfer, the transferred rights and obligations become rights and obligations of the transferee while continuing, concurrently, to be rights and obligations of the person making the transfer. Such a transfer enables licensees to share rights to use spectrum.

The number of concurrent licence holders is not limited in the regulations, and so joint holdings by three or more licensees might be possible. You should use application form OfW610 for a concurrent trade.

What types of licence can be traded outright?

The following products can be traded:

Licence sector	Licence class
Business Radio	Technically Assigned
	Area Defined
	Simple UK
	Simple Site
	Suppliers
Maritime	Coastal Station Radio (UK)
	Coastal Station Radio (International)
	Coastal Station Radio (UK) Area Defined
	Coastal Station Radio (international) Area Defined
	Coastal Station Radio (Marina)
	Coastal Station Radio (Training School)
	Differential Global Positioning System (DGPS)
	Maritime Radio (Suppliers and Demonstration)
Satellite	Permanent Earth Station (PES)
	Transportable Earth Station (TES)
	Satellite Earth Station network
	Satellite (Earth Station) (Non-Fixed Satellite Service)
	Satellite (Earth Station) (Non-Geostationary Satellite Service)
	Global Navigation Satellite System (GNSS) Repeaters
Fixed	Scanning Telemetry
	Point to Point Fixed Links
	Self-Co-ordinated Fixed Links

Licence sector	Licence class
Spectrum Access and Public Wireless Networks	3.6 GHz (3600-3680 MHz & 3925-4009 MHz)
	412-414 with 422-424 MHz
	542-550 MHz (Cardiff)
	703-733 MHz
	738-788 MHz
	791-821 MHz
	832-862 MHz
	880-960 MHz
	1452-1492 MHz
	1710-1876.7 MHz
	1785-1805 MHz (NI)
	1899.9-2170 MHz
	2350-2390 MHz
	2500-2690 MHz
3410-3600 MHz	
3680-3800 MHz	
10, 28, 32, 40 GHz	
Science and Technology	High Duty Cycle Network
	Relay Points

Changes

The licensee must give prior or immediate notice to Ofcom of any change in details of the name and/or address recorded on page 1 of the licence.

Fees

The licensee must pay to Ofcom the relevant fee as provided in section 12 of the Wireless Telegraphy Act and the Regulations made thereunder:

- (a) on or before the date of issue of the licence, and/or
- (b) on or before the fee payment date, or on or before such dates as shall be notified in writing to the licensee, failing which Ofcom may revoke the licence.

Fees will be payable when the licence fees are due for renewal.

Radio interference

Since the operation of a new system may cause interference to existing users, your supplier may consider it necessary to carry out compatibility tests before you apply for your licence. Once installed and operating, your system must not cause undue interference to any other wireless telegraphy equipment. If it does, you may need to stop operating until the cause of the interference has been rectified. Ofcom cannot offer any protection against interference radiated by other authorised services, or by industrial, scientific, and medical equipment; however, if you do experience interference, please contact us.

Access and Inspection

The licensee shall permit representatives of Ofcom:

- (a) to have access to the Radio Equipment; and
- (b) to inspect the licence and the Radio Equipment at all reasonable times (or when, in the opinion of Ofcom, an urgent situation exists, at any time) for verifying compliance with the terms of this licence.

The remainder of these guidance notes provide section by section guidance on the information requested within this application form:

Section A – Details of current licence and licence holder

Question A.1 – Existing customers

You should write your customer reference number in the box provided. Your customer reference number will be quoted in licence documentation or correspondence that we have previously sent to you.

Question A.2 – Licence contact details

Please provide the licence contact details for the current licence(s) to be transferred.

Question A.3 – Licence classes and licence numbers to be transferred

Please provide details of the licence class(es) and licence number(s) to be transferred.

Section B – Details of transferee

Question B.1 – Existing customers

If you already hold an Ofcom radio licence, you should write your customer reference number in the box provided. Your customer reference number will be quoted in licence documentation or correspondence that we have previously sent to you.

Question B.2 – New customers

A licence can only be issued to a person with separate legal personality. This can be an individual or a business or other body with its own legal personality. You should complete the appropriate option provided. For a business partnership, limited partnership, trust, syndicate, club, or society without any separate personality, an individual will need be nominated as the licensee – they will hold the licence as a nominated trustee on behalf of the body and be legally responsible for compliance of all terms of the licence.

Question B.3 – Registered charities

Registered charities may be eligible for a 50% reduction in licence fees if they have as the objective the safety of human life in an emergency.

Question B.4 – Licensee contact details

If you are applying on behalf of a Limited Company, a Public Limited Company or a Registered Charity, the registered address of the organisation must be used. If you are applying as an individual or on behalf of a non-legal body, enter your main address. We will send licensing documents and correspondence to both contacts entered in question B.4 and B.5.

Question B.5 – Licence contact details

If the licensee is a business or other body with its own legal personality, you must provide the contact details for an individual that will be responsible for the licence in this section. You can also complete this section where the main point of contact that should receive licensing documentation and correspondence will be different to the licensee.

This individual will receive licensing documentation that does not relate to billing, invoicing, and account queries.

Note: Ofcom may notify licensees of proposals to vary or revoke licences by publishing a general notice on its website and may not individually contact licensees to inform them of our proposal. We therefore urge all licensees to subscribe to receive spectrum updates via email using the following link
<https://www.ofcom.org.uk/email-updates>

Question B.6 – Payment and billing contact

The payment (billing) contact may be different from either the licensee or licence contact. This will be the person who will receive the next payment request for the transferred licence(s) detailed against question A.3.

Section C – Declaration from current licence holder

The declaration must be completed by the current licence holder. If the licence being applied for on behalf of a body, we only require one signature but the individual signing the declaration should have the authority to bind the body.

This individual should be the person who will be responsible for the licence as named against the licence.

Section D – Declaration from transferee

The declaration must be completed for every application. If the licence being applied for on behalf of a body, we only require one signature but the individual signing the declaration should have the authority to bind the body.

This individual should be the person who will be responsible for the licence as named in question B.4 (with their contact details provided in question B.4) or identified in question B.5.

A. Details of current licence and licence holder

A.1 Customer Reference Number (for existing licensees only):

Now go to section A.3

A.2 Licensee contact details

- UK companies should use the registered address from [Companies House](#)
- UK registered charities should use the address from the [Charity Commission](#)

For all other Licensees, please use your main business address

Trading name or body on whose behalf the licence is being applied for (where applicable):

Address

Telephone

Mobile

Postcode

Email

Country

A.3 Licence class(es) and Licence number(s) to be transferred:

Licence class:	Licence number:
Licence class:	Licence number:
Licence class:	Licence number:
Licence class:	Licence number:
Licence class:	Licence number:

B. Details of transferee

B.1 Customer Reference Number (for existing licensees only):

Now go to section B.5

B.2 Licensee - answer one question only

Who is the licence to be issued to? A licence can only be issued to a person with separate legal personality. This can be an individual or a business or other body with its own legal personality and must be identified in B.2a, B.2b, B.2c or B.2d below.

This person is called the licensee and their contact details must be entered in question B.4. The licensee will be legally responsible for the use of the radio equipment and compliance with all terms of the licence.

Where the licensee is a business or other body with its own legal personality, you must provide the contact details of an individual that will be responsible for the licence in B.5. You can also complete B.5 where the main point of contact will be different to the licensee.

B.2a Individual or sole trader

If applying for a licence as an individual, please provide your name here.

If applying as a sole trader, please provide your name and the name of the company you are trading as.

B.2 (continued)

B.2b Business or other organisation

If applying for a licence as a registered company (UK or non UK based), limited liability partnership or Scottish partnership, please provide the full legal name of the company or partnership and company registration number. The name of the person who is responsible for the licence should be provided in B.5

Company registration number (if applicable)

B.2c Other legal body

If applying for a licence on behalf of another body with its own legal personality (such as a joint venture or statutory body), please provide the full legal name of the body. The name of person who is responsible for the licence should be provided in B.5.

Full name of the other legal body

Company registration number (if applicable)

B.2d Non-legal body or organisation

If applying for a licence on behalf of a non-legal body (such as a business partnership, limited partnership, trust, syndicate, club or society), please provide the full name of the nominated trustee that will be legally responsible for compliance with all the terms and conditions of the licence and the name of the body on whose behalf the licence is being applied for.

Name of nominated trustee

Name of non-legal body or organisation on whose behalf the licence is being applied for:

Company registration number (if appropriate)

B.3 If a registered charity, please answer this question

Does the registered charity have as its objective, the safety of human life in an emergency?

No

Yes (if yes, answer the following)

Full name of the registered charity

Charity registration number (if appropriate)

B.4 Licensee contact details

- UK companies should use the registered address from [Companies House](#)
- UK registered charities should use the address from the [Charity Commission](#)

For all other Licensees, please use your main business address

Trading name or body on whose behalf the licence is being applied for (where applicable):

Address

Telephone

Mobile

Postcode

Email

Country

Please tick here to receive documents by post instead of electronically.

B.5 Licence contact details (where different from above)

This is the person who will be Ofcom's main point of contact and will receive licensing documents.

These may include:

- Validation notice (reminder to keep licences up to date)
- Notice of proposed revocation (e.g., for non-payment)
- Revocation notice (where applicable)
- Surrender letters.

Name

Address

Telephone

Mobile

Postcode

Email

Country

Please tick here to receive documents by post instead of electronically.

B.6 Contact details for payments, billing or account queries (where different from above):

NB: This is the person who will receive invoices and reminders when payments are due.

Please do not include payment with this application, as you will be invoiced later.

Name

Address

Telephone

Mobile

Postcode

Email

Country

Please tick here to receive documents by post instead of electronically.

C. Declaration from current licence holder

The licence holder (and each concurrent licence holder, if any) hereby confirms that it has not requested Ofcom to revoke or vary the licence where that revocation or variation has not yet been made.

The licence holder (and each concurrent licence holder, if any) hereby warrants that it consents to the transfer detailed in this application.

The licence holder (and each concurrent licence holder, if any) indemnifies and holds harmless Ofcom from and against any loss, liability, damages, expenses, or costs (including legal costs and expenses on a solicitor/client basis) arising in connection with any inaccurate or misleading information contained in this application (other than in Section B) or with its consent to the transfer.

Please provide full name, signature, position in organisation (if applicable) and date to confirm that all the information you have provided is correct and complete to the best of your knowledge and belief at the date of this application, and that you understand and accept all the above points.

Full name

Signature of applicant

Position in organisation
(If applicable)

Date (DDMMYYYY)

D. Declaration from transferee

I understand and accept the following in relation to this application:

- I have the authority to make this application and sign this declaration in accordance with the appropriate section of our [Licensing Policy Manual](#).
- By signing this declaration, I confirm that the information I have provided is accurate to the best of my knowledge and I acknowledge that to make a false statement in support of this application may lead to the licence being refused or revoked.
- Ofcom will process personal data provided in this application in accordance with our [General Privacy Statement](#).

I understand and accept the following in relation to any licence that may be issued as a result of this application:

- Any correspondence related to the licence will be sent electronically to the relevant contact(s) identified in the application unless you have opted out of receiving any correspondence electronically. To change your communications options in the future, please contact Spectrum Licensing.
- I will immediately inform Ofcom if there are any changes to the name, email address, telephone number or postal address of any contact(s) identified in the application.
- I, or the body I represent (if any), is responsible for compliance with:
 - » all the terms and conditions of the licence (including in any schedule(s) to the licence and any applicable [general licence terms and conditions](#)); and
 - » the control and supervision of the radio equipment authorised by the licence and ensuring any third party in control of the radio equipment is aware of all the terms and conditions of the licence.
- I will immediately inform Ofcom if I need to vary my licence.
- A failure to comply with any of the above points may lead to the licence being revoked as well as other enforcement action including prosecution.

Please provide full name, signature, position in organisation (if applicable) and date to confirm that all the information you have provided is correct and complete to the best of your knowledge and belief at the date of this application, and that you understand and accept all the above points.

Full name

Signature of applicant

Position in organisation
(If applicable)

Date (DDMMYYYY)

Please immediately inform us if any of your contact details change in the future - a failure to do so, may result in your licence being revoked.

Where to send this form

If needed a member of the team will contact you to clarify any requirements of this application.

Ofcom
FAO Spectrum Licensing
PO Box 1285
Warrington
WA1 9GL

If you need assistance, please visit the Licensing help centre at ofcomforms.secure.force.com/formentry/SLEPQueryFlowFAQPage or email spectrum.licensing@ofcom.org.uk.

There is also information available on the Ofcom website at: www.ofcom.org.uk