

Notice of proposed regulations

Proposed changes to Ofcom's spectrum trading and register rules

Consultation

Published 31 October 2024

Closing date for responses: 23 January 2025



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1. Overview

- 1.1 This document consults and seeks representations on draft regulations entitled the ‘Wireless Telegraphy (Spectrum Trading and Register) (Amendment) Regulations 2024’ (the “Proposed Regulations”) which are intended to implement previous policy decisions.
- 1.2 If implemented, the Proposed Regulations would change which wireless telegraphy licences are tradable under our spectrum trading rules, and which can be included in Ofcom’s public register about spectrum trades and licences.
- 1.3 Spectrum trading is available to most (although not all) classes of licence issued by Ofcom under the Wireless Telegraphy Act 2006 (“WT Act”). Whilst licences granted under the WT Act may not be transferred, the rights and obligations conferred by a licence may be transferred to another person – who is issued a new licence – if Ofcom makes regulations to this effect. This process is known as ‘Spectrum Trading’.
- 1.4 We also maintain a [public register](#) about spectrum trades (the Transfer Notification Register (TNR)) and licences (the Wireless Telegraphy Register (WTR)). These registers cover a broad range of licence classes and facilitate spectrum trading by providing information about existing licences and proposed or completed transfers.

What we are proposing – in brief

We are proposing to make new regulations that would amend the existing Wireless Telegraphy (Spectrum Trading) Regulations 2012 and the Wireless Telegraphy Register Regulations 2012.

Specifically, the Proposed Regulations would:

- Allow for rights and obligations conferred by ‘Shared Access’ licences to be transferred (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.

- 1.5 In accordance with the requirements of the WT Act, this document gives notice of our intention to make the Proposed Regulations.
- 1.6 The Proposed Regulations would implement changes where Ofcom has previously made a policy decision. The focus of this consultation is therefore whether the Proposed Regulations correctly implement Ofcom’s policy decisions.
- 1.7 Comments on the Proposed Regulations are invited by **5pm on Thursday 23 January 2025**. Subject to consideration of responses, we intend to bring the final regulations into force 21 days after the publication of our final statement in Spring 2025. The Proposed Regulations are included in this document at Annex 1.

2. Notice

Introduction

- 2.1 This document gives notice of our proposal to make the Wireless Telegraphy (Spectrum Trading and Register) (Amendment) Regulations 2024 (the “Proposed Regulations”).
- 2.2 The Proposed Regulations would amend the:
- a) Wireless Telegraphy (Spectrum Trading) Regulations 2012 (the “Trading Regulations”); and
 - b) Wireless Telegraphy (Register) Regulations 2012 (the “Register Regulations”).
- 2.3 Before making any regulations under the WT Act, we are required to give notice of our proposal to do so. That 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 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 30 days beginning with the day after that on which the notice is given or published.
- 2.4 This consultation invites representations on the Proposed Regulations, a copy of which can be found in Annex 1.

Document structure

- 2.5 The remainder of the document is structured as follows:
- a) Section 3 summarises the relevant legal framework and provides background on the policy decisions to be implemented by the Proposed Regulations;
 - b) Section 4 sets out the general effect of the Proposed Regulations;
 - c) Annex 1 contains copies of the Proposed Regulations;
 - d) Annex 2 contains our impact assessments;
 - e) Annexes 3-5 provide information on our approach to consultations; and
 - f) Annex 6 contains the consultation questions.

Next steps

- 2.6 Following the publication of this consultation document, stakeholders are invited to provide their feedback on the Proposed Regulations. Those who wish to do so have until **5pm on Thursday 23 January 2025** to make representations. Subject to consideration of any representations, we expect to publish a statement confirming our final decision in Spring 2025, and to bring the regulations into force 21 days after the publication of our final statement.

3. Background to the Proposed Regulations

Relevant legal framework

- 3.1 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.
- 3.2 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.
- 3.3 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.

Spectrum trading

- 3.4 The holder of a licence under the WT Act cannot transfer its licence to another party. However, spectrum trading is a process that allows the holders of certain wireless telegraphy licences granted by Ofcom under section 8 of the WT Act to transfer or lease the rights to use spectrum to another party. Transfers are permitted only for those licences where Ofcom has made regulations under section 30 of the WT Act.
- 3.5 Section 30(2) of the WT Act provides that Ofcom may authorise a range of spectrum transfers. In particular, these may be: outright or concurrent; and total or partial.
 - a) 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.
 - b) 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.
- 3.6 As well as allowing parties to trade all the rights and obligations under a licence, the transfer of only a portion of the rights and obligations may be permitted in certain cases. This is referred to as a partial transfer.
- 3.7 Under section 30(4) and (5) of the WT Act, transfers that fail to comply with regulations under section 30 of the Act will be void.
- 3.8 When making regulations under section 30, section 122(4) of the WT Act requires Ofcom to give notice of our proposal to do so (see paragraph 2.3 above) and section 122(7) enables Ofcom to make different provisions for different cases and to make incidental provisions.

Wireless Telegraphy Register

- 3.9 Section 31 of the WT Act permits Ofcom by regulations to establish and maintain a register of relevant information about wireless telegraphy licences.
- 3.10 The types of information that may be relevant are set out in section 31(3) of the WT Act and include information relating to the grant, renewal, transfer, variation or revocation of a wireless telegraphy licence. However, Ofcom can include such information in the register if, and only if, it is prescribed by Ofcom in regulations.
- 3.11 Ofcom has made the Register Regulations and established the Wireless Telegraphy Act Register (WTR) and Transfer Notification Register (TNR), which provides information about who is licensed to operate services in specific frequencies or geographical areas.¹

Implementing changes arising from Ofcom's previous decisions

Spectrum trading

Shared Access licences

- 3.12 In 2019 we published our [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. Licences issued under the framework enable new uses of spectrum by co-ordinating localised spectrum use between new and incumbent users.
- 3.13 In our statement we explained that, under the new framework, Shared Access licences would be available in several bands: the 1800MHz band (1781.7-1785 MHz paired with 1876.8-1880 MHz); the 2390-2400 MHz band; the 3.8-4.2 GHz band and the 24.25-26.5 GHz band. We also set out our intention that rights and obligations conferred by Shared Access licences should be made tradeable.
- 3.14 We stated that the type of trading permitted for the Shared Access Licences would be limited to an outright total transfer of rights; or a concurrent transfer of rights. Partial trades of spectrum would not be permitted.
- 3.15 Since then, in 2023, we [decided](#) to make more spectrum available for Shared Access licences. In particular, we extended access in the 26 GHz band (from 24.25-26.5 GHz to 24.45-27.5 GHz) and confirmed that, from 2028, we would also add the 40 GHz band.² As part of this process, we confirmed that these bands would also be tradeable.³
- 3.16 We have continued to add to the list of spectrum bands authorised under the Shared Access framework and in our July 2024 [statement](#) confirmed the addition of a further 20 MHz of spectrum in the 2.3 GHz band (2320-2340 MHz). The rights and obligations conferred by

¹ The WTR provides information about who is licensed to operate services in specific frequencies or geographical areas. It can be accessed here <https://www.ofcom.org.uk/spectrum/information/spectrum-information-system-sis>

² See paragraph 8.39 of the [September 2023 Statement](#) which confirms the revised 26 GHz frequency range and the availability of the 40 GHz band from June 2028. We are taking this opportunity to propose updating the Trading and Register Regulations to include the 40 GHz band accordingly.

³ See paragraph 3.12 of our consultation [Supporting increased use of shared spectrum](#)

Shared Access licences, including being tradeable, will apply to Shared Access licences issued in this frequency range.

- 3.17 We are now proposing to put in place the necessary regulations that will enable the full list of spectrum bands authorised under the Shared Access Framework to be traded. Specifically, it would enable rights and obligations conferred by Shared Access licences in the following bands to be transferred:
- 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

- 3.18 The Trading Regulations currently includes Self Coordinated Link licences in the 64-66 GHz frequency band in the list of tradable frequencies.⁴ However, in November 2018 we made a [decision](#) to remove the 64-66 GHz band from the Self Coordinated Link licence product.⁵
- 3.19 As the Self Coordinated Link licence no longer includes the 64-66 GHz frequency range, the Trading Regulations need to be amended. The Proposed Regulations would therefore remove this band from the list of tradable frequencies.

Point to Point Fixed Links

- 3.20 In December 2019 we published an [update](#) in relation to making the 8 GHz band available for Point to Point Fixed Link assignments as part of the Public Sector Spectrum Release (PSSR) Programme. The update explained that the new spectrum within the 7900-8400 MHz band would be made available on a shared/coordinated basis with the Ministry of Defence. In line with our general approach to fixed links, which have been tradeable since [2004](#), we are now proposing to update the Trading Regulations regarding Point to Point Fixed Links to include the 7900-8400 MHz band.⁶

Wireless Telegraphy Register

- 3.21 In 2004 Ofcom made regulations to establish and maintain a register about wireless telegraphy licences and spectrum trades. The existing registers, established through the Register Regulations, publish information about a broad range of licence classes, including when these licences are granted or when rights and obligations under these licences are traded. The registers support the spectrum rights of use transfer process by providing:

⁴ See, in particular, Part 10 of Schedule 2 to the Trading Regulations.

⁵ The 2018 decision made the equipment in 64-66 GHz licence exempt however, in 2021 we published a [statement](#) that modified this decision, to require a Spectrum Access EHF licence for transmissions above 10 Watts EIRP and exempting use below that power level. Higher power fixed wireless systems in the 57-71 GHz band now require a Spectrum Access EHF licence to ensure compliance with our electromagnetic fields (EMF) usage conditions.

⁶ In 2016 Ofcom published its [recommendation](#) on the Government PSSR programme. In 2017 Government published its report on the PSSR programme which included its intention to release the 7900-8400MHz spectrum band for Point to Point Fixed Links use.

- a) information about existing licences for potential traders including, the constraints on the use of the specific frequencies or bands and who holds rights to use what frequencies; and
 - b) basic information about proposed and completed transfers to facilitate the transparency of secondary trading.
- 3.22 The Proposed Regulations would 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.
- 3.23 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.

4. General effect of our proposed regulations

4.1 In this section, we set out the general effect of the Proposed Regulations, as required by section 122(5) of the WT Act. A draft of the Proposed Regulations is set out in Annex 1.

Extent and application

4.2 The Proposed Regulations would apply in the United Kingdom but not the Channel Islands and the Isle of Man.⁷

General effect

4.3 The overall general effect of the Proposed Regulations would be to implement decisions Ofcom has already taken.

4.4 Regulation 1 sets out the name of the Proposed Regulations and the date when the Proposed Regulations would come into force (which we discuss further at para 4.7 below).

General effect on the Trading Regulations

4.5 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 (by an outright total transfer of rights, or a concurrent transfer of rights), and removes Self Coordinated Link licences in the 64-66 GHz band from the Trading Regulations (as they are now licence exempt); 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 total transfer of rights, or a concurrent transfer of rights).

General effect on the Register Regulations

4.6 Regulation 3 amends the Register Regulations. In particular, it:

⁷ This is consistent with the extent and application of the Trading and Register Regulations. The Register Regulations do not extend to the Channel Islands or the Isle of Man. The Trading Regulations do not extend to Guernsey and cannot extend to Jersey or the Isle of Man because there has not been an Order in Council which extends the application of the relevant sections of the 2006 Act relating to transfers to these places. See, in particular, paragraph 2 of the Wireless Telegraphy (Jersey) Order 2006 which extends to Jersey the whole of Part 2 of the WT Act other than sections 30 and 51. Paragraph 2 of the Wireless Telegraphy (Isle of Man) Order 2007 extends to the Isle of Man the whole of Part 2 of the WT Act other than sections 30, 49 and 51.

- 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 (as they are now licence exempt);
- 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.

Entry into force of the Proposed Regulations

- 4.7 The final regulations will be made after Ofcom has concluded its consultation process, taking into consideration any representations received. We intend to bring the Proposed Regulations into force 21 days after the publication of our final statement in Spring 2025.

Comments and representations

- 4.8 We are inviting comments on whether the Proposed Regulations correctly implement the policy decisions summarised in Section 3.
- 4.9 Subject to our consideration of responses, we intend to bring the Proposed Regulations into force in 21 days after making them.

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?

- 4.10 Responses are invited by **5pm on Thursday 23 January 2025**.

A1. Draft Proposed Regulations

DRAFT STATUTORY INSTRUMENTS

2025 No. 0000

ELECTRONIC COMMUNICATIONS

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

Made - - - - - ***

Coming into force ***

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⁽⁸⁾⁽⁹⁾ (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 [21 days from publication of final statement].

(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⁽¹⁰⁾ 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 “Column 1 of each of Parts 3 to 21” substitute “Column 1 of each of Parts 3 to 22”.

⁽⁸⁾ 2006 c.36.

⁽⁹⁾ 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).

⁽¹⁰⁾ 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⁽¹¹⁾ 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

⁽¹¹⁾ S.I. 2012/2186, as amended by S.I. 2013/640, S.I. 2015/1400, S.I. 2018/90 and S.I. 2019/952.

A2. Impact assessment

The impact of our proposals

- A2.1 Section 7 of the Communications Act 2003. requires us to carry out and publish an assessment of the likely impact of implementing a proposal which would be likely to have an impact on businesses or the general public, or when there is a major change in Ofcom's activities.
- A2.2 More generally, impact assessments form part of good policy-making and we therefore expect to carry them out in relation to a large majority of our proposals. We use impact assessments to help us understand and assess the potential impact of our policy decisions before we make them. They also help us explain the policy decisions we have decided to take and why we consider those decisions best fulfil our applicable duties and objectives in the least intrusive way. Our [Statement: Impact assessment guidance](#) sets out our general approach to how we assess and present the impact of our proposed decisions.
- A2.3 In consulting on whether to make the Proposed Regulations, we have had regard to the impact assessments previously conducted in the making of our policy decisions.
- A2.4 We also consider that the Proposed Regulations, taken as a whole, will help us to meet our statutory duties in relation to the management of spectrum and our more general duties to further the interests of citizens and consumers. We note, in this regard, that:
- a) Ofcom has previously decided to make Shared Access licences tradable in order to support innovation and the efficient and optimal use of spectrum.
 - b) Bringing the new Point to Point Fixed Link assignments in the 8GHz band into line with other Point to Point Fixed Link licences (which are already tradable) should support innovation and the efficient and effective management of that spectrum.
 - c) In order to enhance the general development of a secondary market for the right to use spectrum, Ofcom has established and maintains the WTR and TNR. Ensuring that details of Shared Access licences and Point to Point Fixed Link assignments in the 8GHz band can be included in the WTR and TNR should complement the fact that they are being made tradable.
- A2.5 The removal of the 64-66 GHz frequency band from the list of frequencies for Self Coordinated Fixed Links will have no impact on spectrum users or citizens as the frequency band is no longer available under that licence. Access to that spectrum continues to be permitted either through licence exemption for low power use or the Shared Access EHF licence for higher power use.

Equality impact assessment

- A2.6 We have given careful consideration to whether our proposals will have a particular impact on persons sharing protected characteristics (broadly including race, age, disability, sex, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership and religion or belief in the UK and also dependents and political opinion in Northern Ireland), and in particular whether they may discriminate against such persons or impact on equality of opportunity or good relations. This assessment helps us comply with

our duties under the Equality Act 2010 and the Northern Ireland Act 1998.¹² We have also had regard to the matters in section 3(4) of the Communications Act.

- A2.7 When thinking about equality we think more broadly than persons that share protected characteristics identified in equalities legislation and think about potential impacts on various groups of persons (see paragraph 4.7 of our [impact assessment guidance](#)).
- A2.8 In particular, section 3(4) of the Communications Act also requires us to have regard to the needs and interests of specific groups of persons when performing our duties, as appear to us to be relevant in the circumstances. These include:
- the vulnerability of children and of others whose circumstances appear to us to put them in need of special protection;
 - the needs of persons with disabilities, older persons and persons on low incomes; and
 - the different interests of persons in the different parts of the UK, of the different ethnic communities within the UK and of persons living in rural and in urban areas.
- A2.9 We consider that the benefits of the Proposed Regulations would apply equally to all users. We also do not consider that our proposals will have any adverse impacts on any specific groups of persons in a different way to the general population.

Welsh language Impact Assessment

- A2.10 Ofcom is required to take Welsh language considerations into account when formulating, reviewing, or revising policies which are relevant to Wales (including proposals which are not targeted at Wales specifically but are of interest across the UK).¹³
- A2.11 We do not consider the Proposed Regulations, if implemented, would have any impact on opportunities for persons to use the Welsh language or treat the Welsh language less favourably than the English language. We also do not think there are ways in which our proposals could be formulated to have, or increase, a positive impact or have adverse effects or decrease any adverse effects. This is because our decision and proposals relate to spectrum access across the UK.
- A2.12 We note that Ofcom's current practice is to offer to produce spectrum licences in Welsh, and when requested does provide licences in Welsh, in accordance with its obligations set by the Welsh Language Commissioner. This will apply to licences discussed in this document.

¹² [Section 75 of the Northern Ireland Act 1998](#)

¹³ See Standards 84 – 89 of [Hysbysiad cydymffurfio](#) (in Welsh) and [compliance notice](#) (in English). Section 7 of the Welsh Language Commissioner's [Good Practice Advice Document](#) provides further advice and information on how bodies must comply with the Welsh Language Standards.

A3. Responding to this consultation

How to respond

- A3.1 Ofcom would like to receive views and comments on the issues raised in this document, by **5pm on Thursday 23 January 2025**.
- A3.2 You can download a response form from <https://www.ofcom.org.uk/siteassets/resources/documents/consultations/category-1-10-weeks/notice-of-proposals-to-amend-the-wireless-telegraphy-spectrum-trading-regulations-2012/response-form.docx?v=384090>. You can return this by email or post to the address provided in the response form.
- A3.3 If your response is a large file, or has supporting charts, tables or other data, please email it to regulations@ofcom.org.uk, as an attachment in Microsoft Word format, together with the cover sheet.
- A3.4 Responses may alternatively be posted to the address below, marked with the title of the consultation:
- Notice of Ofcom’s proposals to amend the spectrum trading and register regulations
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA
- A3.5 We welcome responses in formats other than print, for example an audio recording or a British Sign Language video. To respond in BSL:
- send us a recording of you signing your response. This should be no longer than 5 minutes. Suitable file formats are DVDs, wmv or QuickTime files; or
 - upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.
- A3.6 We will publish a transcript of any audio or video responses we receive (unless your response is confidential)
- A3.7 We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt of a response submitted to us by email.
- A3.8 You do not have to answer all the questions in the consultation if you do not have a view; a short response on just one point is fine. We also welcome joint responses.
- A3.9 It would be helpful if your response could include direct answers to the questions asked in the consultation document. The questions are listed at Annex 6. It would also help if you could explain why you hold your views, and what you think the effect of Ofcom’s proposals would be.
- A3.10 If you want to discuss the issues and questions raised in this consultation, please contact regulations@ofcom.org.uk.

Confidentiality

- A3.11 Consultations are more effective if we publish the responses before the consultation period closes. This can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents' views, we usually publish responses on the Ofcom website at regular intervals during and after the consultation period.
- A3.12 If you think your response should be kept confidential, please specify which part(s) this applies to and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don't have to edit your response.
- A3.13 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A3.14 To fulfil our pre-disclosure duty, we may share a copy of your response with the relevant government department before we publish it on our website.
- A3.15 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further in our Terms of Use.

Next steps

- A3.16 Following this consultation period, Ofcom plans to publish a statement in Spring 2025.
- A3.17 If you wish, you can register to receive mail updates alerting you to new Ofcom publications.

Ofcom's consultation processes

- A3.18 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex 4.
- A3.19 If you have any comments or suggestions on how we manage our consultations, please email us at consult@ofcom.org.uk. We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and residential consumers, who are less likely to give their opinions through a formal consultation.
- A3.20 If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact the corporation secretary:
- A3.21 Corporation Secretary
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA
Email: corporationsecretary@ofcom.org.uk

A4. Ofcom's consultation principles

Ofcom has seven principles that it follows for every public written consultation:

Before the consultation

A4.1 Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

During the consultation

A4.2 We will be clear about whom we are consulting, why, on what questions and for how long.

A4.3 We will make the consultation document as short and simple as possible, with an overview of no more than two pages. We will try to make it as easy as possible for people to give us a written response.

A4.4 We will consult for up to ten weeks, depending on the potential impact of our proposals.

A4.5 A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.

A4.6 If we are not able to follow any of these seven principles, we will explain why.

After the consultation

A4.7 We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish the responses on our website at regular intervals during and after the consultation period. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

A5. Consultation coversheet

Basic details

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

Confidentiality

Please tick below what part of your response you consider is confidential, giving your reasons why

- Nothing
- Name/contact details/job title
- Whole response
- Organisation
- Part of the response

If you selected 'Part of the response', please specify which parts:

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

Yes No

Declaration

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom aims to publish responses at regular intervals during and after the consultation period. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)

A6. Consultation questions

- 4.11 As required by Section 122 of the Wireless Telegraphy Act 2006, we must give notice of proposals that we intend to make and consider any representations that we receive. This document gives notice of our proposal to make the Wireless Telegraphy (Spectrum Trading and Register) Amendment Regulations 2024.

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?

- A6.1 Comments on the Proposed Regulations are invited by **5pm on Thursday 23 January 2025**. Subject to consideration of all responses, we intend to bring the new Regulations into force 21 days after making them.