

## Form 9 – Eligibility nomination form

For the purposes of sections 39 and 48 and subsection 50(3) of the [Radiocommunications \(Spectrum Licence Allocation – 3.4/3.7 GHz Bands\) Determination 2023](#) (allocation determination).

### Introduction

This eligibility nomination form has been approved by the Australian Communications and Media Authority (ACMA) pursuant to paragraph 23(1)(f) of the allocation determination.

Subsection 39(1) of the allocation determination requires an applicant to give the ACMA a completed eligibility nomination form, which:

- > specifies the number of eligibility points the applicant wishes to have immediately before the start of the 3.7 GHz auction; and
- > if the applicant is eligible to apply to be directly allocated a leftover lot, and wishes to so apply—applies to be directly allocated the leftover lot.

Applicants should use this form to calculate the eligibility points desired, and select how to secure the eligibility points by making an eligibility payment and/or providing a deed of financial security.

If the applicant is eligible to apply to be directly allocated a leftover lot, this form will also guide the applicant on how to secure its leftover lots by making an eligibility payment and/or providing a deed of financial security.

Information provided by the applicant as part of the eligibility nomination form, including eligibility points, will be recorded in the register of bidders in accordance with subsection 55(2) of the allocation determination. Before the pre-bidding round of the primary stage of the 3.7 GHz auction commences, the auction manager will enter into the auction system the bidder's eligibility points. Bidders must enter their start demands, which will be affected by their eligibility points, during the pre-bidding round.

### Eligibility points

In order to participate in the 3.7 GHz band or 3.4 GHz band auctions, an applicant must secure eligibility points.

To calculate the eligibility points the applicant requires, the applicant should multiply the number of lots of each product the applicant seeks to acquire by the specified lot rating (as outlined in table 1 of this form) for each product. The sum of these amounts equals the eligibility points an applicant needs to secure for the allocation process. An applicant's unused eligibility points from the 3.7 GHz auction may be used in the 3.4 GHz band auction.

At an auction, including in the pre-bidding round of the primary stage of an auction, bidders cannot make entries in the auction system or bid in a way that exceeds their total eligibility points secured in the application process. In the 3.4 GHz auction, including in the pre-bidding round of the primary stage, bidders cannot make entries in the auction system or bid in a way that exceeds the difference between:

- > their total eligibility points secured in the application process; less
- > the eligibility points represented by lots allocated to the bidder during the 3.7 GHz auction.

Eligibility points are secured by making an eligibility payment to the ACMA, and/or giving the ACMA a deed of financial security (Form 8) for the required amount.

### **Electing to be directly allocated leftover lots**

The ACMA may directly allocate leftover lots to adjacent licensees, or a related body corporate of an adjacent licensee, for a set price. In this form, these applicants are referred to as eligible recipients (as outlined in Part 1 of this form). The ACMA has determined the set price of each leftover lot in accordance with paragraph 22(c) of the allocation determination.

If an eligible recipient wishes to be directly allocated one or more leftover lots in accordance with paragraph 34(1)(c) of the allocation determination, they must apply in the eligibility nomination form and give that form to the ACMA before the eligibility deadline (or extended eligibility deadline, if there is one). Once an application to be directly allocated one or more leftover lots has been made and the eligibility deadline, or extended eligibility deadline, has passed, the application cannot be changed.

### **Securing eligibility points and/or leftover lots**

Pursuant to section 41 of the allocation determination, an applicant must secure its eligibility points specified in this form by either or both of the following:

- > making an eligibility payment of the required amount to the ACMA
- > giving the ACMA a deed of financial security for the required amount.

Failure to do so may result in a reduction in the applicant's total eligibility points secured, or the applicant being taken to have withdrawn from the auction as set out in subsection 43(1) of the allocation determination.

The amount required when making an eligibility payment or deed of financial security is the product of the number of eligibility points specified in the form and the dollar value of those points (as set under paragraph 22(b) of the allocation determination. An eligible recipient who applies to be directly allocated a leftover lot, the required amount is the sum of:

- > the product of the number of eligibility points specified in the form and the dollar value of those points; plus
- > 10% of the set price for the leftover lot (as set under subsection 22(c) or paragraph 25(1)(c) of the allocation determination).

Pursuant to paragraph 43(1)(a) of the allocation determination, an eligible recipient that applies to be directly allocated a leftover lot but fails to make an eligibility payment or provide a deed of financial security will be excluded from bidding during the primary stage or the secondary stage of either the 3.7 GHz auction or the 3.4 GHz auction.

Pursuant to subsection 42(6) of the allocation determination, if an applicant that makes an insufficient eligibility payment or deed of financial security to secure all the eligibility points specified in the eligibility nomination form, the number of eligibility points for the applicant is reduced to the number secured by the eligibility payment actually paid, or the deed of financial security actually given (**insufficient amount**). This number may be reduced to zero, in which case the applicant is taken to have withdrawn its application. If the applicant were an eligible recipient that also applied to be directly allocated a leftover lot:

- > if the insufficient amount equals or falls short of the amount required to secure their leftover lot, the bidder will have zero eligibility points for the auctions, but will still be directly allocated the leftover lot (for payment of the set price)
- > if the insufficient amount exceeds the amount required to secure their leftover lot, their maximum eligibility points will be reduced in the manner set out in the allocation determination.

Information about how to make an eligibility payment, and how to give a deed of financial security (Form 8), is provided in Part 4 of this form.

## Completing the eligibility nomination form

Where the ACMA receives an eligibility nomination form from an applicant that is a body corporate, the form must be signed by a director, a secretary or an authorised officer of the body corporate.

Where the ACMA receives an eligibility nomination form from an applicant that is an individual, the form must be signed by that individual.

The signature of the applicant or authorised person of the applicant on the eligibility nomination form must be witnessed by a person who is above the age of 18.

This form may be executed in accordance with section 8 of the allocation determination.

## Giving the eligibility nomination form to the ACMA

The eligibility nomination form must be given to the ACMA before the eligibility deadline or, if there is one, the extended eligibility deadline. An application is taken to be withdrawn if the applicant fails to give the eligibility nomination form before the relevant deadline. The eligibility deadline is **2pm on Tuesday 12 September 2023**. The ACMA will publish information if there is an extended eligibility deadline.

The eligibility nomination form must be given to the ACMA in accordance with the procedures for giving documents to the ACMA set out in section 6 of the allocation determination. The eligibility nomination form can be delivered to:

Online portal: <https://www.acma.gov.au/acma-assist#/auctions/3a71276a-3d16-ee11-9cbd-000d3a798fb7>

Email: [spectrumallocations@acma.gov.au](mailto:spectrumallocations@acma.gov.au)

Post: Auction Manager  
Major Spectrum Allocations Section  
Australian Communications and Media Authority  
Level 32, Melbourne Central Tower  
360 Elizabeth Street  
Melbourne VIC 3000

A summary of the procedures is also in the Auction forms booklet and the Auction guide. The procedures contain specific requirements where a document is given by email or via the online portal.

## Part 1: Applicant details

Applicant's name:

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enter applicant's name as it appears in Part 1 of the application form submitted  
by the applicant under section 34, section 45 or section 50 of the allocation determination

Applicant's ACN/ARBN (if applicable):

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enter ACN/ARBN as is appears in Part 1 of the application form submitted by the applicant  
under section 34, section 45 or section 50 of the allocation determination

Adjacent licensees, or their related bodies corporate, are eligible to be allocated 'leftover lots' as defined in Schedule 3 to the marketing plan. Tick whichever is applicable below:

- ☐ This applicant is not eligible to be directly allocated a leftover lot under section 39 of the allocation determination, or is eligible but does not wish to be directly allocated a leftover lot.
- ☐ This applicant is eligible and wishes to be directly allocated a leftover lot under subsection 57(2) of the allocation determination (an adjacent licensee to a leftover lot in column 5 of the table in Schedule 3 to the marketing plan).
- ☐ This applicant is eligible and wishes to be directly allocated a leftover lot under subsection 57(2) of the allocation determination (a related body corporate of an adjacent licensee to a leftover lot in column 5 of the table in Schedule 3 to the marketing plan). Please provide the name of the adjacent licensee to which the applicant is a related body corporate and the nature of the relationship between the two:

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## Part 2A: Determine eligibility points

Table 1 below can be used by applicants to determine eligibility points and the amount required for eligibility payment and/or deed of financial security.

Applicants should identify the lots of each product they wish to acquire, then determine the number of eligibility points required to bid on the lots of each such product. The number of eligibility points required to bid on one lot of any product is the same as the lot rating for that product in column F. The sum of the eligibility points required for all the lots the applicant wishes to acquire determines the total eligibility points the applicant has to secure.

**Table 1: Starting prices and lot ratings of products available in the 3.7 and 3.4 GHz bands auctions**

A	B	C	D	E	F	G
Product	Product name	Frequency range (MHz)	Bandwidth (MHz)	Supply (in lots)	Lot rating	Starting price per lot
ADEL03	Adelaide Upper	3700 MHz to 3800 MHz	5 MHz	20	3000	\$1,149,300
BRIS03	Brisbane Upper	3700 MHz to 3800 MHz	5 MHz	20	5500	\$1,967,900
CANB03	Canberra Upper	3700 MHz to 3800 MHz	5 MHz	20	1000	\$420,500
MELB03	Melbourne Upper	3700 MHz to 3800 MHz	5 MHz	20	11000	\$4,159,000
PERT03	Perth Upper	3700 MHz to 3800 MHz	5 MHz	20	4500	\$1,767,900
SYDN03	Sydney Upper	3700 MHz to 3800 MHz	5 MHz	20	12500	\$4,704,900
HOB03	Hobart Upper	3750 MHz to 3800 MHz	5 MHz	10	1000	\$235,000
CQLD03	Rural Central QLD Upper	3700 MHz to 3750 MHz	5 MHz	10	1500	\$529,300
NNSQ03	Rural North NSW / South QLD Upper	3700 MHz to 3750 MHz	5 MHz	10	4750	\$2,007,000
NQLD03	Rural North QLD Upper	3700 MHz to 3750 MHz	5 MHz	10	600	\$225,900
SOAU03	Rural SA Upper	3700 MHz to 3750 MHz	5 MHz	10	650	\$318,800
SWNS03	Rural South / West NSW Upper	3700 MHz to 3750 MHz	5 MHz	10	3000	\$1,290,300
TASM03	Rural TAS Upper	3700 MHz to 3750 MHz	5 MHz	10	1000	\$461,500
VICT03	Rural VIC Upper	3700 MHz to 3750 MHz	5 MHz	10	3000	\$1,330,100
WEAU03	Rural WA Upper	3700 MHz to 3750 MHz	5 MHz	10	650	\$275,400
RNSW03	Regional NSW Upper	3750 MHz to 3800 MHz	5 MHz	10	3000	\$994,700
RQLD03	Regional QLD Upper	3750 MHz to 3800 MHz	5 MHz	10	4750	\$1,468,400
RSAU03	Regional SA Upper	3750 MHz to 3800 MHz	5 MHz	10	650	\$180,800
RVIC03	Regional VIC Upper	3750 MHz to 3800 MHz	5 MHz	10	3000	\$920,100
RWAU03	Regional WA Upper	3750 MHz to 3800 MHz	5 MHz	10	650	\$200,300
ALBU01	Albury Lower	3400 MHz to 3425 MHz	5 MHz	5	100	\$38,600
CAIR01	Cairns Lower	3400 MHz to 3425 MHz	5 MHz	5	150	\$59,100
HOB01	Hobart Lower	3400 MHz to 3425 MHz	5 MHz	5	250	\$88,100
LAUN01	Launceston Lower	3400 MHz to 3425 MHz	5 MHz	5	100	\$43,300
ROCK01	Rockhampton Lower	3400 MHz to 3425 MHz	5 MHz	5	100	\$37,300
TOWN01	Townsville Lower	3400 MHz to 3425 MHz	5 MHz	5	150	\$60,100
ALBU02	Albury Middle	3495 MHz to 3540 MHz	5 MHz	9	100	\$38,600
CAIR02	Cairns Middle	3495 MHz to 3540 MHz	5 MHz	9	150	\$59,100
HOB02	Hobart Middle	3495 MHz to 3540 MHz	5 MHz	9	250	\$88,100
LAUN02	Launceston Middle	3495 MHz to 3540 MHz	5 MHz	9	100	\$43,300

A	B	C	D	E	F	G
Product	Product name	Frequency range (MHz)	Bandwidth (MHz)	Supply (in lots)	Lot rating	Starting price per lot
ROCK02	Rockhampton Middle	3495 MHz to 3540 MHz	5 MHz	9	100	\$37,300
TOWN02	Townsville Middle	3495 MHz to 3540 MHz	5 MHz	9	150	\$60,100
CQLD01	Rural Central QLD Lower	3400 MHz to 3440 MHz	5 MHz	8	250	\$101,100
NNSQ01	Rural North NSW / South QLD Lower	3400 MHz to 3440 MHz	5 MHz	8	500	\$191,100
NQLD01	Rural North QLD Lower	3400 MHz to 3440 MHz	5 MHz	8	75	\$25,600
SOAU01	Rural SA Lower	3400 MHz to 3440 MHz	5 MHz	8	150	\$51,800
SWNS01	Rural South / West NSW Lower	3400 MHz to 3440 MHz	5 MHz	8	300	\$110,800
TASM01	Rural TAS Lower	3400 MHz to 3440 MHz	5 MHz	8	100	\$41,200
VICT01	Rural VIC Lower	3400 MHz to 3440 MHz	5 MHz	8	300	\$114,900
WEAU01	Rural WA Lower	3400 MHz to 3440 MHz	5 MHz	8	75	\$28,100
CQLD02	Rural Central QLD Middle	3475 MHz to 3540 MHz	5 MHz	13	250	\$101,100
NNSQ02	Rural North NSW / South QLD Middle	3475 MHz to 3540 MHz	5 MHz	13	500	\$191,100
NQLD02	Rural North QLD Middle	3475 MHz to 3540 MHz	5 MHz	13	75	\$25,600
SOAU02	Rural SA Middle	3475 MHz to 3540 MHz	5 MHz	13	150	\$51,800
SWNS02	Rural South / West NSW Middle	3475 MHz to 3540 MHz	5 MHz	13	300	\$110,800
TASM02	Rural TAS Middle	3475 MHz to 3540 MHz	5 MHz	13	100	\$41,200
VICT02	Rural VIC Middle	3475 MHz to 3540 MHz	5 MHz	13	300	\$114,900
WEAU02	Rural WA Middle	3475 MHz to 3540 MHz	5 MHz	13	75	\$28,100
RNSW02	Regional NSW Middle	3475 MHz to 3510 MHz	5 MHz	7	550	\$203,900
RQLD02	Regional QLD Middle	3475 MHz to 3510 MHz	5 MHz	7	550	\$206,800
RSAU02	Regional SA Middle	3475 MHz to 3510 MHz	5 MHz	7	150	\$49,200
RVIC02	Regional VIC Middle	3475 MHz to 3510 MHz	5 MHz	7	450	\$176,400
RWAU02	Regional WA Middle	3475 MHz to 3510 MHz	5 MHz	7	200	\$75,100
RWAC02	Regional WA Central Middle	3510 MHz to 3575 MHz	5 MHz	13	10	\$3,800

## Explanatory notes to Table 1

**Column A:** Specifies the code for each product, which will be used in the auction system.

**Column B:** Specifies the product name relevant to each product, as identified in Schedule 1 to the marketing plan.

**Column C:** Specifies the frequency range for each of the products available for allocation in the auction.

**Column D:** Specifies the bandwidth of each lot of a product.

**Column E:** Specifies the supply of lots for each product.

**Column F:** Specifies the lot rating for each lot of a product, set by the ACMA in accordance with paragraph 22(a) of the allocation determination. The lot rating for a product is also the number of eligibility points a bidder will need to bid for each lot of that product.

**Column G:** Specifies the starting price for each lot of a product for the first round of the auction, set by the ACMA in accordance with paragraph 22(d) of the allocation determination. This is not required to calculate the amount required for the eligibility payment or deed of financial security, and has been included here for informational purposes only.

**Box M:** The amount in Box M is number of eligibility points the applicant wishes to secure. This can be calculated by multiplying the number of lots of each product the applicant seeks to acquire by the specified lot rating for that product. The sum of all of these values is the total number of eligibility points the applicant may use in the 3.7 GHz and 3.4 GHz auctions.

Total number of eligibility points secured

Box M

## Part 2B: Apply to be directly allocated leftover lots

Eligible recipients who wish to be directly allocated a leftover lot should indicate which leftover lots they wish to be allocated in table 2 below.

Section 40 of the allocation determination sets out who is eligible to be directly allocated a leftover lot. Subsection 41(2) and paragraph 41(3)(b) of the allocation determination set out the requirements to secure leftover lots, and subsection 43(1) of the allocation determination sets out the consequences for failing to secure a leftover lot.

Under subsection 57(2) of the allocation determination, an applicant who applies to be directly allocated a leftover lot will be allocated the leftover lot immediately after the eligibility deadline (or the extended eligibility deadline, if there is one). An applicant applies to be directly allocated a leftover lot by putting a Y in column F of the entry for the lot in Table 2. An N, or any other mark, or leaving column F blank for the entry means the applicant has not applied to be directly allocated the leftover lot.

The details of the leftover lots are provided in Schedule 3 to the marketing plan.

**Table 2: Leftover lots**

A	B	C	D	E	F	G
Lot name	Frequency range	Region	Adjacent product	Adjacent licensee	Direct allocation (Y/N)	Set price
Albury 1	3492.5 MHz to 3495 MHz	Albury	Albury Middle	NBN Co		\$9,700
Albury 2	3540 MHz to 3542.5 MHz	Albury	Albury Middle	Telstra		\$9,700
Cairns 1	3492.5 MHz to 3495 MHz	Cairns	Cairns Middle	NBN Co		\$14,800
Cairns 2	3540 MHz to 3542.5 MHz	Cairns	Cairns Middle	Telstra		\$14,800
Hobart 1	3492.5 MHz to 3495 MHz	Hobart	Hobart Middle	NBN Co		\$22,000
Hobart 2	3540 MHz to 3542.5 MHz	Hobart	Hobart Middle	Telstra		\$22,000
Launceston 1	3492.5 MHz to 3495 MHz	Launceston	Launceston Middle	NBN Co		\$10,800
Launceston 2	3540 MHz to 3542.5 MHz	Launceston	Launceston Middle	Telstra		\$10,800
Rockhampton 1	3492.5 MHz to 3495 MHz	Rockhampton	Rockhampton Middle	NBN Co		\$9,300
Rockhampton 2	3540 MHz to 3542.5 MHz	Rockhampton	Rockhampton Middle	Telstra		\$9,300
Townsville 1	3492.5 MHz to 3495 MHz	Townsville	Townsville Middle	NBN Co		\$15,000
Townsville 2	3540 MHz to 3542.5 MHz	Townsville	Townsville Middle	Telstra		\$15,000
Rural Central QLD 1	3440 MHz to 3442.5 MHz	Rural Central QLD	Rural Central QLD Lower	NBN Co		\$25,300
Rural Central QLD 2	3540 MHz to 3542.5 MHz	Rural Central QLD	Rural Central QLD Middle	NBN Co		\$25,300



A	B	C	D	E	F	G
Lot name	Frequency range	Region	Adjacent product	Adjacent licensee	Direct allocation (Y/N)	Set price
Rural North NSW / South QLD 1	3440 MHz to 3442.5 MHz	Rural North NSW / South QLD	Rural North NSW / South QLD Lower	NBN Co		\$47,800
Rural North NSW / South QLD 2	3540 MHz to 3542.5 MHz	Rural North NSW / South QLD	Rural North NSW / South QLD Middle	NBN Co		\$47,800
Rural North QLD 1	3440 MHz to 3442.5 MHz	Rural North QLD	Rural North QLD Lower	NBN Co		\$6,400
Rural North QLD 2	3540 MHz to 3542.5 MHz	Rural North QLD	Rural North QLD Middle	NBN Co		\$6,400
Rural SA 1	3440 MHz to 3442.5 MHz	Rural SA	Rural SA Lower	NBN Co		\$12,900
Rural SA 2	3540 MHz to 3542.5 MHz	Rural SA	Rural SA Middle	NBN Co		\$12,900
Rural South / West NSW 1	3440 MHz to 3442.5 MHz	Rural South / West NSW	Rural South / West NSW Lower	NBN Co		\$27,700
Rural South / West NSW 2	3540 MHz to 3542.5 MHz	Rural South / West NSW	Rural South / West NSW Middle	NBN Co		\$27,700
Rural TAS 1	3440 MHz to 3442.5 MHz	Rural TAS	Rural TAS Lower	NBN Co		\$10,300
Rural TAS 2	3540 MHz to 3542.5 MHz	Rural TAS	Rural TAS Middle	NBN Co		\$10,300
Rural VIC 1	3440 MHz to 3442.5 MHz	Rural VIC	Rural VIC Lower	NBN Co		\$28,700
Rural VIC 2	3540 MHz to 3542.5 MHz	Rural VIC	Rural VIC Middle	NBN Co		\$28,700
Rural WA 1	3440 MHz to 3442.5 MHz	Rural WA	Rural WA Lower	AKAL		\$7,000
Rural WA 2	3540 MHz to 3542.5 MHz	Rural WA	Rural WA Middle	AKAL		\$7,000
				<b>Total</b>		<b>Box N</b>

## Explanatory notes to Table 2

**Column A:** Specifies the lot name relevant to each leftover lot, as identified in Schedule 3 to the marketing plan.

**Column B:** Specifies the frequency range for each of the leftover lots available for direct allocation.

**Column C:** Specifies the region of the leftover lot.

**Column D:** Specifies the adjacent product for determining who is adjacent licensee of the leftover lot.

**Column E:** Specifies the adjacent licensee of the leftover lot:

- > **NBN Co:** NBN Co Limited (ACN 136 533 741)
- > **Telstra:** Telstra Limited (ACN 086 174 781)
- > **AKAL:** AKAL Pty Ltd (ACN 094 107 794)

**Column F:** Used by the applicant to indicate whether they apply to be directly allocated the leftover lot. The applicant must put a Y in the entry to apply.

**Column G:** Specifies the set price of the leftover lot.

**Box N:** The amount in Box N is the sum of the set prices of all leftover lots the applicant wishes to be directly allocated.

### Part 3: Secure maximum eligibility points and leftover lots

Applicants are required to make an eligibility payment and/or give a deed of financial security to secure their eligibility points for the auctions, in accordance with section 41 of the allocation determination. To determine the amount required to secure eligibility points calculated under Part 2A of this form, multiply the total number of points desired (Box M) by the value of one eligibility point. The value of an eligibility point is \$37.60.

Eligible recipients are required to secure their leftover lots, by making an eligibility payment and/or giving a deed of financial security, in accordance with section 41 of the allocation determination. For eligible recipients, 10% of the starting price for the leftover lots will be required to secure the leftover lots, in addition to any amount required to secure eligibility points calculated under Part 2A of this form.

**Box O:** The amount in Box O is the amount the applicant must make an eligibility payment and/or give a deed of financial security for, in order to secure its total eligibility points and/or secure its leftover lots (if applicable).

(Amount entered in Box M x \$37.60) + (Amount entered in Box N x 0.10)

Box O
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## Part 4: Eligibility payment and/or deed of financial security for eligibility points and leftover lots

**Step 1:** To secure the eligibility points specified in **Box M** of Part 2A, and the leftover lots under Part 2B (if applicable) the applicant must select the appropriate option(s) below, and enter dollar figures which will total the amount calculated in **Box O** in Part 3:

- ☐ Option 1: giving a deed or deeds of financial security for \$
- ☐ Option 2: making an eligibility payment of \$ by electronic transfer
- ☐ Option 3: making an eligibility payment of \$ by bank cheque
- ☐ Option 4: if submitting this form via the online portal, making an eligibility payment of \$ by BPAY
- ☐ Option 5: if submitting this form via the online portal, making an eligibility payment of \$ by credit card.

Note: The amounts inserted by the applicant in clause 1.1 of **Form 8 – Deed of financial security** should total the amount inserted against Option 1.

**Step 2:** Make an eligibility payment and/or give a deed or deeds of financial security before the eligibility deadline, in accordance with the procedures below.

Note: If an applicant makes an eligibility payment or gives a deed or deeds of financial security, or both, for an amount less than that worked out in Part 3 above, and another eligibility payment or deed, or both, is not made or given to make up the difference, maximum eligibility points are reduced in accordance with subsection 42(5) of the allocation determination. If an eligible recipient makes an incomplete eligibility payment then subsection 42(6) of the allocation determination will apply.

Eligibility payments must be made in Australian currency by:

### Electronic transfer:

**Bank:** ANZ Bank

**Branch:** Belconnen

**BSB:** 012-951 **Account no.:** 8379 24272

**Account name:** ACMA Official Administered Receipts

**Transfers should be labelled:** '3437 elig [name of applicant]'

Note: Because transfer labels are limited to 15 alphanumeric characters, abbreviations must be used.

Evidence of the electronic transfer (for example, a transfer receipt) should be emailed to [spectrumallocations@acma.gov.au](mailto:spectrumallocations@acma.gov.au) as soon as practicable after the transfer is made.

### Bank cheque:

Crossed 'not negotiable'

**Made payable to:** Australian Communications and Media Authority on behalf of the Commonwealth

#### Delivered to:

Auction Manager

Major Spectrum Allocations Section

Australian Communications and Media Authority

PO Box 13112 Law Courts

Melbourne Victoria 8010

Where this form is submitted via the online portal, the payment may be made using the above methods, or by BPAY or credit card. An invoice will be provided through the online portal that provides details of how to make payments.

Section 9 of the allocation determination sets out how an amount must be paid by a relevant deadline. An amount is taken to have been paid by a deadline if:

- > the ACMA receives a bank cheque for the full amount on or before the relevant deadline; or
- > the ACMA receives evidence that an electronic transfer of the full amount was made on or before the deadline (for example, a transfer receipt) *and* the amount is received in the ACMA's bank account no later than 3 working days after the deadline; or
- > the ACMA receives other evidence that satisfies it that the person making the payment has taken all reasonable steps to pay the amount on or before the deadline.

An amount due under the allocation determination is not paid in full if bank charges or government duties imposed on a payment reduce the net payment to less than the amount due. For an applicant that has made an eligibility payment, the applicant must add the value of any bank charge or government duty to the amount of its eligibility payment in order to secure its specified maximum eligibility points.

If you choose to give the ACMA a deed of financial security for all or part of the amount worked out in this Part, the deed of financial security must be given to the ACMA using **Form 8—Deed of financial security** accessible through the applicant information package. Form 8 contains information about how to complete the deed, who can execute the deed and how to lodge the deed with the ACMA.

GST is not payable on an eligibility payment.

## Part 5: Declaration and signature

I understand that giving false or misleading information is a serious offence, and, in particular, knowingly or recklessly making a false or misleading statement or omitting any matter or thing without which the statement is misleading in connection with an application is an offence under section 136.1 of the *Criminal Code*. I believe that the statements made by or on behalf of the applicant in this document and its attachments are true in every particular.

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Signed by or on behalf of the applicant

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Name of signatory where signed on behalf of the applicant

*Signed at:*

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Place

On

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Day / Month / Year

Before me,

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Signature of person before whom the declaration is made

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Name of person before whom the declaration is made

**Note** Part 7.4 of the *Criminal Code* creates offences in relation to false and misleading statements.