

**AUCTION OF RADIO SPECTRUM  
IN THE 1800 MHz BAND  
FOR EXPANSION OF PUBLIC MOBILE  
TELECOMMUNICATIONS SERVICES**

**APPLICATION FORM**

OFFICE OF THE TELECOMMUNICATIONS AUTHORITY

**A. APPLICATION FORM**

**A.1 The Bidder**

**A.1.1 Details of the Bidder**

1. Registered Name of the Bidder:
2. Company Number:
3. Registered Office Address:
4. Correspondence Address:
5. Company Website:
6. Telephone No. (General):
7. Fax No. (General):

Signed:.....

Signed:.....

**A.1.2 Contact details of the Bidder**

Address:	
Telephone Number:	
Fax Number:	
E-mail Address:	

**A.1.3 Principal contacts of the Bidder**

Contact 1	
Name:	
Title and/or Position:	
Telephone Number:	
Mobile Number:	
Fax Number:	
E-mail Address:	

Signed:.....

Signed:.....

Contact 2	
Name:	
Title and/or Position:	
Telephone Number:	
Mobile Number:	
Fax Number:	
E-mail Address:	

Contact 3	
Name:	
Title and/or Position:	
Telephone Number:	
Mobile Number:	
Fax Number:	
E-mail Address:	

Signed:.....

Signed:.....



## A.2 Bidder's Authorised Representatives

1.	Name:	
	Employer (or relationship between this representative and the Bidder):	
	Title and/or Position:	
	ID Card/Passport Number:	
	Signature:	

2.	Name:	
	Employer (or relationship between this representative and the Bidder):	
	Title and/or Position:	
	ID Card/Passport Number:	
	Signature:	

3.	Name:	
	Employer (or relationship between this representative and the Bidder):	
	Title and/or Position:	
	ID Card/Passport Number:	
	Signature:	

Signed:.....

Signed:.....

4	Name:	
	Employer (or relationship between this representative and the Bidder):	
	Title and/or Position:	
	ID Card/Passport Number:	
	Signature:	

5.	Name:	
	Employer (or relationship between this representative and the Bidder):	
	Title and/or Position:	
	ID Card/Passport Number:	
	Signature:	

6.	Name:	
	Employer (or relationship between this representative and the Bidder):	
	Title and/or Position:	
	ID Card/Passport Number:	
	Signature:	

Signed:.....

Signed:.....



#### A.4 Deposit Confirmation Form

	<b>Amount of Deposit submitted by Bidder in cash or by a Letter of Credit</b>	<b>Eligibility Points to be attributed to Bidder for the first Round of the Bidding Stage</b>	<b>Please tick: (one box only)</b>
1.	HK\$ 8,000,000	1	<input type="checkbox"/>
2.	HK\$ 16,000,000	2	<input type="checkbox"/>
3.	HK\$ 24,000,000	3	<input type="checkbox"/>
4.	HK\$ 32,000,000	4	<input type="checkbox"/>
5.	HK\$ 40,000,000	5	<input type="checkbox"/>
6.	HK\$ 48,000,000	6	<input type="checkbox"/>

A Bidder must have the required number of Eligibility Points in order to bid for the Frequency Band(s) concerned. For every Frequency Band of 0.8 MHz x 2, 1 EP is required. For details, please refer to the terms and conditions of the Notice.

Signed:.....

Signed:.....

## A.5 Checklist

		<b>Please tick:</b>
1.	Complete sections A.1, A.2, A.3 and A.4 of the Application Form.	<input type="checkbox"/>
2.	Sign each page of the Application Form by two Authorised Representatives who are directors of the Bidder.	<input type="checkbox"/>
3.	Provide a certified true copy of the Memorandum and Articles of Association of the Bidder, or equivalent documents.	<input type="checkbox"/>
4.	Provide certified true copies of the Certificate of Incorporation and the Business Registration Certificate of the Bidder.	<input type="checkbox"/>
5.	Provide the signed Bidder Compliance Certificate in the format set out at Appendix 6 to the Notice.	<input type="checkbox"/>
6.	Provide the signed Declaration in section A.6.	<input type="checkbox"/>
7.	<p>Confirm that the Deposit has either:</p> <p>i) been provided together with this Application Form as a Letter of Credit in the same format as set out at Appendix 7 of the Notice; or</p> <p>ii) been provided in cash (cleared funds) to the Authority's Account by telegraphic transfer. A certified true copy of the relevant document(s) is provided together with this Application Form.</p>	<input type="checkbox"/>  <input type="checkbox"/>
8.	Confirm that the amount of the Deposit conforms to the selection made by the Bidder in the Deposit Confirmation Form (section A.4).	<input type="checkbox"/>
9.	Provide one business card of each of the Bidder's Authorised Representatives.	<input type="checkbox"/>

Signed:.....

Signed:.....

## A.6 Declaration

We, ..... and ....., the undersigned, as directors and Authorised Representatives of the Bidder, confirm and acknowledge:

- (a) that this Application, once submitted to the Authority, cannot be withdrawn other than in accordance with the Notice;
- (b) that this Application commits the Bidder and its Insiders to comply with the terms and conditions of the Auction;
- (c) that this Application commits the Bidder to bid for at least one Frequency Band in the first Round of the Bidding Stage at the Minimum Fee;
- (d) that, in case the Bidder is the only Qualified Bidder, the Bidder may subject to the terms and conditions of the Notice become the Provisional Successful Bidder of the Frequency Band(s) it selects and that this Application commits the Bidder to comply with all the relevant terms and conditions.

We confirm that the factual information provided in, or in support of, the Application is, to the best of the Bidder's knowledge, information and belief, true, accurate and has no material omissions and that any opinion expressed is honestly held.

Signed:

\_\_\_\_\_  
Authorised signature  
(name and position)

\_\_\_\_\_  
Authorised signature  
(name and position)

Company seal affixed

Date: \_\_\_\_\_

**END OF APPLICATION FORM**

## **B. APPLICATION FORM INSTRUCTIONS**

Instructions are set out below on the information required in the Application Form, and the form of its presentation. Unless otherwise stated, terms used in the Application Form and these instructions shall have the meanings given to them in the Notice.

### **B.1 The Bidder**

#### **B.1.1 Details of the Bidder**

Please provide the registered name of the Bidder (the “Bidder”), its company number appearing on the Certificate of Incorporation issued by the Companies Registry of Hong Kong, registered office address (and principal place of business if different) and official fax and telephone numbers.

Separately, please provide certified true copies of the Certificate of Incorporation and the Business Registration Certificate of the Bidder.

#### **B.1.2 Contact details of the Bidder**

Please provide the address, telephone number and fax number within the Hong Kong Special Administrative Region at which the Bidder can be reached between 9:00 am and 6:00 pm Hong Kong time. This address will be considered as the Bidder’s official address for written correspondence for matters relating to the Auction and will generally be used for non-time critical communication.

#### **B.1.3 Principal contacts of the Bidder**

Please provide the full names, titles (e.g. executive director) and/or positions (e.g. Head of Telecom) and contact details (telephone number, mobile number, fax number and e-mail address) for three persons that the Authority may contact directly for urgent or time-critical communication. These contacts must be fully authorised under law and the Bidder’s constitutional documents to represent the Bidder for all acts that may be related to the Auction and to the assignment of the Frequency Bands. The contacts should be listed in the order in which the Bidder would prefer the Authority to contact them. Such persons should be aware that the Authority may contact them outside normal working hours.

#### **B.1.4 Bank Account (for reimbursement of the Deposit)**

Please provide the details of the Bidder’s bank account into which the Deposit (if provided in cash) should be returned in accordance with the provisions of the Notice.

#### **B.1.5 Directors and other key members of the management of the Bidder**

Please provide the full names, titles and/or positions of all the directors and any other key members of the management of the Bidder.

## **B.2 Bidder's Authorised Representatives**

Please provide the name, employer, title and/or position (together with one business card), ID Card number or passport number and specimen signature of each Authorised Representative who is authorised to provide confirmations, submit bids and act in any other way necessary on behalf of the Bidder during the Auction. The table in section A.2 of the Application Form will be used by the Authority to verify the signatures for matters relating to the Auction.

If any Authorised Representative is not an employee of the Bidder, please state clearly its relationship with the Bidder in the "employer" section.

If the Bidder wishes to substitute one or more of its Authorised Representatives, it shall give the Authority at least one Business Day prior written notification of the details of such change.

## **B.3 Insiders**

Please provide the names, employer, title and/or position, and roles of all the Insiders to the Application and the Bidder's participation in the Auction. If any of the Insiders is not an employee of the Bidder, then the information provided must state clearly the relationship between this Insider and the Bidder. The description of the role must be sufficient for the Authority to determine what function that Insider has played or will play during the Auction.

## **B.4 Deposit Confirmation Form**

Please confirm by ticking the relevant box in the Deposit Confirmation Form the amount of Deposit provided by the Bidder.

## **B.5 Checklist**

Please submit all the documents set out in the checklist in the Application Form and confirm by ticking the relevant check-boxes in the checklist to confirm that they have been provided by the Bidder.

## **B.6 Application Dates**

The Application Dates shall be 21 May 2009 and 22 May 2009.

## **B.7 Declaration of minimum bid**

Please read carefully and sign the declaration.

## **B.8 Submission instructions**

The Application Form and all declarations, consents and certificates must be prepared in the English language.

Each Bidder must provide five copies (one original and four copies) of its Application Form, except for business cards provided pursuant to B.2 of which only a single set is required.

Applications must be sealed in a non-transparent envelope or envelopes marked:

**“For the attention of the Assistant Director (Regulatory)”**

No other mark should appear on the envelope.

The Application must be delivered in person by hand to Assistant Director (Regulatory) of OFTA who will deposit the Application into the tender box in the presence of the person delivering the Application.

Further details on submission of Applications may be placed on the OFTA website from time to time.

## **B.9 Signatures**

The Application Form must be signed by two Authorised Representatives who are directors of the Bidder, and affixed with the company seal of the Bidder. Each page of the Application Form must also be signed by these two Authorised Representatives.

Please note that any additional papers provided as part of the Application Form should be signed by the two Authorised Representatives signing the main body of the Application Form. Any such additional sheets should also be numbered after the section to which they relate (e.g. A.1.5(a), A.1.5(b), etc).