

Transfer a spectrum licence

Spectrum Licence Transfer – Crown Management Rights

Spectrum licences are transferred by a prescribed Form 9 “Notice of transfer of spectrum licence” instrument under [section 56 of the Radiocommunications Act 1989](#).

You can transfer ownership of your spectrum licence to another party provided the licence meets RSM policy requirements.

For more detailed instructions on transferring a spectrum licence please see our [SMART user guides](#).

Before you begin

- The new licence holder must be a registered RSM client.
- Know the licence number(s) you want to transfer.
- Licence fees must be up-to-date. Only current licences that have no outstanding licence fees can be transferred.
- Check the conditions of the licence to see who has the authority to transfer the licence e.g. “Rightholder” or Rightholder and Manager” or “Manager”.

Spectrum transfer process

1. Download [Form 9 - Notice of transfer of spectrum licence](#).

Print and complete Form 9 for each licence transfer (two originals required):

Form details

- the Rightholder must date and sign both original Form 9 instruments
 - The field “In consideration of the sum of” is exclusive of GST.
 - Write the name of the person signing the Form 9 (on behalf of the rightholder) into the “Signed by” brackets
 - Have a witness complete both originals.
1. Include a brief covering letter outlining your transfer request.

Submit both originals to:

Authority

Send to

Rightholder alone

The Registrar of Radio Frequencies
Level 18, ASB Building
135 Albert Street
Auckland

Rightholder & Manager

OR

Manager alone

Radio Spectrum Management
33 Bowen St
Wellington

1. If consent by the manager is required to transfer a licence, the Manager on approval will provide written consent and send with the instruments direct to the Registrar.

Once the transfer has been registered

- The paper copy of the Form 9 instrument will be returned to the submitter.

- Electronic notification of the transfer will be sent to both parties provided both email addresses are recorded in SMART.

Further information

- It is advisable to hand deliver or courier the Form 9 instruments by track and trace delivery.
- The transfer request will be rejected if the Form 9 is incorrectly completed.
- The transfer of a spectrum licence is not valid until the transfer is registered.
- Contact us for assistance or to register as a new client on info@rsm.govt.nz or 0508 RSM INFO (0508 776 4636).

Interpretations from the Radiocommunications Act 1989

Rightholder

1. means the holder for the time being of a spectrum licence; and
2. includes a mortgagee who, in right of a mortgage of a spectrum licence, is entitled to enjoy or exercise the rights of the Rightholder.

Manager (sometimes called the Band Manager)

1. means a person named in a record of management rights as the manager of the range of frequencies to which the record of management rights relates; and
includes
 1. in relation to the transfer of management rights, a mortgagee who, in right of a mortgage of management rights, is entitled to exercise the power referred to in section 78(a);
 2. in relation to the granting of spectrum licences under section 48, a mortgagee who, in right of a mortgage of management rights, is entitled to exercise the power referred to in section 78(b).

Instrument

- means an instrument in any of the forms prescribed by regulations made under this Act for the purposes of any of the provisions of Parts 2 to 10