

Australian Communications and Media Authority

Nomination of Agent Form

Price based allocation of Low Power Open Narrowcasting (LPON) Transmitter Licences

Important information regarding this form

- This Nomination of Agent Form has been approved under paragraph 10(c) of the *Radiocommunications (Allocation of Transmitter Licences - Low Power Open Narrowcasting Licences) Determination 2025* (the LPON Determination).
- Persons completing this Nomination of Agent form should read the LPON Determination and, if necessary, seek appropriate advice.
- This Nomination of Agent form confers certain powers and obligations on the appointed representative of the Applicant which all parties should understand clearly before completion.
- This Nomination of Agent form may not be altered after it has been submitted.
- This Nomination of Agent form must be completed where an individual is appointing an agent to represent them at an auction for a transmitter licence for an LPON service.
- A separate Nomination of Agent form must be completed for each Agent, the applicant is appointing as their representative. Applicants who are individuals and representing themselves at auction, need not complete this form.
- If the Applicant for a transmitter licence for an LPON service is a company or incorporated association, this Nomination of Agent form must be submitted, to nominate a representative to act on behalf of the company or incorporation association.

The Applicant referred to in this Nomination of Agent form must be the same as that specified on the related Applicant Registration Form.

- This Nomination of Agent form must contain original signatures (or other form of execution) of the Applicant and Applicant Representative.

I submit this Nomination of Agent form to authorise a representative to act on behalf of a company or incorporated association.

I submit this Nomination of Agent form in conjunction with a deposit to register for auction.

I submit this second Nomination of Agent form in substitution for the Nomination of Agent Form previously lodged with the ACMA.

I submit this second Nomination of Agent form in addition to the Nomination of Agent form previously lodged with the ACMA.

THIS NOMINATION OF AGENT FORM is made on / / 2026.

by

Insert Name and ACN or ARBN if applicable (Applicant)

Applicant Registration Number *(if known)*

Introduction

- A. The Australian Communications and Media Authority has made the *Radiocommunications (Allocation of Transmitter Licences - Low Power Open Narrowcasting Licences) Determination 2025* (the Determination) under section 106 of the *Radiocommunications Act 1992*.
- B. The Applicant wishes to apply for one or more licences that are to be issued by the Australian Communications and Media Authority under the Determination.
- C. The Applicant wishes to appoint the person described below to act on the Applicant’s behalf in relation to the allocation of licences under the Determination.

Part A

1. NOMINATION

1.1 The Applicant nominates
(Full Name)

of
(Address)

(‘the bidder’)

who may be contacted by email at

or mobile

to do on the Applicant’s behalf, all acts, and execute all documents that are necessary for the applicant to be issued with a transmitter licence for an LPON service under the LPON Determination, including:

- (a) to bid for a transmitter licence at an auction held in accordance with the LPON Determination; and
- (b) to pay the deposit and the balance of the bid price.

1.2 The terms set out at the end of this document are part of this Nomination of Agent form.

THE APPLICANT HAS EXECUTED THIS NOMINATION OF AGENT FORM on the day, month and year written above.

(Print name of Applicant)

(Signature of Applicant)

in the presence of

(Print name of Witness)

(Signature of Witness)

OR, if the Applicant is a company:
SIGNED SEALED AND DELIVERED
for and on behalf of

ACN or ARBN

by authority of the Directors

(Print name of Director)

(Print name of Director/Secretary)

(Signature of Director)

(Signature of Director/Secretary)

If insufficient space, please attach details on a separate sheet of paper.

OR, in any other case (eg incorporated association or statutory authority) please execute in the appropriate form and attach if necessary).

2. ACKNOWLEDGEMENT

- 2.1 The Applicant has authority to appoint the bidder (authorised representative).
- 2.2 The Applicant must ensure that the bidder is made aware of the duties and obligations that apply to the bidder under the LPON Determination.
- 2.3 The Applicant is responsible for ensuring that the bidder attends the auction. The Commonwealth, its officers, servants and agents accept no responsibility for the failure of an Applicant or an Applicant's Representative to attend the auction or any failure of an Applicant or an Applicant's Representative to comply with the LPON Determination.

3. DURATION

This Nomination of Agent form remains in force until the allocation round of the price-based allocation process has been completed consistent with the requirements of the LPON Determination, or until the ACMA receives from the Applicant a notice of revocation in writing executed by the Applicant in the same manner as this form.

4. NO SUB-DELEGATION

The Applicant's Representative is not authorised under this Nomination of Agent form to appoint any substitutes, delegates or other representatives to act on the Applicant's behalf.

5. AMENDMENTS

This Nomination of Agent form cannot be amended.

6. SEVERABILITY

If any provision of this Nomination of Agent form is invalid and not enforceable in accordance with its terms, all other provisions which are self-sustaining and capable of separate enforcement without regard to the invalid provision, are and continue to be valid and enforceable in accordance with their terms.

7. INDEMNITY

- 7.1 The Applicant indemnifies the Commonwealth, including the ACMA, against any loss or costs which may be suffered or incurred as a result of an act, default or omission by the applicant or their authorised agent at any stage of the allocation process for a transmitter licence for an LPON service under the LPON Determination. The Applicant must pay to the ACMA immediately upon demand, the amount of the losses or costs suffered or incurred as a result of such act, default or omission.
- 7.2 The Applicant releases the ACMA from and against all demands, claims, actions or proceedings arising from the acts or omissions of any person in relation to the allocation procedures set out in the LPON Determination.
- 7.3 The rights and obligations referred to in this Part will survive the expiration or termination of this Deed.

8. RATIFICATION

The Applicant undertakes to ratify all acts that the Applicant Representative purports to do in accordance with the authority given by the Applicant under this Nomination of Agent form.

9. DEFINITIONS AND INTERPRETATION

- 9.1 In this Nomination of Agent Form, unless the contrary intention appears: “Act” means the *Radiocommunications Act 1992*.
“ACMA” means the Australian Communications and Media Authority.
“Applicant” means the person identified as the Applicant in this form and in the associated Applicant Registration form.
“Applicant representative” means the agent authorised by the Applicant through the completion of this form.
“balance of the bid price” has the same meaning as in the LPON Determination.
“Commonwealth” means the Commonwealth of Australia including the ACMA.
“Company” has the same meaning as in the *Corporations Act 2001*.
“LPON Determination” means the *Radiocommunications (Allocation of Transmitter Licences - Low Power Open Narrowcasting Licences) Determination 2025*.
“LPON service” has the same meaning as in the LPON Determination.
“Transmitter Licence” has the same meaning as in the Act.
- 9.2 Words referencing a gender include any other gender.
- 9.3 Words in the singular include the plural and words in the plural include the singular.