

1800 MHz Auction

**Award of frequencies in the frequency bands
1720.1-1785.0 MHz and 1815.1-1880.0 MHz**

Information Memorandum

Annex F

Template for Payment Guarantee

June 2016

Issued by

The Danish Energy Agency

Denmark

www.ens.dk

Annex F: Template for Payment Guarantee

At the request of

(name)
(address)
(post code)
(identification number)
"the Licensee"

we the undersigned

(name)
(address)
(post code)
(identification number)
"the bank / the insurance company"

guarantee that we will, irrevocably on demand and without any examination or other documentation of the legitimacy of the claim, pay to:

the Danish Government
represented by the Danish Energy Agency
Amaliegade 44
DK-1256 København K

The amount of [xx Danish Kroner] [INSERT AN AMOUNT OF NOT LESS THAN THE AMOUNT EQUIVALENT TO THE SUM OF THE INSTALMENTS TO BECOME DUE OVER THE FOLLOWING THREE YEARS BASED ON THE FINAL LICENCE PRICE].

The amount is security for the licensee's payment of the licence price for the licensee's licence to use the frequency bands [INSERT THE RELEVANT FREQUENCY BAND OF THE LICENSEE] in Denmark. The amount is written down according to clause 68 of the Danish Energy Agency's Decision of 28 June 2016 on Auction of Licences to Use Radio Frequencies in the Bands 1720.1-1785.0 MHz and 1815.1-1880.0 MHz and further with any amount paid out.

The guarantee shall expire on [] . [INSERT THE DATE ON WHICH THE REPAYMENT PERIOD WILL EXPIRE], however, this guarantee may be terminated three years after the bank/the insurance company having given three months prior notice by registered letter addressed to the beneficiary.

The Danish Government represented by the Danish Energy Agency shall submit requests for payment under the present guarantee in writing made to the bank / the insurance company, and the payment of the amount required shall be effected within 8 (eight) days of receipt of a request. A request for payment shall be made three months after the expiry at the latest. If request for payment is not made within that time limit, the Danish Government shall be obliged to return the original guarantee to the bank / the insurance company.

In the event that the request is for any reason not complied with, the bank/the insurance company is obliged to pay default interest pursuant to Section 5 (1) of the Danish Act on Interest from the date of the request for payment and until payment is effected.

The licensee declares by its signature to this guarantee that the licensee shall be unauthorised to impede the payment of any amount under this guarantee and that the licensee shall not use any prejudgment remedy including restrictive injunction or attachment or otherwise in order to impede the payment.

This guarantee shall be subject to Danish law and the agreed venue shall be the legal venue of the Danish Energy Agency.

[In case of foreign bankers or insurance companies:] We the undersigned bank/insurance company agrees to that a judicial decision made by Danish courts shall be directly enforceable in relation to the bank / the insurance company.

Date:
Signature:
[the bank / the insurance company]:

Date:
Signature:
[the licensee]: