

Telecommunications (Licensing and Authorisation) Regulations

SAINT LUCIA

No.121 of 2008

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulations

1. Citation
2. Interpretation

PART II

LICENCE SCOPE AND CLASSIFICATION

3. Categories of licence
4. Scope of licence

PART III

COMMISSION'S ACTIONS UPON RECEIPT OF APPLICATION

5. Action on receipt of application

PART IV

INDIVIDUAL LICENCE

6. Application for individual licence
7. Procedure for processing of individual licence
8. Notice from Minister on individual licence

PART V

CLASS LICENCE

9. Application for class licence
10. Consultations on class licence application
11. Commission's recommendations on class licence
12. Minister's decision on class licence

PART VI

SPECIAL LICENCE

13. Application for special licence

*Telecommunications (Licensing and Authorisation) Regulations***PART VII****LIMITING THE NUMBER OF LICENCES**

14. Limiting the number of licences

PART VIII**PROCEDURE FOR THE TRANSFER OF LICENCES**

15. Transfer of licence
16. Internal restructuring or name change

PART IX**FREQUENCY AUTHORISATION**

17. Application for frequency authorisation
18. Duties of Commission on receipt of application for frequency authorisation
19. Recommendations of Commission for grant of frequency authorisation
20. Minister's decision on frequency authorisation
21. Transfer of frequency authorisation

PART X**ENFORCEMENT OF A LICENCE OR FREQUENCY AUTHORISATION**

22. Enforcement of licence conditions

PART XI**GENERAL PROVISIONS**

23. Terms for issuance of licence
24. Notice to the Minister
25. Revocation of licence
26. Register
27. Revocation
28. Transitional provisions

FIRST SCHEDULE**SECOND SCHEDULE****THIRD SCHEDULE****FOURTH SCHEDULE****FIFTH SCHEDULE****SIXTH SCHEDULE****SEVENTH SCHEDULE****EIGHTH SCHEDULE**

*Telecommunications (Licensing and Authorisation) Regulations***SAINT LUCIA**

STATUTORY INSTRUMENT, 2008, No. 121

[29th December, 2008]

In exercise of the power conferred under section 73 of the Telecommunications Act, Cap. 8.11, the Minister responsible for telecommunications, makes these Regulations:

PART I
PRELIMINARY

Citation

1. These Regulations may be cited as the Telecommunications (Licensing and Authorisation) Regulations 2008.

Interpretation

2. In these Regulations —

“Act” means the Telecommunications Act, Cap. 8.11;

“Companies Act” means the Companies Act, Cap. 13.01;

“class licence Type ‘A’ Service” means the services listed in the First Schedule;

“class licence Type ‘B’ Service” means the services listed in the Second Schedule;

“frequency authorisation holder” means a person to whom a Frequency Authorisation has been granted under the Act;

“licensee” means person to whom a licence has been granted under the Act.

PART II
LICENCE SCOPE AND CLASSIFICATION

Categories of licence

3.— (1) There shall be three categories of licence:

(a) an individual licence;

(b) a class licence;

Telecommunications (Licensing and Authorisation) Regulations

(c) a special licence.

(2) An Individual Licence granted by the Minister in accordance with the Act authorizes a person to establish or operate a public telecommunications network or facility necessary to provide telecommunications service.

(3) A Class Licence granted by the Minister in accordance with the Act authorizes a person to:

- (a) establish or operate elements of a telecommunications network or facility that is not connected to a public network for the sole and exclusive use of that entity; or
- (b) lease or otherwise obtain telecommunications network elements like transmission capacity, switching services, ducts or fibre from other Licensees to provide telecommunication service to the public;

for the purpose of providing a Class Licence Type A or Class Licence Type B Service.

(4) A Special Licence granted by the Minister in accordance with the Act refers to any type of licence or frequency authorisation granted for a period not exceeding ten days when emergency or other exigent circumstances exist and is not subject to renewal.

(5) The Minister shall, on receipt of a recommendation from ECTEL, publish in the Gazette the telecommunications networks and services that are subject to an individual licence, a Class Licence or a Frequency Authorisation.

(6) Frequency authorisation shall be required for the operation of any network or the provision of any service that requires the use of radio spectrum.

Scope of licence

4. The grant of a licence or frequency authorisation to a person does not authorise that person to own or operate any telecommunications network, or provide any telecommunications service, other than that prescribed in the licence or frequency authorisation.

Telecommunications (Licensing and Authorisation) Regulations

PART III

COMMISSION'S ACTIONS UPON RECEIPT OF APPLICATIONS

Action on receipt of application

5.— (1) Upon receipt of an application for a licence or frequency authorisation, the Commission shall review the application for completeness.

(2) Where the application is incomplete, the Commission shall, within 7 days, notify the applicant of the further information required to process that application and that the Commission may refrain to act further until receipt of that information.

(3) Where the Commission is satisfied with the completeness of an application for an individual licence, it shall as soon as practicable, forward the application along with the supporting documents to ECTEL for review.

(4) Where the Commission is satisfied with the completeness of an application for a class licence, it shall review the application.

PART IV

INDIVIDUAL LICENCE

Application for individual licences

6.— (1) An application for an individual licence shall be submitted to the Commission and shall:

- (a) be in the prescribed form and contain such information and particulars as are set out in the Third Schedule; and
- (b) be accompanied by the prescribed application fee which shall be non refundable.

(2) Notwithstanding the provisions of sub-regulation 1 (a), an application for a submarine cable licence shall be made in accordance with the form set out in the Fourth Schedule.

Procedure for processing individual licence

7.— (1) Subject to regulation 5, the Commission, upon receipt of an application for an individual licence, shall as soon as practicable forward a copy of that application with supporting information to ECTEL.

Telecommunications (Licensing and Authorisation) Regulations

(2) ECTEL upon receipt of the application for an individual licence may consult with the Commission, members of the public, experts, industry or other persons, or adopt any other reasonable process to aid it in recommending whether or not to grant the licence to the applicant.

(3) ECTEL shall within 60 days of receipt of an application for an individual licence make a recommendation, which shall be submitted to the Commission for onward transmission to the Minister.

(4) The Commission shall forward the application to the Minister together with ECTEL's recommendations within 5 days of receipt of ECTEL's recommendation.

Notice from Minister on individual licences

8. — (1) Upon receipt of the recommendation for an individual licence from ECTEL, the Minister shall within 21 days of receipt notify the applicant in writing of his or her decision.

(2) Where an application for an individual licence is refused the Minister shall in his or her notification to the applicant state in writing the reasons for his or her refusal.

PART V
CLASS LICENCE

Application for class licence

9. An application for a class licence shall be for either a class licence Type A Service or class licence Type B Service and shall be submitted to the Commission —

- (a) in the prescribed form and contain such information and particulars as are set out in the Fifth and Sixth Schedules respectively; and
- (b) be accompanied by the prescribed application fee which shall be non-refundable.

Consultations on class licence application.

10. The Commission, upon receiving an application for a class licence, may consult with ECTEL, members of the public, experts, industry or other persons, or adopt any other reasonable process to aid it in recommending whether or not to grant the licence to the applicant.

Telecommunications (Licensing and Authorisation) Regulations

Commission's recommendations on class licence

11.— (1) Subject to regulation 5, and notwithstanding regulation 10, the Commission shall, within 60 days of receipt of a class licence application forward the application to the Minister together with its recommendations.

(2) In making its recommendation to the Minister, the Commission shall take into account —

- (a) the matters set out in the application;
- (b) any submissions received during the process set out in regulation 10; and
- (c) other relevant matters.

Minister's decision on class licence

12.— (1) The Minister shall within twenty-one days of receipt of the recommendation for a class licence from the Commission, notify the applicant of his or her decision in writing.

(2) Where the application is refused, the Minister shall in his or her notification to the applicant state in writing the reasons for his or her refusal.

PART VI
SPECIAL LICENCE

Application for special licence

13. An application for a special licence shall be submitted in writing to the Minister and shall —

- (a) contain such information and particulars as may be necessary to process the application including the name and address of the applicant and the service being applied for; and
- (b) be accompanied by the prescribed application fee which shall be non-refundable.

PART VII
LIMITING THE NUMBER OF LICENCES

Limiting the number of licences

14. Where it is proposed that the number of licences to be granted for the operation of a particular type of telecommunications network

Telecommunications (Licensing and Authorisation) Regulations

or the provision of a particular type of telecommunications service should be limited, the Commission shall, on the recommendation of ECTEL —

- (a) publish a consultative document containing reasons for the proposed limitation;
- (b) consider any representations made to it in respect of the proposed limitation;
- (c) publish a notice in the Gazette and in a local newspaper having a wide circulation stating the -
 - (i) grounds and period during which licences will be granted; and
 - (ii) reasons for proposing to limit the number of licences; and
- (d) undertake a periodic review of any limitation imposed on the number of licences granted.

PART VIII**PROCEDURE FOR THE TRANSFER OF LICENCE****Transfer of licence**

15.— (1) A licensee wishing to transfer a licence shall apply to the Minister in writing at least 90 days prior to the proposed date of transfer, or such other period as may be determined by the Minister.

(2) The written application of the licensee and a completed application form by the proposed transferee for a licence shall be jointly submitted to the Minister who shall as soon as practicable forward the same to ECTEL, in the case of an individual licence, and to the Commission in the case of a class licence, for its evaluation in accordance with the procedures set out in these Regulations for the evaluation of the particular licence.

(3) Upon completion of its evaluation of the application ECTEL or the Commission, as the case may be, shall forward its recommendation to the Minister.

(4) The Minister acting on such advice may approve or disapprove the transfer.

Telecommunications (Licensing and Authorisation) Regulations

(5) Where the application is refused the Minister, shall in his or her notification to the applicant, state in writing the reasons for his or her refusal.

(6) The Minister shall respond to the applicant within 21 days of receipt of a recommendation from ECTEL or the Commission as the case may be.

(7) In this Part “transfer” includes any method by which a licence is to be recorded in the name of another person other than the initial licensee.

Internal restructuring or name change

16. Where a transfer of a licence or frequency authorisation is required as a result of a change of name in accordance with the Companies Act and results in no change to the beneficial ownership thereof, the provisions of regulation 15 shall not apply and the licensee shall within 30 days notify the Minister of the change of name and the reasons for the change.

**PART IX
FREQUENCY AUTHORISATION**

Application for frequency authorisation

17. An application for a frequency authorisation shall be submitted in writing to the Commission and shall —

- (a) be in the prescribed form and contain such information and particulars as are set out in the Seventh Schedule.
- (b) be accompanied by the prescribed application fee which shall be non-refundable.

Duties of Commission on receipt of application for frequency authorisation

18. Upon receipt of an application for a frequency authorisation the Commission shall —

- (a) review the application; and
- (b) consult with ECTEL on that application.

Recommendations of Commission for grant of frequency authorisation

19.— (1) Upon completion of the process under regulation 18, the Commission shall make a recommendation to the Minister.

Telecommunications (Licensing and Authorisation) Regulations

(2) In recommending to the Minister whether the frequency authorisation should be granted or not, the Commission shall take into account:

- (a) the matters set out in the application;
- (b) any recommendations of ECTEL;
- (c) the National Spectrum Management Plan;
- (d) the Regional Spectrum Management Plan; and
- (e) other relevant matters.

(3) Subject to the provisions of regulations 4 and 5, the Commission shall make its recommendation to the Minister in writing no later than 60 days after receipt of the application.

Minister's decision on frequency authorisation

20.— (1) The Minister shall notify the applicant in writing of his or her decision within 21 days of receipt of the recommendation from the Commission.

(2) Where the application is approved, the Minister shall grant the frequency authorisation on payment of the prescribed fee.

(3) Where the application is refused, the Minister shall, in his or her notification to the applicant, state in writing the reasons for his or her refusal.

Transfer of frequency authorisation

21. The provisions of Part VIII shall apply *mutatis mutandis* to the transfer of frequency authorisations.

PART X**ENFORCEMENT OF A LICENCE OR FREQUENCY AUTHORISATION****Enforcement of licence conditions**

22.— (1) Where the Commission is satisfied that a licensee or frequency authorisation holder is contravening or has contravened any of the provisions of these Regulations, his or her licence or frequency authorisation, the Commission shall commence an investigation for the purpose of securing compliance with the provision, regulation or condition in question.

Telecommunications (Licensing and Authorisation) Regulations

(2) The enforcement of conditions of a licence or frequency authorisation shall be subject to the following specific regulatory principles, practices and procedures —

- (a) the Commission may begin an investigation into a complaint in the following circumstances—
 - (i) upon receipt of a complaint by anyone;
 - (ii) where indicated by matters arising from an investigation of any person as part of the Commission's performance of its duties; or
 - (iii) where the Commission obtains information by other means and that information suggests that a contravention of the licence term or condition may have occurred or is occurring;
 - (iv) of its own motion;
- (b) upon a complaint about a particular conduct, the Commission shall determine whether there is reason to suspect that there is a contravention of these regulations or a condition under the licence or frequency authorisation and if so shall proceed to investigate the complaint;
- (c) in determining whether to proceed with investigating a complaint, the Commission shall give priority to matters where —
 - (i) there has been a breach of these Regulations;
 - (ii) there has been a breach of a condition in the licence or frequency authorisation;
 - (iii) there appears to be substantial damage or risk of substantial damage arising from that breach;
 - (iv) there appears to be significant public detriment;
- (d) where the Commission has determined there is reason to suspect that there is a contravention of these Regulations or any condition of a licence or frequency authorisation, the Commission shall, in writing, issue an investigation notice;
- (e) The Commission shall make the decision to issue an investigation notice after giving proper consideration to the merits of the case and deciding whether it has reason to believe that the licensee or frequency authorisation holder concerned

Telecommunications (Licensing and Authorisation) Regulations

has contravened these Regulations or a condition under the licence or frequency authorisation;

- (f) The investigation notice shall state -
- (i) that the Commission is investigating a possible breach of these Regulations, a condition of the licence or frequency authorisation;
 - (ii) the reasons for the suspicion of a contravention or breach, including any matter of fact or law which is relevant to the investigation;
 - (iii) that information is required from the licensee or frequency authorisation holder in order to proceed with the investigation;
- (g) in determining matters concerning the breach of a condition of a licence or frequency authorisation, the Commission in arriving at its decision-
- (i) shall provide the licensee or frequency authorisation holder with an opportunity to make representation on the matter before the Commission;
 - (ii) may provide an opportunity for the public to make representation in connection with the material issues;
 - (iii) shall give consideration to the representations of the licensee or frequency authorisation holder;
 - (iv) shall, where there has been a public consultation, give consideration to the public comments received;
 - (v) shall not be bound by technicalities, legal forms or rules of evidence;
 - (vi) shall act as expeditiously as a proper consideration of the matters may allow, having regard to the need to carefully and quickly inquire into and investigate the breach and all matters affecting the merits and fair settlement of the matter;
 - (vii) may inform itself of any matter relevant to the breach in any way it thinks appropriate;
- (h) the Commission's decision and directions shall be non-discriminatory and shall treat similarly situated parties in the same manner and on the same basis;

Telecommunications (Licensing and Authorisation) Regulations

- (i) at any time during the investigation the Commission may issue an interim order directing the licensee or frequency authorisation holder to cease and desist from a specified conduct, if the Commission is satisfied that —
 - (i) there is prima facie evidence that the licensee or frequency authorisation holder contravened the provision of the these Regulations or a condition in the licence or frequency authorisation;
 - (ii) continuation of the licensee or frequency authorisation holder's conduct is likely to cause serious harm to other licensees or frequency holders, consumers or the general public;
 - (iii) the potential harm in allowing the licensee or frequency authorisation holders to continue its conduct outweighs the burden on the licensee or frequency authorisation holder;
 - (iv) issuance of the order is in the public interest;
- (j) where the Commission determines that the licensee or frequency authorisation holder has contravened any of the conditions under these Regulations, the licence or frequency authorisation, the Commission after consultation with ECTEL may take any of the following enforcement actions-
 - (i) direct the licensee or frequency authorisation holder to cease engaging in the provision of the service or use of the particular frequency;
 - (ii) direct the licensee or frequency authorisation holder to take specific remedial action and provide proof to the satisfaction of the Commission that such remedial action has been undertaken;
 - (iii) refer the matter to the Director of Public Prosecutions for the instituting of criminal proceedings;
- (k) where the licensee or frequency authorisation holder fails to comply with paragraph (j) (i) and (ii) the Commission shall advise ECTEL by submitting a full report on the matter;
- (l) ECTEL, upon review of the report submitted in accordance with paragraph (k), shall make further recommendations to the Commission.

*Telecommunications (Licensing and Authorisation) Regulations***PART XI
GENERAL PROVISIONS****Terms for issuance of licence**

23.— (1) The Minister shall issue an individual licence, class licence and frequency authorisation on terms that are non-discriminatory.

(2) For the purpose of sub-regulation (1), an individual licence, class licence or frequency authorisation is issued on non-discriminatory terms if —

- (a) telecommunications providers of similar types of telecommunications networks or telecommunications services are treated similarly;
- (b) the licence or frequency authorisation does not favour any one telecommunications provider or class of telecommunications providers; and
- (c) the issuance of the licence or frequency authorisation is likely to enhance competition in any market.

Notice to the Minister

24. The holder of a licence or frequency authorisation shall notify the Minister in writing if either of the following occurs —

- (a) any of the matters forming part of the application for licence or frequency authorisation changes in a material respect;
- (b) the licensee or frequency authorisation holder enters into any agreement to merge part or all of its telecommunications activities in Saint Lucia with any person.

Revocation of licence

25.— (1) Where the Minister proposes to vary suspend or revoke a licence or frequency authorisation, he shall notify the licensee or frequency authorisation holder —

- (a) of the reasons for the proposed variation, suspension or revocation; and
- (b) specifying the date on which the variation, suspension or revocation is proposed to take effect, and the period within which representations on the Proposal may be made.

Telecommunications (Licensing and Authorisation) Regulations

(2) Where the Proposal is the result of a breach of these Regulations or a term, provision or limitation of the licence or frequency authorisation the notice given to the licensee or frequency authorisation holder shall state that the proposal shall be withdrawn if the breach is remedied within the period of 30 days commencing from the date of the notice.

(3) Where the licensee or frequency authorisation holder fails to remedy the breach as stated in sub-regulation (2), the Minister shall not later than 7 days after the last day for remedy by the licensee or frequency authorisation holder —

- (a) suspend the licence or frequency authorisation for a period not exceeding 3 months during which period the licensee or frequency authorisation holder shall cease all activity related to his licence or frequency authorisation and shall remedy the breach;
- (b) revoke the licence or frequency authorisation where the licensee or frequency authorisation holder fails to remedy the breach during the suspension period.

Register

26.— (1) The Commission shall maintain Registers at its principal office containing —

- (a) each individual licence, class licence, special licence and frequency authorisation ;
- (b) the names, registered office or principal place of business of each person licensed or authorised to operate.

(2) The registers shall be open to public inspection during normal working hours and may be made available electronically or in any format, as the Commission considers appropriate.

(3) The Commission shall make copies of entries in the register available to members of the public on payment of a prescribed fee.

Revocation

27. The Telecommunications (Licensing and Authorisation) Regulations 2002, No. 13 is hereby revoked.

*Telecommunications (Licensing and Authorisation) Regulations***Transitional provisions**

28.— (1) Notwithstanding the revocation of the Telecommunications (Licensing and Authorisation) Regulations 2002, No. 13 licences or frequency authorisations granted under those Regulations shall remain valid.

(2) An application for a renewal of a licence or frequency authorisation issued pursuant to the Telecommunications (Licensing and Authorisation) Regulations, Cap. 8.11 shall be made in accordance with the provisions of these Regulations.

(3) An application for a licence or frequency authorisation or for the transfer of a licence or frequency authorisation made prior to the passage of these Regulations, for which a recommendation has not been made by ECTEL, or the Commission as the case may be to the Minister, shall be processed in accordance with these Regulations.

*Telecommunications (Licensing and Authorisation) Regulations***FIRST SCHEDULE**

(Regulation 2)

Class Licence Type A Service

Restricted Internet Service Provider Licence

Full Internet Service Provider Licence

International Simple Voice Resale Licence

Value Added Service Licence

Audiotext Licence

Videotext Licence

SECOND SCHEDULE

(Regulation 2)

Class Licence Type B service

Aeronautical Mobile Radio Licence

Aircraft Station Licence

Amateur Radio Licence

Citizen Band Radio Licence

Community Radio Licence

Family Radio Licence

Land Mobile Radio Licence

Maritime Mobile Radio Licence

Private Telecommunications Network Licence

Ship Station Licence

Short Term Telecommunications Licence

Telecommunications (Licensing and Authorisation) Regulations

THIRD SCHEDULE

(Regulation 6(1)(a))

APPLICATION FORM FOR AN INDIVIDUAL LICENCE

Under section 29 of the Telecommunications Act, Cap. 8.11

SAINT LUCIA

Name of Applicant.....

- Type of Application New Application
 Application to Modify/Amend an Existing Licence
 Application to Renew Licence

Please tick as appropriate

- Fixed Mobile Telecommunications Licence
 Public Mobile Telecommunication Licence
 Public Radio Paging Licence

National Telecommunications Regulatory Commission
[Insert Address]
[ECTEL Member State]

Guidance Notes

- Only one licence shall be applied for on each application form. A person wishing to apply for more than one licence shall be required to use the requisite number of forms.
- Please note that this form may also be used for an application to modify an existing licence under section 39 of the Telecommunications Act, Cap 8.11.
- [3] copies of the completed application form should be submitted in an envelope clearly marked "Telecommunications Individual Licence Application" addressed to Secretary, National Telecommunications Regulatory Commission, [Insert Address], [ECTEL Member State].
- For a renewal of licence please attach a copy of the present or existing licence to the completed application form.
- The completed application form must be accompanied by a fee of one thousand Eastern Caribbean dollars (EC\$1000) for each licence applied for, payable

Telecommunications (Licensing and Authorisation) Regulations

to the National Telecommunications Regulatory Commission, [ECTEL Member State].

- For questions or sections, which are not applicable, write or type “NOT APPLICABLE” in bold or print.
- Incomplete applications or applications with conditional statements may be summarily rejected.
- Please indicate which, if any, information provided by the applicant in this application is to be considered confidential.
- Please note that any word, phrase or expression used herein shall have the same meaning as it has in the Telecommunications Act, Cap 8.11.
- The contents of this application form do not constitute legal advice. Applicants are urged to seek independent confirmation and professional advice with respect to any matter pertaining to the telecommunications licensing regime.

1. Part I -THE APPLICANT

(Please complete fully in type or block letters)

1.1 Contact Details

- 1.1.1 Name and business address of applicant
- 1.1.2 Postal address (if different from above)
- 1.1.3 Designated contact person
- 1.1.4 Telephone number
- 1.1.5 Fax number
- 1.1.6 E-mail address (if available)

1.2. Business Details

- 1.2.1 If the applicant is a company, partnership, or other body corporate please give the name(s) and private address of each of the current directors, company secretary, or partners:

Name

Address

Telecommunications (Licensing and Authorisation) Regulations

- 1.2.2 State the name under which applicant proposes to trade, and registered office address if different to above:

- 1.2.3 In the case of a company or other body corporate, please provide copies of the company's/entity's articles of incorporation.

- 1.2.4 Address in [ECTEL Member State] for service of process or other notices (in case of overseas applicant)¹

1.3 History of the Applicant

- 1.3.1 Has the applicant ever applied for a licence or registration under any Act in [ECTEL Member State] and been refused?

[YES]

[NO]

- 1.3.2 Has the applicant ever been licensed under the Telecommunications Act, Cap. 8.11?

[YES]

[NO]

- 1.3.3 If the answer to question 1.3.2 is YES, has any such licence been revoked?

[YES]

[NO]

- 1.3.4 Has any Affiliate of the applicant previously been granted a licence under the Telecommunications Act, Cap. 8.11 which was revoked?

¹ Where the applicant is located overseas, the application must include an address for service of process and any other notice in [ECTEL Member State]

Telecommunications (Licensing and Authorisation) Regulations

[YES]

[NO]

1.3.5 Is the applicant the holder of a telecommunications licence in any other country?

[YES]

[NO]

1.3.6 Has the applicant or any Affiliate been refused a licence mentioned in question 1.3.5 above, or had a licence revoked?

[YES]

[NO]

1.3.7 Has the applicant operated under or carried on business under any name other than the name in this application?

[YES]

[NO]

2. PART II - APPLICANT'S BUSINESS AND PROPOSED NETWORK AND/OR SERVICE(S)

2.1 Financial Information and Business Plan

2.1.1 Please provide a business plan. The plan should outline any major assumptions used and should cover a period of at least [five] years. The information provided should include:

- Source of funds including amount and type of funding supported by independent confirmation as appropriate including by official letter of credit from a financial institution, or affidavit with supporting official bank statements;
- Proforma financial statements for [five] years to include balance sheet, statement of cash flow and income statements; and
- Market forecasts.

Telecommunications (Licensing and Authorisation) Regulations

- 2.1.2 For a going concern, please provide Audited Financial Reports or certified financial statements for the last three years in respect of the Company on whose behalf the application is being submitted.
- 2.1.3 Please provide a diagrammatic representation of the applicant's group structure, including the percentage of shares held. Please indicate which affiliates have, or intend to apply for, other telecommunications licences.
- 2.1.4 Does the applicant have any shareholdings of over 5% in any other licenced telecommunications provider in the OECS?

[YES] [NO]

- 2.1.5 Does the applicant have any other trading activities in or outside the telecommunications market?

[YES] [NO]

If the answer is YES, please provide details of any arrangements made to ensure no cross-subsidization between the applicants:

- (a) telecommunications and non-telecommunications activities
- (b) wholesale and retail activities
- (c) telecommunications equipment production or supply and other telecommunications activities.

- 2.1.6 Please provide brief résumés of key managerial staff, indicating relevant prior experience, qualifications and other sources of expertise as appropriate, and also explain what technical resources exist to help complete plans.

- 2.1.7 Has any member of the applicant's managerial staff been bankrupt, or been a director of a company which has become insolvent?

[YES

[NO]

Telecommunications (Licensing and Authorisation) Regulations

If the answer is YES, please attach a certified copy of the discharge.

- 2.1.8 Has the applicant or any member of the applicant's managerial staff ever been the defendant or respondent in any proceedings in any court in any jurisdiction involving dishonesty, fraud, theft or violence, or is the applicant or any member of the applicant's managerial staff currently the subject of a charge or indictment under the law of any country for [contravention of any law or for] any conduct involving dishonesty, fraud, theft or violence?

[YES]

[NO]

2.2 Applicant's Current Activities

Please provide answers to the following questions in relation to (a) the applicant's activities in the OECS; (b) the applicant's activities elsewhere in the Caribbean; and (c) the applicant's activities elsewhere in the world.

Networks

- 2.2.1 Please provide a summary of the infrastructure that the applicant has in place, including radio-based infrastructure.
- 2.2.2 If the applicant is using radio frequency spectrum, please provide details of the frequency authorisations held, including the number of frequency authorisations and the reference number of each Frequency Authorization

Services

- 2.2.3 Please provide details of the products and services being provided by the applicant and the terms (including prices) on which they are available. In particular, please provide details on the number of customers and lines installed.
- 2.2.4 Please provide details of current contracts with all classes of customers, as well as copies of all such contracts.

Licence obligations

- 2.2.5 Please provide details of how the applicant currently complies with the following obligations in relation to its existing networks and/or services (where relevant):

Telecommunications (Licensing and Authorisation) Regulations

- (a) any build-out obligations
- (b) any public payphone obligations
- (c) any obligations to provide access to emergency services
- (d) any universal service obligations
- (e) any customer obligations, including the provision of information services, quality of service obligations, and dispute resolution procedures
- (f) any interconnection or facility-sharing obligations, including details of the cost accounting system to be adopted by the applicant in order to allow unbundling of interconnection charges and the calculation of component costs
- (g) any leased line and resale obligations
- (h) any privacy and confidentiality obligations
- (i) any non-discrimination obligations

2.3 Applicant's Proposed Activities**Networks**

- 2.3.1 Please provide a summary of the infrastructure that the applicant is planning to put in place within the next three years, including radio-based infrastructure.
- 2.3.2 If the applicant is planning to use radio frequency spectrum, please indicate whether an application has been submitted for a frequency authorisation and provide details (copies may be enclosed if preferred).

Services

- 2.3.3 Please provide a description of each proposed service, including details on the following:
 - (a) all technical aspects of the services (including equipment)
 - (b) how access to the service is to be provided (e.g. indirect access, direct access, leased lines, etc.)
 - (c) targeted customer base, including number of customers targeted
- 2.3.4 Please provide details of any proposed supply relationships in respect of the proposed network and/or services.

*Telecommunications (Licensing and Authorisation) Regulations***Licence obligation**

- 2.3.5 Please provide details of how the applicant proposes to comply with the following obligations in relation to its proposed networks and/or services (where relevant):
- (a) any build-out obligations
 - (b) any public payphone obligations
 - (c) any obligations to provide access to emergency services
 - (d) any universal service obligations
 - (e) any customer obligations, including the provision of information services, quality of service obligations, and dispute resolution procedures
 - (f) any interconnection or facility-sharing obligations, including details of the cost accounting system to be adopted by the applicant in order to allow unbundling of interconnection charges and the calculation of component costs
 - (g) any leased line and resale obligations
 - (h) any privacy and confidentiality obligations
 - (i) any non-discrimination obligations

3. PART III - DECLARATION²

On behalf of the applicant, I declare that the information provided by me on behalf of the applicant is accurate and complete in all respects.

Signed:

Full name of signatory:

Post held:

Date:

² This declaration must be signed:

- (i) in the case of an individual, by the person in whose name the application is made;
- (ii) in the case of a sole proprietorship, by the sole proprietor, or
- (iii) in the case of a partnership, by a partner; or
- (iv) in the case of a company or other body corporate, by a director of the company or other body corporate

*Telecommunications (Licensing and Authorisation) Regulations***FOURTH SCHEDULE**

(Regulation 6 (2))

APPLICATION FOR A SUBMARINE CABLE LICENCE

Name of Applicant _____

- Type of Application
- New Application
- Application to Modify/Amend and Existing Licence
- Application to Renew Licence

National Telecommunications Regulatory Commission
[Insert Address]
[ECTEL Member State]

Guidance Notes

- Please note that this form may also be used for an application to modify an existing licence under section 39 of the Telecommunications Act, Cap. 8.11.
- [3] copies of the completed application form should be submitted in an envelope clearly marked "Telecommunications Submarine Cable Licence Application" addressed to Secretary, National Telecommunications Regulatory Commission, [Insert Address], [ECTEL Member State].
- For a renewal of licence please attach a copy of the present or existing licence to the completed application form
- The completed application form must be accompanied by a fee of one thousand Eastern Caribbean dollars (EC\$1000) for each licensable service, payable to the National Telecommunications Regulatory Commission, [ECTEL Member State].
- For questions or sections which are not applicable, write or type "NOT APPLICABLE" in bold or print.
- Incomplete applications or applications with conditional statements may be summarily rejected
- Please indicate which, if any, information provided by the applicant in this application is to be considered confidential.

Telecommunications (Licensing and Authorisation) Regulations

- Please note that any word, phrase or expression used herein shall have the same meaning as it has in the Telecommunications Act, Cap 8.11.
- The contents of this application form do not constitute legal advice. Applicants are urged to seek independent confirmation and professional advice with respect to any matter pertaining to the telecommunications licensing regime.

1. Part I - THE APPLICANT

(Please complete fully in type or block letters)

1.1 Contact Details

- 1.1.1 Name and business address of applicant
- 1.1.2 Postal address (if different from above)
- 1.1.3 Designated contact person
- 1.1.4 Telephone number
- 1.1.5 Fax number
- 1.1.6 E-mail address (if available)

1.2. Business Details

- 1.2.1 If the applicant is a company, partnership, or other body corporate please give the name(s) and private address of each of the current directors, company secretary, or partners:

Name	Address
_____	_____
_____	_____

- 1.2.2 State the name under which applicant proposes to trade, and registered office address if different to above:

- 1.2.3 In the case of a company or other body corporate, please provide copies of the company's/entity's articles of incorporation.

Telecommunications (Licensing and Authorisation) Regulations

1.2.4 Address in [ECTEL Member State] for service of process or other notices (in case of overseas applicant)²

1.3 History of the Applicant

1.3.1 Has the applicant ever applied for a Licence or registration under any Act in [ECTEL Member State] and been refused?

[YES]

[NO]

1.3.2 Has the applicant ever been licensed under the Telecommunications Act, Cap. 8.11?

[YES]

[NO]

1.3.3 If the answer to question 1.3.2 is YES, has any such licence been revoked?

[YES]

[NO]

1.3.4 Has any Affiliate of the applicant previously been granted a licence under the Telecommunications Act, Cap. 8.11 which was revoked?

[YES]

[NO]

1.3.5 Is the applicant the holder of a telecommunications licence in any other country?

[YES]

[NO]

1.3.6 Has the applicant or any Affiliate been refused a Licence mentioned in question 1.3.5 above, or had a Licence revoked?

[YES]

[NO]

Telecommunications (Licensing and Authorisation) Regulations

1.3.7 Has the applicant operated under or carried on business under any name other than the name in this application?

[YES]

[NO]

PART II - APPLICANT'S BUSINESS AND PROPOSED NETWORK AND/OR SERVICE(S)**2.1 Financial Information and Business Plan**

2.1.1 Please provide a business plan. The plan should outline any major assumptions used and should cover a period of at least [five] years. The information provided should include:

- (a) Sources of funding, debt levels, equity and independent confirmation as appropriate;
- (b) Financial statements/projections for [five] years to include cash flow and income statements; and
- (c) Market forecasts.

2.1.2 For a going concern please provide Audited Financial Reports including certified Income Statements and Balance Sheets for the last three years in respect of the Company on whose behalf the application is being submitted.

2.1.3 Please provide a diagrammatic representation of the applicant's group structure, including the percentage of shares held. Please indicate which affiliates have, or intend to apply for, other telecommunications licence.

2.1.4 Does the applicant have any shareholdings of over 5% in any other licensed telecommunications provider in the OECS?

[YES]

[NO]

Telecommunications (Licensing and Authorisation) Regulations

- 2.1.5 Does the applicant have any other trading activities in or outside the telecommunications market?

[YES]

[NO]

If the answer is YES, please provide details of any arrangements made to ensure no cross-subsidization between the applicants:

- (a) telecommunications and non-telecommunications activities
 - (b) wholesale and retail activities
 - (c) telecommunications equipment production or supply and other telecommunications activities.
- 2.1.6 Please provide brief résumés of key managerial staff, indicating relevant prior experience, qualifications and other sources of expertise as appropriate, and also explain what technical resources exist to help complete plans.
- 2.1.7 Has any member of the applicant's managerial staff been bankrupt, or been a director of a company which has become insolvent?

[YES]

[NO]

If the answer is YES, please attach a certified copy of the discharge.

- 2.1.8 Has the applicant or any member of the applicant's managerial staff ever been the defendant or respondent in any proceedings in any court in any jurisdiction involving dishonesty, fraud, theft or violence, or is the applicant or any member of the applicant's managerial staff currently the subject of a charge or indictment under the law of any country for [contravention of any law or for] any conduct involving dishonesty, fraud, theft or violence?

[YES]

[NO]

*Telecommunications (Licensing and Authorisation) Regulations***PART III Technical Information**

3.1 Please provide information on:

- (a) the intended route of the cable and in the case of a terminating cable the landing points of the cable in [Contracting State]

- (b) the technical description of each proposed cable network, including details on the following:
- (i) all technical aspects of the cable, including type, capacity and accessory equipment;
- (ii) cable route with proposed landing point(s);
- (iii) how access to the cable is to be provided (e.g. indirect access, direct access, leased lines, etc.);
- (iv) support mechanisms for the cable landing and maintenance;
- (iv) targeted customer base, including type and number of customers targeted.

- (c) documentation indicating compliance with the requirements of the Ministry of Planning (or its equivalent)

4. PART IV - DECLARATION²

On behalf of the applicant, I declare that the information provided by me on behalf of the applicant is accurate and complete in all respects.

Signed:

Full Name of signatory:

Position held:

Date: _____

²This declaration must be signed:

- (i) in the case of an individual, by the person in whose name the application is made;
- (ii) in the case of a sole proprietorship, by the sole proprietor, or
- (iii) in the case of a partnership, by a partner; or
- (iv) in the case of a company or other body corporate, by a director of the company or other body corporate

Telecommunications (Licensing and Authorisation) Regulations

FIFTH SCHEDULE

(Regulation 9(a))

Class Licence(s) Application Form – Type A Service

Under section [32] of the Telecommunications Act, Cap. 8.11

[ECTEL Member State]

Name of Applicant: _____

- Type of Application: New Application
 Application to Modify/Amend an Existing Licence
 Application to Renew Licence

Please tick (✓) the licence that is being applied for:

Value-Added Services

Internet Services Provision (1-5 Units)

Internet Services Provision (6-25 Units)

International Simple Voice Resale

Short Term (< 15 days)

Audio-text Services

Video-text Services

*Telecommunications (Licensing and Authorisation) Regulations***National Telecommunications Regulatory Commission****[NTRC ADDRESS]****Guidance Notes**

- Three (3) completed application forms are required to be submitted for each type of licence applied for. Each application should carry an original signature.
- A non-refundable application fee of five hundred (EC\$500.00) Eastern Caribbean dollars per licence application is payable to the National Telecommunications Regulatory Commission, [ECTEL Member State].
- Applications are to be submitted in an envelope marked "Telecommunications Class Licence Application" addressed to the Secretary, National Telecommunications Regulatory Commission, [NTRC ADDRESS].
- Incomplete applications will not be accepted by the Commission
- The contents of this application form do not constitute legal advice. Applicants are urged to seek legal advice with respect to any matter pertaining to the telecommunications licensing regime.
- For questions or sections that are not applicable, write "NOT APPLICABLE" in bold or in print.
- Please note that any word, phrase or expression used herein shall have the same meaning as it has in the Telecommunications Act, Cap. 8.11.

Telecommunications (Licensing and Authorisation) Regulations

Part I –The applicant

1.1 Contact Details

Registered Business address

Postal address

Designated contact person: _____ Position: _____

Telephone number

Fax number

Email address

Website:

1.2 Business Details

1.2.1 State whether the applicant is a company, partnership, joint venture or other body

1.2.2 If the applicant is a company, partnership, joint venture or other body please give the name(s), private address (es) and nationality of each of the current directors, company secretary, or partners:

Name & Nationality	Address
_____	_____
_____	_____

1.2.3 If not incorporated in [ECTEL Member State], please provide any registration number, which the Registry of Companies in [ECTEL Member State] may have issued.

Telecommunications (Licensing and Authorisation) Regulations

In support of 1.2.3 above, please provide certified copies of the Certificate and Memorandum of Incorporation

- 1.2.4 Address in [ECTEL Member State] for service of process or other notices (in case of overseas applicant)¹
-
-

1.3 History of the Applicant

- 1.3.1 Has the applicant ever applied for a licence or registration under any Act in [ECTEL Member State]?

YES

NO

If NO, proceed to question 1.3.2

If YES, was the licence granted?

YES

NO

If YES, under what Act(s) was/were the licence(s) granted?
(Provide the details of each such licence)

If NO, on what grounds was/were the licence(s) refused?

- 1.3.2 Has the applicant ever been licensed under the Telecommunications Act, Cap. 8.11?

YES

NO

- 1.3.3 If the answer to question 1.3.2 is YES, has any such licence been revoked?

YES

NO

Telecommunications (Licensing and Authorisation) Regulations

If YES, on what grounds was the licence revoked?

- 1.3.4 Has any Affiliate of the applicant previously been granted a licence under the Telecommunications Act, Cap. 8.11, which was revoked?

YES

NO

If YES, state reasons

- 1.3.5 Is the applicant the holder of a telecommunications licence in any other country?

YES

NO

If YES, state which other countries

- 1.3.6 Has the applicant or any Affiliate been refused a telecommunications licence mentioned in question 1.3.5 in any country, or had a licence revoked?

YES

NO

If YES, state the grounds for refusal or revocation

- 1.3.7 Has the applicant operated under or carried on business under any name other than the name in this application?

YES

NO

Telecommunications (Licensing and Authorisation) Regulations

If YES, state the other name of the business

PART II - APPLICANT'S BUSINESS AND PROPOSED SERVICE(S)**2.1 Financial Information and Business Plan**

- 2.1.1 Please provide a business plan covering a five (5) year span outlining:
- 2.1.2 Details of the market studies identifying the target market(s) to be served by the proposed operations, perceived market risks and proposed strategies for mitigation of risks;
- 2.1.3 Statement showing capital cost of the operation
- 2.1.4 Forecast Balance Sheets, Income Statements and Statements of Cash Flow for each of the five (5) years following the commencement of operation;
- 2.1.5 Detailed assumptions underlying all aspects of the projections made;
- 2.1.6 (Evidence of the availability of financial resources to establish and maintain the proposed service. *(Such evidence might include letters of commitment from financial institutions, and a statement of net worth supported by an affidavit/statutory declaration)*)
- 2.1.7 If the applicant is a going concern, please provide Approved, Audited Balance Sheets and Income Statements for the three (3) most recent years.
- 2.1.8 If the applicant is a member of an operating group, please provide Approved, Audited Balance Sheets and Income Statements of its parent company or consolidated group, for the three (3) most recent years.
- 2.1.9 Please provide a diagrammatic representation of the applicant's group structure
- 2.1.10 Evidence as to whether the applicant, or any of its related entities, hold more than 5% in the equity of any other licensed telecommunications provider in the OECS

YES

NO

Telecommunications (Licensing and Authorisation) Regulations

If YES, give the name(s) of provider(s) and percentage shareholding

2.1.11 Has any member of the applicant's managerial staff been bankrupt, or filed for bankruptcy?

YES

NO

If the answer is YES, please attach a certified copy of the discharge.

2.1.12 Has any member of the applicant's managerial staff been a director of a company, which has become insolvent or has filed bankruptcy proceedings?

YES

NO

If the answer is YES, please provide the name of the company.

2.1.13 Has the applicant or any member of the applicant's managerial staff ever been the defendant or respondent in any proceedings in any court in any jurisdiction involving violence or dishonesty, or is the applicant or any member of the applicant's managerial staff currently the subject of a charge or indictment under the law of any country for contravention of any law or for any conduct involving dishonesty, fraud, theft or violence?

YES

NO

If YES, provide details

2.2 Applicant's Current Activities

2.2.1 Please provide answers to the following questions in relation to:

- (a) the applicant's activities in the OECS;
- (b) the applicant's activities elsewhere in the Caribbean; and
- (c) the applicant's activities elsewhere in the world.

Telecommunications (Licensing and Authorisation) Regulations

- 2.2.2 Please provide a summary of any infrastructure the applicant has in place, including radio-based infrastructure.
- 2.2.3 If the applicant is using radio frequency spectrum, please provide details of the frequency authorisations held, including the number of frequency authorisations and the reference number of each frequency authorisation.
- 2.2.4 Please provide details of the products and services being provided by the applicant and the terms (including prices) on which they are available. In particular, please provide details on the number of customers and lines installed.
- 2.2.5 Please provide details of current contracts with all classes of customers, as well as copies of all such contracts.

2.3 Applicant's Proposed Activities

- 2.3.1 Please provide a summary of any infrastructure the applicant is planning to put in place within the next three (3) years, including radio-based infrastructure.
- 2.3.2 If the applicant is planning to use radio frequency spectrum, please indicate whether an application has been submitted for a frequency authorisation and provide details (copies may be enclosed if preferred).
- 2.3.3 Please provide a description of each proposed service, which schematic drawings as necessary, and including details on the following:
- (a) all technical aspects of the services (including equipment)
 - (b) how access to the service is to be provided (e.g. indirect access, direct access, leased lines, etc.)
 - (c) targeted customer base, including number of customers targeted
- 2.3.4 Please provide details of any proposed supply relationships in respect of the proposed network and/or services.

¹ Where the applicant is located overseas, the application must include an address for service of process and any other notice in [ECTEL Member State]

² This declaration must be signed:

- (a) in the case of an individual, by the person in whose name the application is made;
- (b) in the case of a sole proprietorship, by the sole proprietor, or
- ☉ in the case of a partnership, by a partner; or
- (d) in the case of a company or other body corporate, by a director, company secretary or other authorised officer signed

Telecommunications (Licensing and Authorisation) Regulations

PART III - DECLARATION²

(Delete the option that does NOT apply)

On behalf of the applicant, I declare that the information provided is accurate and complete in all respects.

Signed:

Full name signatory:

Position held:

Date: _____

Telecommunications (Licensing and Authorisation) Regulations

SIXTH SCHEDULE

(Regulation 9(a))

Form 1

Class Licence(s) Application Form - Type B Service
Under section 32 of the Telecommunications Act, Cap. 8.11

[ECTEL Member State]

Name of Applicant: _____

- Type of Application:** New Application
- Application to Modify/Amend an Existing Licence
- Application to Renew Licence

Please tick (Ö) the licence that is being applied for:

Amateur Radio Licence

Citizen's Band Radio Licence

Telecommunications (Licensing and Authorisation) Regulations

National Telecommunications Regulatory Commission
[NTRC Address]

[ECTEL Member State]

Guidance Notes

- This application form can be used for first issue and renewal of licences.
- Three (3) copies of the completed application form should be submitted in an envelope clearly marked "Telecommunications Class Licence Application" addressed to the Secretary of the [Commission], [address]
- The completed application form must be accompanied by a fee of Twenty-five Eastern Caribbean Dollars (EC\$ 25.00), per licence, payable to the National Telecommunications Regulatory Commission, [Country]
- For renewal of licence(s), please attach a copy of the present or existing licence to completed application form.

Two (2) passport-sized photographs should be attached.

Documentary proof that applicant has passed the Radio Amateur Examination must be enclosed.

For questions or sections that are not applicable, write "NOT APPLICABLE" in bold or in print.

Please note that any word, phrase or expression used herein shall have the same meaning as it has in the Telecommunications Act, Cap. 8.11.

- Applications should include schematic of the network where applicable
- Copies of technical details of equipment and approval certificates may be requested. (Photocopies of technical specifications of equipment should be attached)

*Telecommunications (Licensing and Authorisation) Regulations***PART 1 – The Applicant**

(Please complete fully in type or block letters)

1.1 Contact Details

1.1.1 Name of applicant:

1.1.2 Address of applicant:

Home/Business Address**Postal Address**

1.1.3 Telephone number:

1.1.4 Fax Number:

1.1.5 Email address:

1.1.6 Date of Birth: _____ Age on last birthday: _____

1.1.7 Nationality _____

1.1.8 Registration Number of Identification Card (if applying for a renewal): _____

1.1.9 Passport Number: _____

1.1.10 Occupation: _____

2 PART II - Licence Details

2.1 Select as appropriate

- New Licence Equipment Upgrade/Replacement
 Renewal Class Upgrade
 Visitor

Telecommunications (Licensing and Authorisation) Regulations

- 2.2 Licence No.¹ _____
- 2.3 Handle/Call Sign² _____
- 2.4 Place of Issue: _____
- 2.5 Date of Issue: _____

3 PART III – Technical Details

3.1 Do you own or have in your possession telecommunications equipment to engage in amateur radio operations and/or citizen band radio operations?

YES NO

If YES, answer all sections within this Part. If NO, go to Part IV.

3.2 Details of Communication Equipment:
(please attach copies of technical specifications of equipment)

3.2.1 MOBILE

(In the event that you have more than 4 (four) mobile radios please photocopy this table or request a copy from NTRC to include the additional radios.)

	1	2	3	4
Transmit Power (W)				
Band width (MHz)				
Antenna Gain (dBi)				
Polarization				
Bands to be used				
Radio Make and Model				
TX Low Frequency Limit				
TX High Frequency Limit				
RX Low Frequency Limit				
RX High Frequency Limit				

¹ For Renewal of licence
² For Renewal of licence

Telecommunications (Licensing and Authorisation) Regulations

Ant. Make and Model				
Ant. EIRP (dBm)				
Ant. Low limit Frequency				
Ant. High limit Frequency				
Ant. Type				
Ant. Gain (dBi)				
Polarization				

3.2.2 BASE/FIXED STATIONS AND REPEATERS (If Applicable)**3.2.2.1 Site**

(Indicate at the top of the columns whether the data refers to a Base station or a Repeater)

Base Station or Repeater	1	2	3	4
Station Name/Location				
Longitude				
Latitude				

3.2.2.2 Antenna

Ant. Make and Model				
Ant. EIRP (dBm)				
Ant. Low limit Frequency				
Ant. High limit Frequency				
Ant. Type				
Ant. Gain (dBi)				
Polarization				

*Telecommunications (Licensing and Authorisation) Regulations***3.2.2.3 Equipment****(Indicate at the top of each column base station or repeater as appropriate)**

Base Station/Repeater				
Make and Model				
TX Low Frequency Limit				
TX High Frequency Limit				
RX Low Frequency Limit				
RX High Frequency Limit				

3.2.2.4 Station**(Indicate at top of column "base station or repeater")**

Base Station/Repeater				
Station ERP				
Station TX Power				
Stations Antenna height				
Band width Frequency				
Number of Channels				

3.3 Additional Equipment and Supplementary Information

Details of additional equipment, especially, custom-built equipment and their purpose of use:

Note: For custom-built equipment, photographs may be requested.

Please furnish any other details and supplementary information:

Telecommunications (Licensing and Authorisation) Regulations

PART IV - DECLARATION³

(Delete the option that does NOT apply)

(Delete the option that does NOT apply)

On behalf of the applicant, I declare that the information provided is accurate and complete in all respects.

Signed

Full name of signatory:

Position held:

Date:

FOR OFFICIAL USE ONLY:

Examination Required:

YES

NO

Examination Details (If Applicable)

Call Sign Issued:	Date:
Signed:	

³This declaration must be signed:

- (a) in the case of an **individual**, by the person in whose name the application is made;
- (b) in the case of a **sole proprietorship**, by the sole proprietor, or
- in the case of a **partnership**, by a partner; or
- (d) in the case of a **company or other body corporate**, by a director, company secretary or other authorized officer signed

Telecommunications (Licensing and Authorisation) Regulations

Form 2

Class Licence(s) Application Form - Type B Service
Under section 32 of the Telecommunications Act, Cap. 8.11

[ECTEL Member State]

Name of Applicant: _____

- Type of Application:
- New Application
 - Application to Modify/Amend an Existing Licence
 - Application to Renew Licence

Please tick (Ö) the licence that is being applied for:

- Aeronautical Mobile Radio Licence
- Land Mobile Radio Licence
- Maritime Mobile Radio Licence

Telecommunications (Licensing and Authorisation) Regulations

National Telecommunications Regulatory Commission
[NTRC ADDRESS]

[ECTEL Member State]

Guidance Notes

- This application form can be used for first issue and renewal of licences.
- Three (3) copies of the completed application form should be submitted in an envelope clearly marked “Telecommunications Class Licence Application” addressed to the Secretary of the [Commission], [address]
- The completed application form must be accompanied by a fee of Two Hundred Eastern Caribbean Dollars (EC\$200.00), per licence, payable to the National Telecommunications Regulatory Commission, [Country]
- For renewal of licence(s), please attach a copy of the present or existing licence to completed application form.
- For questions or sections that are not applicable, write “NOT APPLICABLE” in bold or in print.
- Please indicate which, if any, information provided by the applicant in this application is confidential.
- Please note that any word, phrase or expression used herein shall have the same meaning as it has in the Telecommunications Act 2000.
- Applications should include schematic of the network where applicable
- Copies of technical details of equipment and approval certificates may be requested. (Photocopies of technical specifications of equipment should be attached)

*Telecommunications (Licensing and Authorisation) Regulations***1. PART 1 – The Applicant**

(Please complete fully in type or block letters)

1.1 Contact Details

1.1.1 Name and address of applicant _____

1.1.2 Address of Applicant:

*Business/Home Address**Postal Address:*

1.1.3 Licence No: - _____.

1.1.4 Designated contact person: _____

1.1.5 Telephone number: _____

1.1.6 Fax Number: _____

1.1.7 Email address: _____

1.1.8 Website: _____

1.1.9 State whether the licence is required for a (registered) business:

 YES NO

If YES answer (a) and (b) below if NO proceed to question 1.1.10

(a) State whether the applicant is a company, partnership, sole proprietorship

(b) Business's registration number. *(Please supply a copy of the Business Registration Certificate and/or Certificate of Incorporation):*

1.1.10 If a licence is being applied for personal use, please answer the following questions:

Date of Birth: _____ Age on last birthday: _____

Nationality _____

Telecommunications (Licensing and Authorisation) Regulations

Registration Number of Identification Card: _____

Passport Number: _____

Occupation: _____

2. PART II - Licence Details

2.1 Select as appropriate

 New Licence Equipment Upgrade/Replacement Renewal2.2 Licence No.¹ _____

2.3 Place of Issue: _____

2.4 Date of Issue: _____

3. PART III - Technical Details

3.1 Frequency Band: -

LF - Low Frequency

MF - Medium Frequency

HF - High Frequency

VHF - Very High Frequency

UHF - Ultra High Frequency

SHF - Super High Frequency

EHF - Extra High Frequency

3.2 Class of Station: -

Aeronautical Mobile Radio

Land Mobile Radio

Maritime Mobile Radio

3.3 Details of Communication Equipment:

*Telecommunications (Licensing and Authorisation) Regulations***3.3.1 MOBILE**

(In the event that you have more than 4 (four) mobile radios please photocopy this table or request a copy from NTRC to include the additional radios.)

	1	2	3	4
Transmit Power (W)				
Band width (MHz)				
Antenna Gain (dBi)				
Polarization				
No: of channels (indicate simplex or duplex)				
General Area of Use				
Radio Make and Model				
TX Low Frequency Limit				
TX High Frequency Limit				
RX Low Frequency Limit				
RX High Frequency Limit				
Ant. Make and Model				
Ant. EIRP (dBm)				
Ant. Low limit Frequency				
Ant. High limit Frequency				
Ant. Type				

3.3.2 BASE/FIXED STATIONS AND REPEATERS (If Applicable)**3.3.2.1 Site**

(Indicate at top of columns Base station or Repeater)

Base Station or Repeater	1	2	3	4
Station Name/Location				
Longitude				
Latitude				

*Telecommunications (Licensing and Authorisation) Regulations***3.3.2.2 Antenna****(Indicate at top of columns Base station or Repeater)**

Base Station/Repeater				
Ant. Make and Model				
Ant. EIRP (dBm)				
Ant. Low limit Frequency				
Ant. High limit Frequency				
Ant. Type				
Ant. Gain (dBi)				
Polarization				

3.3.2.3 Equipment**(Indicate at top of columns Base station or Repeater)**

Base Station/Repeater				
Make and Model				
TX Low Frequency Limit				
TX High Frequency Limit				
RX Low Frequency Limit				
RX High Frequency Limit				

3.3.2.4 Station**(Indicate at top of columns Base station or Repeater)**

Base Station/Repeater				
Station ERP				
Station TX Power				
Stations Antenna height				
Band width Frequency				
Number of Channels				

*Telecommunications (Licensing and Authorisation) Regulations***3.4 Frequencies requested**

Specific Frequency/Frequencies Required: _____

Nature of Service: _____

Number of Channels Required: Simplex _____ Repeater _____

Voice: _____ VFT²: _____ Data: _____ Others: _____

Details of Communication Points:-

(If this space is not sufficient, please use extra paper to indicate the stations)

Type of Station	Location of Station or/Registration No. of Vehicle/Boat/Aircraft	Number of Units	Call Sign
Base/Fixed			
Mobile			
Portable / Handheld			
Repeater			
Any Other Equipment			

Name and address of the manufacture of Equipment:

PART IV - DECLARATION¹*(Delete the option that does NOT apply)*

On behalf of the applicant, I declare that the information provided is accurate and complete in all respects.

Signed _____

Full name of signatory: _____ Position held: _____

Date:- _____

²VFT-Voice Frequency Telegraphy³This declaration must be signed:

(a) in the case of an individual, by the person in whose name the application is made;

(b) in the case of a sole proprietorship, by the sole proprietor, or

(c) in the case of a partnership, by a partner; or

(d) in the case of a company or other body corporate, by a director, company secretary or other authorised officer.

*Telecommunications (Licensing and Authorisation) Regulations***Form 3****Class Licence(s) Application Form – Type B Service**
Under section 32 of the Telecommunications Act, Cap. 8.11

[ECTEL Member State]

Name of Applicant: _____

- Type of Application:** New Application
- Application to Modify/Amend an Existing Licence
- Application to Renew Licence

Please tick (Ö) the licence that is being applied for:

- Family Radio Service Licence

Telecommunications (Licensing and Authorisation) Regulations

National Telecommunications Regulatory Commission
[NTRC ADDRESS]

Guidance Notes

This application form can be used for first issue and renewal of licences.

Three (3) copies of the completed application form should be submitted in an envelope clearly marked "Telecommunications Class Licence Application" addressed to the Secretary, National Telecommunications Regulatory Commission, [NTRC ADDRESS]

The completed application form must be accompanied by a fee of Twenty-five Eastern Caribbean Dollars (EC\$25.00), per licence, payable to the National Telecommunications Regulatory Commission, [ECTEL Member State].

For renewal of licence(s), please attach a copy of the present or existing licence to completed application form.

For questions or sections that are not applicable, write "NOT APPLICABLE" in bold or in print.

- Photocopies of the technical specifications of the equipment must be furnished.
- Please note that any word, phrase or expression used herein shall have the same meaning as it has in the Telecommunications Act, Cap. 8:11.

Telecommunications (Licensing and Authorisation) Regulations

1. PART 1 – The Applicant
 (Please complete fully in type or block letters)

1.1 Contact Details

Name of applicant: _____

1.1.1 Address of applicant:

Home/Business Address	Postal Address
_____	_____

1.1.2 Telephone number: _____

1.1.3 Fax Number: _____

1.1.4 Email address: _____

1.1.5 Date of Birth: _____ Age on last birthday: _____

1.1.6 Nationality _____

1.1.7 Registration Number of Identification Card: _____

1.1.8 Passport Number: _____

1.1.9 Occupation: _____

Make	Model	Serial No	Type Approval
			Agency Reference No

1.1.10 Number of FRS units: _____

1.1.11 Frequencies and/or number of channels on each unit: _____

1.1.12 Purpose for which the units will be used:

*Telecommunications (Licensing and Authorisation) Regulations***2 PART II – Technical Details**

- 2.1 Do you own or have in your possession telecommunications equipment to engage in amateur radio operations and/or citizen band radio operations?

YES

NO

If YES, answer all sections within this Part. If NO, go to Part III.

- 2.2 Details of Communication Equipment:

2.2.1 MOBILE

	1	2	3	4
Transmit Power (dBm)				
Band width (MHz)				
Antenna Gain (dBi)				
Polarization				
No: of channels (indicate simplex or duplex)				
General Area of Use				

PART III - DECLARATION¹

(Delete the option that does NOT apply)

On behalf of the applicant, I declare that the information provided is accurate and complete in all respects.

Signed _____

Full name of signatory: _____ Position held: _____

Date:- _____

¹This declaration must be signed:

- (a) in the case of an **individual**, by the person in whose name the application is made;
- (b) in the case of a **sole proprietorship**, by the sole proprietor, or
- (c) in the case of a **partnership**, by a partner; or
- (d) in the case of a **company or other body corporate**, by a director, company secretary or other authorised officer.

*Telecommunications (Licensing and Authorisation) Regulations***Form 4****Class Licence(s) Application Form – Type B Service**
Under section 32 of the Telecommunications Act, Cap. 8.11

[ECTEL Member State]

Name of Applicant: _____

- Type of Application: New Application
- Application to Modify/Amend an Existing Licence
- Application to Renew Licence

Please tick (Ö) the licence that is being applied for:

- Aircraft Station Radio Licence

Telecommunications (Licensing and Authorisation) Regulations

[ECTEL Member State]
National Telecommunications Regulatory Commission
[NTRC ADDRESS]

Guidance Notes

- This application form can be used for first issue and renewal of licences.
- **Three (3) copies** of the completed application form should be submitted in an envelope clearly marked “Telecommunications Class Licence Application” addressed to the Secretary, National Telecommunications Regulatory Commission, [NTRC ADDRESS].
- The completed application form must be accompanied by a fee of Two Hundred Eastern Caribbean Dollars (EC\$200.00), per licence, payable to the National Telecommunications Regulatory Commission, [ECTEL Member State].
- For questions or sections that are not applicable, write “**NOT APPLICABLE**” in bold or in print.
- For renewal of licence(s), please attach the following documents to the completed application form:
 - A copy of the present or existing
 - Aircraft Station Radio Licence,
 - Equipment Installation Certificate
 - Radio Operator’s Certificate
 - Ship’s Registration Certificate issued by the Registrar of Ships.

*Telecommunications (Licensing and Authorisation) Regulations***1. PART I – AIRCRAFT DETAILS**

1.1 Name of aircraft: _____

1.2 Country of registration: _____

1.3 Name of the owner: _____

1.4 Address of owner: _____

Home/Business Address**Postal Address**

1.5 Name of Agent: _____

1.6 Address of the Agent: _____

Home/Business Address**Postal Address**

1.7 Name of Accounting Authority: _____

1.8 Address of Accounting Authority: _____

Home/Business Address**Postal Address**

1.9 Accounting Authority Identification Code: _____

1.10 Class of aircraft: _____

1.11 Gross Tonnage: _____

1.12 Size of aircraft: _____

1.13 Distance of operation from nearest land mass: _____

2 PART II – DETAILS OF PRESENT AIRCRAFT STATION LICENCE

(Certified copy of the aircraft station license should be attached)

2.1 Call Sign: _____

2.2 MMSI/DSC Number: _____

2.3 Inmarsat ID: _____

Telecommunications (Licensing and Authorisation) Regulations

2.4 Country of Issue: _____

2.5 Country of Registration: _____

2.6 Period of Validity: _____

2.7 Public Correspondence Category: _____

2.8 Supplemental Information:

3.4 Details of Radio Operator's Certificates

3 PART III - EQUIPMENT INSTALLATION

(Certified copy of the installation certificate should be attached)

EQUIPMENT TYPE	MAKE & MODEL	Tx POWER (Watts)	CLASS OF EMISSION	FREQUENCY BANDS
HF Transceiver				
VHF Transceiver				
ADF Transceiver				
EPIRB				
Marker Receiver				
VHF NAV Receiver				
Glide Slope Receiver				
DME TX				
DME RX				
ATC TX				
ATC RX				
WRT - C Band				
WRT - X Band				
GPC RX				
Radio Altimeter				
Transceiver				
Other				

*Telecommunications (Licensing and Authorisation) Regulations***PART IV - DECLARATION¹**

(Delete the option that does NOT apply)

On behalf of the applicant, I declare that the information provided is accurate and complete in all respects.

Signed _____

Full name of signatory: _____ Position held: _____

Date: _____

¹This declaration must be signed:

(a) in the case of an **individual**, by the person in whose name the application is made;

(b) in the case of a **sole proprietorship**, by the sole proprietor, or

• in the case of a **partnership**, by a partner; or

(d) in the case of a **company or other body corporate**, by a director, company secretary or other authorised officer.

Telecommunications (Licensing and Authorisation) Regulations

Form 5

Class Licence(s) Application Form – Type B Service
Under section 32 of the Telecommunications Act, Cap. 8.11

[ECTEL Member State]

Name of Applicant: _____

- Type of Application: New Application
- Application to Modify/Amend an Existing Licence
- Application to Renew Licence

Please tick (✓) the licence that is being applied for:

- Ship Station Radio Licence

*Telecommunications (Licensing and Authorisation) Regulations***National Telecommunications Regulatory Commission
[NTRC ADDRESS]****Guidance Notes**

- This application form can be used for first issue and renewal of licences.
- Three (3) copies of the completed application form should be submitted in an envelope clearly marked “Telecommunications Class Licence Application” addressed to the Secretary, National Telecommunications Regulatory Commission, [NTRC ADDRESS].
- The completed application form must be accompanied by a fee of Two Hundred Eastern Caribbean Dollars (EC\$200.00), per licence, payable to the National Telecommunications Regulatory Commission, [ECTEL Member State].
- For questions or sections that are not applicable, write “NOT APPLICABLE” in bold or in print.
- For renewal of licence(s), please attach the following documents to the completed application form:
 - A copy of the present or existing
 - Ship Station Radio License,
 - Equipment Installation Certificate
 - Radio Operator’s Certificate
 - Ship’s Registration Certificate issued by the Registrar of Ships.

*Telecommunications (Licensing and Authorisation) Regulations***1. PART I – SHIP DETAILS**

1.1 Name of ship/vessel: _____

1.2 Country of Registration: _____

1.3 Name of the owner: _____

1.4 Address of owner: _____

Home/Business Address**Postal Address**

1.5 Name of Agent: _____

1.6 Address of the Agent: _____

Home/Business Address**Postal Address**

1.7 Name of Accounting Authority: _____

1.8 Address of Accounting Authority: _____

Home/Business Address**Postal Address**

1.9 Accounting Authority Identification Code: _____

1.10 Class of Ship/Vessel: _____

1.11 Gross Tonnage: _____

1.12 Size of Ship/Vessel: _____

1.13 Distance of operation from nearest land mass: _____

2 PART II – DETAILS OF PRESENT SHIP STATION LICENCE

(Photocopy of the ship station license should be attached)

2.1 Call Sign: _____

2.2 MMSI/DSC Number: _____

2.3 Inmarsat ID: _____

Telecommunications (Licensing and Authorisation) Regulations

2.4 Country of Issue: _____

2.5 Country of Registration: _____

2.6 Period of Validity: _____

2.7 Public Correspondence Category: _____

2.8 Supplemental Information:

2.9 Details of Radio Operator's Certificates

3 PART III – EQUIPMENT INSTALLATION

(Certified copy of the installation certificate should be attached)

EQUIPMENT TYPE	MAKE & MODEL	Tx POWER (Watts)	CLASS OF EMISSION	FREQUENCY BANDS
MF/HF				
MF/HF DSC				
VHF				
VHF DSC				
HAND VHF				
INMARSAT				
E.P.I.R.B				
RADAR				
SART				
EGC				
WATCH Rx				
GPS				
DIRECTON FINDER				
NAVTEX				
SATNAV				
OTHER				

*Telecommunications (Licensing and Authorisation) Regulations***PART IV - DECLARATION¹**

(Delete the option that does NOT apply)

On behalf of the applicant, I declare that the information provided is accurate and complete in all respects.

Signed _____

Full name of signatory: _____ Position held: _____

Date: _____

¹This declaration must be signed:

- (a) in the case of an **individual**, by the person in whose name the application is made;
- (b) in the case of a **sole proprietorship**, by the sole proprietor, or
- in the case of a **partnership**, by a partner; or
- (d) in the case of a **company or other body corporate**, by a director, company secretary or other authorised officer.

*Telecommunications (Licensing and Authorisation) Regulations***SEVENTH SCHEDULE**

(Regulation 17(a))

Application Form for a Frequency Authorization
Under section 35 of the Telecommunications Act, Cap. 8.11

SAINT LUCIA

Name of Applicant _____

- Type of Application New Application
- Application to Modify/Amend and Existing Licence
- Application to Renew Licence

National Telecommunications Regulatory Commission
[Insert Address]

Guidance Notes

- Three [3] copies of the completed application form should be submitted in an envelope clearly marked "Telecommunications Frequency Authorisation Application" addressed to Secretary, National Telecommunications Regulatory Commission, [ECTEL Member State].
- Please note that this form may also be used for an application to modify an existing Frequency Authorisation under section 39 of the Telecommunications Act, Cap. 8.11 or for the renewal of a Frequency Authorisation under the Telecommunications Act, Cap. 8.11.
- For a renewal of a Frequency Authorisation please attach a copy of the present or existing Frequency Authorisation to the completed application form
- The completed application form must be accompanied by a fee of [] Eastern Caribbean dollars (EC\$[]), payable to the National Telecommunications Regulatory Commission, [ECTEL Member State]. The following exceptions apply:
 - Radio/TV broadcast \$[]
 - Community Radio \$[]
 - Land Mobile \$ []
 - Special licence \$ []

Telecommunications (Licensing and Authorisation) Regulations

- For questions or sections that is not applicable, write or type “NOT APPLICABLE” in bold or print.
- Please indicate which, if any, information provided by the applicant in this application is confidential.
- Please note that any word, phrase or expression used herein shall have the same meaning as it has in the Telecommunications Act, Cap. 8.11.
- The contents of this application form do not constitute legal advice. Applicants are urged to seek independent confirmation and professional advice with respect to any matter pertaining to the telecommunications licensing regime.

1. PART I - THE APPLICANT

(Please complete fully in type or block letters)

1.1 Contact Details _____

1.1.1 Name and business address of applicant _____

Mailing address of applicant (if different from above) _____

1.1.3 Designated contact person _____

1.1.4 Telephone number _____

1.1.5 Fax number _____

1.1.6 E-mail address (if available) _____

1.2 Business Details

1.2.1 If the applicant is a company, partnership, or other body please give the name(s) and private address (es) of each of the current directors, company secretary, or partners:

Name	Address
_____	_____
_____	_____
_____	_____

Telecommunications (Licensing and Authorisation) Regulations

- 1.2.2 State the name under which applicant proposes to trade, and registered office address if different to above:

- 1.2.3 In the case of a company or other body corporate, please supply the company's registered number. If not incorporated in [ECTEL Member State], please provide any registration number, which the [companies registration office] in [ECTEL Member State] may have issued.

- 1.2.4 Address in [ECTEL Member State] for service of process or other notices (in case of overseas applicant)

1.3 History of the Applicant

- 1.3.1 Has the applicant ever applied for a Frequency Authorisation or registration under any Act in [ECTEL Member State] and been refused?

[YES]

[NO]

- 1.3.2 Has the applicant ever been issued a Frequency Authorisation under the Telecommunications Act, Cap. 8.11?

[YES]

[NO]

- 1.3.3 If the answer to question 1.3.2 is YES, has any such Frequency Authorisation been revoked?

[YES]

[NO]

Telecommunications (Licensing and Authorisation) Regulations

- 1.3.4 Has any Affiliate of the applicant previously been granted a Frequency Authorisation under the Telecommunications Act, Cap. 8.11, which was revoked

[YES]

[NO]

- 1.3.5 Is the applicant the holder of a frequency authorisation in any other country

[YES]

[NO]

- 1.3.6 Has the applicant or any Affiliate been refused a frequency authorisation mentioned in question 1.3.5 above, or had a frequency authorisation revoked?

[YES]

[NO]

- 1.3.7 Has the applicant operated under or carried on business under any name other than the name in this application?

[YES]

[NO]

2. PART II - THE APPLICANT'S BUSINESS AND THE PROPOSED NETWORK AND/OR SERVICE(S)

2.1 The Applicant

- 2.1.1 Please provide a diagrammatic representation of the applicant's group structure, including the percentage of shares held. Please indicate which affiliates have, or intend to apply for, other telecommunications licences or frequency authorisations.
- 2.1.2 Does the applicant have any shareholdings of over 5% in any other licensed telecommunications provider or frequency authorisation holder in the OECS?

Telecommunications (Licensing and Authorisation) Regulations

[YES]

[NO]

-
-
- 2.1.3 Has any member of the applicant's managerial staff has been bankrupt, or been a director of a company which has become insolvent?

[YES]

[NO]

If the answer is YES, please attach a certified copy of the discharge.

- 2.1.4 Has the applicant or any member of the applicant's managerial staff ever been the defendant or respondent in any proceedings in any court in any jurisdiction involving dishonesty, fraud, theft or violence, or is the applicant or any member of the applicant's managerial staff currently the subject of a charge or indictment under the law of any country for [contravention of any law or for] any conduct involving dishonesty, fraud, theft or violence?

[YES]

[NO]

2.2 Applicant's Current Activities

Please provide answers to the following questions in relation to (a) the applicant's activities in the OECS; (b) the applicant's activities elsewhere in the Caribbean; and (c) the applicant's activities elsewhere in the world.

Networks

- 2.2.1 Please provide a summary of any radio-based infrastructure, which the applicant currently has in place.
- 2.2.2 Frequency authorisations held, including the number of frequency authorisations and the reference number of each frequency authorisation.

Services

- 2.2.3 Please provide details of the services currently being provided by the applicant through its existing radio-based infrastructure.

*Telecommunications (Licensing and Authorisation) Regulations***Obligations**

- 2.2.4 Please provide details of how the applicant currently complies with any obligations in respect of harmful interference and any other emissions of electromagnetic radiation from equipment of any description.

2.3 Applicant's Proposed Activities**2.3.1 Radio communications Station**

Please provide details of any Radiocommunications Station the applicant has in place, in addition to a summary of any radio-based infrastructure that the applicant is planning to put in place within the next [three] years.

2.3.2 Radio communications Characteristics

- (a) Geographical location (latitude and longitude)
 - (b) Type of equipment and system (including manufacturer and model number)
 - (c) Radio frequency and direction of transmission [whether link applied for is uni-directional or bi-directional, and relevant transmission details?]
 - (d) Transmission power level (Watts or dBm)
 - (e) [Preferred polarisation of emissions (i.e. vertical or horizontal)]
 - (f) [Preferred equipment carrier frequency range for channel assignment]
 - (g) [Whether system is intended to be duplicated]
 - (h) Type of antenna, including details of antenna height
 - (i) Antenna Gain (dBi)
 - (j) [Call signs]
 - (k) Address of location from where equipment is to be operated (if different from Radio communications Station location)
 - (l) [Radio frequency feeder loss and hot-standby loss, rounded up to nearest dB. Any radio frequency feeder loss over 10 dB or hot-standby loss over 4 dB must be justified.]
- 2.3.3 Is the Frequency Authorisation for which the applicant is applying to be used in relation to a satellite earth station?

Telecommunications (Licensing and Authorisation) Regulations

[YES]

[NO]

If the answer is NO, please proceed to question 2.3.5.

- 2.3.4 If the answer to question 2.3.3 is YES, please provide the following information:
- (a) A letter from the satellite provider, indicating the name and address of the satellite provider, indicating assigned frequencies for the proposed service and the station to be communicated with.
 - (b) A copy of the manufacturer's technical specification for the transmitter, receiver and antenna.
 - (c) The following information in respect of the satellite earth station Receive characteristics:
 - (i) Make and model
 - (ii) Assigned frequencies (downlink)
 - (iii) Assigned frequency band
 - (iv) Date of bringing into use
 - (v) Location of station, including country and geographic coordinates
 - (vi) Class of emission
 - (vii) Antenna size, antenna gain and receive G/T
 - (viii) Horizontal elevation angle and min/max elevation angle
 - (ix) Azimuth
 - (x) Altitude (a.m.s.l)
 - (xi) Polarisation
 - (xii) Receive noise temperature
 - (xiii) Regular hours of operation
 - (xiv) Maintenance of system
 - (d) The following information in respect of the satellite earth station transmitting characteristics:
 - (i) Make and model
 - (ii) Assigned frequencies (uplink)

Telecommunications (Licensing and Authorisation) Regulations

- (iii) Assigned frequency band
- (iv) Proposed date of bringing into use
- (v) Transmitter power, including saturated transmitter power and maximum radiated power
- (vi) Antenna gain
- (vii) Polarisation
- (viii) Modulation (including FDM-FM, PCM/PSK, TV, and other)
- (ix) Regular hours of operation
- (x) Agreements with satellite provider
- (xi) Operating satellite
- (xii) Name of receiving earth station

Services

- 2.3.5 Please provide a description of the service, which the applicant proposes to provide using the frequency band for which it is applying.

Obligations

- 2.3.6 Please provide details of how the applicant proposes to comply with the obligations in the frequency authorisation [and in the Frequency Authorisation Regulations] in respect of harmful interference, and any other technical regulations in respect of emissions of electromagnetic radiation from equipment of any description

3. PART III – DECLARATION²

On behalf of the applicant, I declare that the information provided by me on behalf of the applicant is accurate and complete in all respects.

Signed: _____

Full name of signatory: _____

Position held: _____

Date: _____

¹ Where the applicant is located overseas, the application must include an address for service of process and any other notice in [ECTEL Member State].

² This declaration must be signed:

- (i) in the case of an individual, by the person in whose name the application is made;
- (ii) in the case of a sole proprietorship, by the sole proprietor; or
- (iii) in the case of a partnership, by a partner; or
- (iv) in the case of a company or other body corporate, by a director, company secretary or other authorized office

Telecommunications (Licensing and Authorisation) Regulations

Made this 15th day of December, 2008.

GUY JOSEPH,
Minister responsible for Telecommunications.

