



**GUIDANCE NOTES FOR
APPLICATION PROCESSES:**

*Telecommunications Licences, Frequency Authorisation,
Type Approval, Terminal Equipment Supplier Registration
& Customer Premises Wiring Registration*

LGN/DC06.003

Saint Lucia

National Telecommunications Regulatory Commission

Approved: December 7th, 2006

DISCLAIMER:

The sole purpose of this document is to provide guidance in the application process. It is not a legal document. These Guidance Notes may be amended from time to time and is without prejudice to the legal position or the rights and duties of the Eastern Caribbean Telecommunications Authority (ECTEL) and the National Telecommunications Regulatory Commissions in the regulation of the telecommunications sector.

It is advised, for the avoidance of doubt, that applicants seek clarification from the National Telecommunications Regulatory Commission should any part of the application process remain unclear.

LIST OF CONTENTS

1.0	Overview.....	5
2.0	Licence Classification	7
2.1	<i>Individual Licence.....</i>	<i>7</i>
2.2	<i>Class Licence</i>	<i>8</i>
2.3	<i>Frequency Authorisation.....</i>	<i>10</i>
2.4	<i>Special Licence</i>	<i>12</i>
3.0	Application Procedure	13
3.1	<i>Payment of Application Fees</i>	<i>14</i>
4.0	Completing the Individual Licence(s) Application Form.....	16
4.1	<i>Part I – The Applicant.....</i>	<i>16</i>
4.2	<i>Part II – Applicant’s Business and Proposed Network and/or Services</i>	<i>17</i>
4.3	<i>Part III – Declaration</i>	<i>18</i>
4.4	<i>Areas of Assessment of Applications.....</i>	<i>18</i>
5.0	Completing the Class Licence(s) Application Form - Type A	22
5.1	<i>Part I – The Applicant.....</i>	<i>22</i>
5.2	<i>Part II – Applicant’s Business and Proposed Network and/or Services</i>	<i>23</i>
5.3	<i>Part III – Declaration</i>	<i>24</i>
5.4	<i>Areas of Assessment of Applications.....</i>	<i>25</i>
6.0	Completing the Class Licence(s) Application Forms - Type B.....	28
6.1	<i>Form 1: Aeronautical Mobile Radio, Land Mobile Radio & Maritime Mobile Radio.....</i>	<i>29</i>
6.2	<i>Form 2: Amateur Radio & Citizen Band Radio.....</i>	<i>31</i>
6.3	<i>Form 3: Family Radio Licence</i>	<i>32</i>
6.4	<i>Form 4: Aircraft Station Radio Licence</i>	<i>34</i>

6.5	<i>Form 5: Ship Station Radio Licence</i>	35
7.0	Completing the Frequency Authorisation Application Form	37
7.1	<i>Part I – The Applicant</i>	37
7.2	<i>Part II – Applicant’s Business and Proposed Network and/or Services</i>	38
7.3	<i>Part III – Declaration</i>	38
7.4	<i>Areas of Assessment of Applications</i>	39
8.0	Completing the Type Approval Application Forms	42
8.1	<i>Areas of Assessment of Application</i>	42
9.0	Completing the Terminal Equipment Supplier Registration Form	45
9.1	<i>Areas of Assessment of Application</i>	46
10.0	Completing the Customer Premises Wiring Registration Form	48
10.1	<i>Areas of Assessment of Application</i>	49
11.0	Completing the Special Licence Application Form	51
11.1	<i>Part I – The Applicant</i>	51
11.2	<i>Part II – Applicant’s Business and Proposed Network and/or Services</i>	51
11.3	<i>Part III – Declaration</i>	52
11.4	<i>Areas of Assessment of Applications</i>	52
12.0	Procedures on Submission of an Application Form	54
	APPENDICES	56
	Appendix 1: Abbreviations Used in the Application Forms	58
	Appendix II: Approved List of Value Added Services	60
	Appendix III: Schedule of Fees	62

1.0 Overview

The Saint Lucia National Telecommunications Regulatory Commission (“Commission”) has undertaken an exercise to update the Guidance Notes that were initially published by the Eastern Caribbean Telecommunications Authority (“ECTEL”), and which were last revised in September 2002. Through the Commission’s experience in reviewing licence, frequency authorisation, and other type of applications, it had been observed that

- sections or specific questions on the application forms are poorly answered,
- key sections or pertinent questions on the application are being omitted altogether, and
- the requisite supporting documents are not being supplied.

These deficiencies in the applications introduce delays to the application process, since the Commission (and in some instances ECTEL) would need to seek clarification and/or additional information from the applicant, so that assessment of the application could be completed.

It is intended that the Guidance Notes will address the following:

- To provide guidelines for completing application forms for Individual Licences, Class Licences, Frequency Authorisation, Special Licences, Type Approval, Terminal Equipment Supplier Registration, and Customer Premises Wiring Registration.
- To suggest when an Application for Frequency Authorization would be necessary, to support other licence applications;
- To describe the application procedure and the requirements that must be satisfied by applicants;
- To present the fees structure for the application process;

It is therefore the Commission’s hope in updating these Guidance Notes, that better prepared applications would result, which in turn would accelerate ECTEL’s and the Commission’s evaluation processes.

2.0 Licence Classification

The licence categories that have been developed by the Eastern Caribbean Telecommunications Authority (ECTEL) and which are enshrined in the telecommunications legislation, are technology neutral. Thus, the determining factor for licence classification is the service that will be provided. Under the Telecommunications Act 2000, four (4), licence categories have been developed:¹

- (i) Individual Licence
- (ii) Class Licence
- (iii) Frequency Authorisation
- (iv) Special Licence

2.1 Individual Licence

The telecommunications operations that fall under this licence category are infrastructure-oriented, and so require the prospective applicant to deploy its own network, in addition to providing telecommunications services to the public. The licence therefore specifies both the types of networks and services that are permitted. The telecommunications operations that require Individual Licences are:

- Fixed Public Network and Services
- Public Mobile/Cellular Network and Services
- Internet Networks & Services
- Public Radio Paging Network and Services
- Submarine Cable

Applications for those operations are evaluated by ECTEL. ECTEL's recommendations as to whether or not licences could be granted are forwarded to the Minister. After making a decision on whether or not to grant a licence, the Minister will either issue the

¹ The summaries given in the following sub-sections are not definitions for the licences identified. For the definitions of the licences, prospective applicants must be guided by the information provided in the Telecommunications Act 2000.

licence, or notify the applicant in writing as to why its application was not favourably considered.

2.2 Class Licence

The telecommunications operations that have been categorised as requiring Class Licences permit an entity either

- (i) to 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
- (ii) to lease or otherwise obtain telecommunications network elements like transmission capacity, switching services, ducts or fibre from other licensed entities in order to provide telecommunication service to the public.

The Class Licence division of services has been divided into three (3) sections to offer some structure to this category, which could be beneficial in the long term, as it is likely that more services would need to be licensed in the future.

Class Licence Type A

The services that fall under Type A Class Licence are generally those for which licensees would provide telecommunications services to the public. They include

- Full Internet Service Provision²
- Restricted Internet Service Provision³
- International Simple Voice Resale
- Value Added Services⁴
- Audiotext / Videotext Services
- Private Telecommunications Network/Services
- Short Term⁵

² Provision of service to the public at large.

³ Provision of service for up to 15 units. Particularly applicable for Cyber Cafés.

⁴ A number of services that have been deemed value-added services have been identified in Appendix I.

⁵ Licence duration limited to fifteen (15) days

Class Licence Type B

The services that fall under Type B Class Licence are those for which licensees would be deemed users of telecommunications services. These operations are not connected to a public network, but are for the sole and exclusive use of licensees. They include

- Amateur Radio
- Citizen Band Radio
- Aeronautical Mobile Radio
- Maritime Mobile Radio
- Land Mobile Radio
- Ship Station Radio
- Aircraft Station Radio
- Family Radio Service Band⁶

Class Licence Type C

The services that fall under Type C Class Licence are those that can be construed as other support services and controls for the sector. They include

- Type Approval⁷
- Terminal Equipment Supplier Registration⁸
- Customer Premises Wiring Registration⁹

Applications for Class Licences are evaluated by the Commission and its recommendations with regards to Class Licence Type A and Type Applications are forwarded to the Minister for his decision and for the issuance of licences. For services that fall under Class Licence Type C, the Commission either register or certify successful

⁶ Restricted to non-commercial use only

⁷ Certificate of type approval must be issued in order to install, sell for use or use any item of equipment in the ECTEL countries

⁸ Registration required for the provision of installation, maintenance repair services, etc, as the suppliers of terminal equipment

⁹ Registration required for the supply of cables, the installation, maintenance and repair of cable-associated services.

applicants, as prescribed in the Telecommunications (Terminal Equipment and Public Network) Regulations 2002.

2.3 Frequency Authorisation

Frequency Authorisation is an ancillary licence, which would be required in addition to the Individual or Class Licence for wireless applications or services that require use of the radio frequency spectrum. In general, an Application for Frequency Authorization must be submitted when the proposed service or operation requires exclusive use of specific frequencies. An exception now exists for services under Class Licence (Type B) and for Special Licences, as those application forms have been designed to incorporate the requirements to support the authorization and assignment of specific frequencies for the exclusive use of the applicant.

An Application for Frequency Authorization would also be required when the applicant has government approval to provide a TV/Radio Broadcast or Community Radio services. In those circumstances, it is expected that Government would assess applicants on, among other things, programme content, proposed listening audience, economic viability and sustainability. Having obtained approval from Government, by way of a licence to operate, frequency authorization must be sought through the Commission.

Applications for Frequency Authorisation will be assessed on, among other things, the technical integrity of the proposed services and infrastructure, the availability of spectrum, and the potential for conflict or interference. The table below provides some guidance with regards to when Frequency Authorization would be required

TYPE OF SERVICE	LICENCE CATEGORY	FREQ. AUTH. REQUIRED
Mobile/Cellular Networks/Services	Individual	Yes
Fixed Public Networks/Services	Individual	Yes
Submarine Cable Crossing/Landing	Individual	No
Public Radio Paging Networks/ Services	Individual	Yes
Internet Network & Services	Individual	For Wireless Applications
TV/Radio Broadcast	Licence/Approval from	Yes

TYPE OF SERVICE	LICENCE CATEGORY	FREQ. AUTH. REQUIRED
	Gov't Required	
Community Radio	Licence/Approval from Gov't Required	Yes
Subscriber Television (wireless)	Licence/Approval from Gov't Required	Yes
Restricted Internet Services	Class – Type A	For Wireless Applications
Full Internet Services	Class – Type A	For Wireless Applications
Audiotext / Videotext	Class – Type A	For Wireless Applications
Value Added Services <i>Includes Data Services</i>	Class – Type A	For Wireless Applications
Private Telecommunications Networks/Services	Class – Type A	For Wireless Applications
International Simple Voice Resale	Class – Type A	No
Short Term Licence	Class – Type A	For Wireless Applications
Aeronautical Mobile	Class – Type B ¹⁰	Yes
Maritime Mobile	Class – Type B	No
Land Mobile	Class – Type B	Yes
Family Radio Service Band	Class – Type B	No
Ship Station Radio Licence	Class – Type B	Yes
Aircraft Station Radio Licence	Class – Type B	Yes
Amateur Radio	Class – Type B	No
Citizen Band Radio	Class – Type B	No
Type Approval	Class – Type C	No
Customer Premises Wiring	Class – Type C	No
Terminal Equipment Dealer's Certification	Class – Type C	No

¹⁰ For services under Class Licence – Type B, the application forms are so designed to incorporate the application for frequency authorization as required. As a result, a separate Application for Frequency Authorization is no longer necessary.

TYPE OF SERVICE	LICENCE CATEGORY	FREQ. AUTH. REQUIRED
Special Licence	Special Licence	No

Generally, when the frequency bands to be used are shared by various users or has been deemed a “common band” within the ECTEL Member States, a separate frequency authorisation application might not be required. The licence, however, would impose obligations with respect to the use of the band, especially as it pertains to harmful interference. Maritime Mobile, Amateur Radio and Citizen Band Radio are instances where shared frequency or common bands exist, and so separate applications for use of the spectrum are not required.

Applications for Frequency Authorisation are reviewed by both ECTEL and the Commission. In similar regard to licence applications, recommendations for the grant of frequency authorisation are submitted to the Minister for his decision and for the issuance of the requisite frequency authorisation documentation, should it be approved.

2.4 Special Licence

The Special Licence is a short term licence that can only be granted when emergency or other exigent circumstance exists, for a period not exceeding ten (10) days and is not renewable. Applicants are required to submit their Applications for Special Licences directly to the Minister with responsibility for telecommunications, for his decision and for the issuance of the licence.

Possible situations that could precipitate the grant of a Special Licence include

- imminent disasters,
- post-disaster recovery efforts, and
- circumstances when an interim licence might be urgently needed.

Should use of the radio frequency spectrum be needed to permit the proposed operations, the requirements to support the authorization and assignment of frequencies have been incorporated into the application form for a Special Licences. Hence, a separate Application for Frequency Authorisation is not required

3.0 Application Procedure

On the cover page of applications forms, Guidance Notes have been included to highlight and remind applicants of key requirements that must be satisfied prior to submission of the completed forms. Listed below is a summary of the guidelines that should be followed. However, note that on the application forms, the instructions given are specific to the licence that is being applied for, and so applicants are advised to take heed.

1. Application forms should be completed in **triplicate (3 copies)**, unless otherwise specified.
2. The completed applications must be submitted in an envelope addressed to the Secretary, National Telecommunications Regulatory Commission. **Exception:** For Applications for a Special Licence, the completed application should be presented to the Minister with responsibility for telecommunications.
3. The last part of the application form is the *Declaration*, where the applicant affirms the accuracy of the information submitted on the application form by affixing his or her signature. **NOTE:** The signatures inserted in the *Declaration* section must be **original** on all copies of the application forms submitted to the Commission. Facsimile or photocopied signatures will not be accepted.
4. The completed application form must be accompanied by the appropriate fee, payable to the National Telecommunications Regulatory Commission. The approved fee structure has been included as Appendix III of this document.
5. Any additional information that the applicant may wish to provide, which cannot fit into the space provided on the forms, can be attached to the form.
6. **Each** copy of the application form must have attached the required documentation and any additional information that is being provided
7. The applicant should indicate which, if any, information provided in the application is confidential.
8. It is advisable to include a summary sheet that itemizes all of the documents that are being submitted, including attachments.
9. It is stressed that **ALL** sections and questions on the application form must be completed, and in the event that certain questions do not apply, it is strongly

advised that some indication to that effect (such as “*Not Applicable*”, “*N/A*”) should be given.

3.1 Payment of Application Fees

The application fees payable is for each telecommunications licence that is being applied for. In respect of Applications for Frequency Authorisations, a flat fee per application is stipulated. For ease of reference, a copy of the approved fee structure, which has been published in the Telecommunications (Fees) Regulations 2002, has been included as Appendix III of this document.¹¹

The Commission will accept payment of the application fee made in cash, or by cheque money order, bank draft or telex transfer. In respect of payments made by bank drafts or telex transfers, the amounts remitted should include the bank charges and processing fees, in addition to the application fees.

The fees charged by the Commission’s bank to process the various forms of payment are as follows:

FORMS OF PAYMENT		CHARGES (EC\$)
TELEGRAPHIC/ SWIFT TRANSFERS	Transfers from within the Caribbean	EC\$ 10.00
	Transfer from outside the Caribbean	EC\$ 20.25
TRAVELLERS CHEQUES	Amounts under EC\$ 500.00	EC\$ 2.80 per cheque
	Amounts over EC\$ 500.00	EC\$ 5.30 per cheque
FOREIGN CHEQUES/DRAFTS	For all amounts	EC\$ 10.00

Payments of application fees to the Commission can be made in the following currencies:

- Eastern Caribbean Dollars (XCD)
- United States Dollars (USD)

¹¹ Prospective applicants are strongly advised to refer to the latest version of the Fees Regulations, as promulgated by the Minister, to ascertain the fees that must be paid.

- United Kingdom Pound Sterling (GBP)
- European Euro (EUR)

4.0 Completing the Individual Licence(s) Application Form

The Individual Licence(s) Application Form must be used when applying for the services that are listed on the application form, and for those listed in Section 2.1. The licence is divided in three (3) main parts, which are discussed in the following sections:

- Part I – the Applicant;
- Part II – Applicant’s Business and Proposed Network and/or Services;
- Part III – Declaration.

To conclude this chapter, some insight is given on some of main areas in which applications are assessed. These areas generally underline the need that information requested must be supplied, as it is considered during the review process. It is therefore reiterated that **ALL** sections and questions on the application form must be completed, and in the event that certain questions do not apply, it is strongly advised that some indication to that effect (such as “*Not Applicable*”, “*N/A*”) be given.

4.1 Part I – The Applicant

In this part of the application, the applicant must

- (i) clearly identify itself and provide its contact details, which should also include a postal address,
- (ii) provide its business details, especially on its legal structure, and an address to which documents can be served, if different to that supplied in question 1.1.1, and
- (iii) provide some insight on any previous involvement in the telecommunications sector.

It should be noted that the “*Designated contact person*” (question 1.1.2), who might not necessarily be the person who has signed the *Declaration* (Part III), is the person with whom the Commission shall communicate on all matters pertaining to the application.

Also, it is important that evidence of the registration of the applicant as a business is supplied, by providing ***certified copies*** of the Certificate and Memorandum of

Incorporation, or any other registration number that may have been issued by the Company Registration Office in Saint Lucia.

4.2 Part II – Applicant’s Business and Proposed Network and/or Services

It is critical to the process that an applicant clearly presents its business/financial information, as well as information on its current and proposed telecommunications network and/or services.

To support the presentation of business and financial information, a Business Plan must be supplied. Although the supply of a Business Plan is a requirement of the application process for an Individual Licence, the usefulness of a well-prepared and well-researched Business Plan to business owners and management should not be underestimated: it encourages the full conceptualisation of the business, and the development of strategies for a viable and financially successful entity.

Business Plans generally include the following information:

- **The Management Structure**, which should include, among other things,
 - an Organisational Chart,
 - details on the directors, business owners and members of senior management;
- **A Marketing Plan**, which should include, among other things,
 - details of the marketing research and market analysis,
 - marketing objectives,
 - pricing strategies,
 - channels of distribution for proposed products and services,
 - marketing and promotion plan;
- **An Operations Plan**, which should include, among other things,
 - The products and/or service that would be offered and their method of delivery,
 - The facilities, capital requirements, technology/technical requirements

- Lead times for deployment of network and launch of service
- **A Financial Plan**, which should include, among other things,
 - Source of funds,
 - Availability of funds,
 - Financial projections,
 - Pro forma (projected) financial statements (balance sheets cash flow and income/profit and loss statements) for at least three (3) years

It should be observed that many of the requirements of Part II of the application form, could be presented in the Business Plan, especially since the space, where provided on the form, might be insufficient.

4.3 Part III – Declaration

To complete the application form, a declaration is required as to the accuracy and completeness of the information furnished. For each of the three (3) copies of the application form that must be submitted, original signatures, not photocopies, are required. The declaration ought to be made by a director or senior manager for the company, or someone who is vested with the powers to undertake such actions on the applicant's behalf.

4.4 Areas of Assessment of Applications

Applications for Individual Licences tend to be reviewed under four (4) general categories, although this does not preclude the consideration of other factors or criteria :

- (i) Administrative;
- (ii) Legal;
- (iii) Business/Financial; and
- (iv) Technical.

The ensuing paragraphs list some of the specific considerations under each category, all of which speak to the completeness of the application, and the clarity of the information provided.

(i) Administrative:

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) Legal:

- that the applicant is clearly identified;
- that the evidence of business registration correctly and properly reflects the applicant.
- that the applicant's name is correctly and consistently used within the application;
- that the applicant, if a business, does exist and has been duly and correctly registered as such;
- that certified proof of incorporation or registration of the business has been supplied.

(iii) Business/Financial:

(a) Source of funds

- Amount and nature of financing, that is, debt, equity, or grant funds
- Guarantor of funds
- Nature, history and reliability of institution providing funds

(b) Availability of funds

- Letter of comfort or letter of intent from individual/institutions providing funds
- Financial records of individual/institutions providing funds
- Audited and signed financial statements for the applicant (where applicable)

(c) For a Going Concern

- Quality of Business Plan based on:
 - Pro forma financial statements and assumptions used
 - Market analysis and marketing plan
 - Projected market share and traffic levels
- Performance Indices as follows:
 - Liquidity
 - Debt Service ability
 - Profitability

(d) New Business Entity

- Quality of Business Plan based on:
 - Pro forma financial statements and assumptions used
 - Market analysis and marketing plan
 - Projected market share and traffic levels
- Pro forma Performance Indices as follows:
 - Liquidity
 - Debt Service ability
 - Profitability

(e) Experience of Management

- Bio-data of key management personnel indicating experience in business

(iv) Technical:

- Engineering experience
- Availability and Qualifications of Technical staff
- That for any *current/ongoing telecommunications activities*, it must be clear
 - what services has the applicant been offering?
 - what infrastructure/network/facilities has been deployed to provide those services?
 - what technology/technologies is/are being used?
 - how does the infrastructure/network/facilities work to provide the services that are being offered (diagrams should be provided)? and
 - how has the applicant been meeting its present licence obligations?
- That for any *proposed activities*, that is the proposed network and/or services that the present application intends to address, it must be clear
 - what services does the applicant intend to offer?
 - what is the system design/strategy?
 - what infrastructure/network/facilities does the applicant intend to deploy to provide the proposed services?
 - what technology/technologies does the applicant intend to use, and the appropriateness of the technology?
 - how should the infrastructure/network/facilities work to provide the proposed services (diagrams should be provided)? and
 - how does the applicant intend to meet the licence obligations identified?

5.0 Completing the Class Licence(s) Application Form - Type A

The Class Licence Type A Application Form must be used when applying for the following telecommunications services, in addition to any others that might be inserted onto the application form:

- Full Internet Service Provision;
- Restricted Internet Service Provision;
- International Simple Voice Resale;
- Value Added Services;
- Audiotext / Videotext Services;
- Private Telecommunications Network/Services;
- Short Term

Similar to the Individual Licence Application Form, the Class Licence Type A Application Form is divided in three (3) main parts:

- Part I – the Applicant;
- Part II – Applicant’s Business and Proposed Network and/or Services;
- Part III – Declaration.

These parts of the application form are discussed in the following sections, and to conclude this chapter, some insight is given on some of main areas in which applications are assessed.

5.1 Part I – The Applicant

In this part of the application, the applicant must

- (i) clearly identify itself and provide its contact details, which should also include a postal address,

- (ii) provide its business details, especially on its legal structure, and an address to which documents can be served, if different to that supplied in question 1.1.1, and
- (iii) provide some insight on any previous involvement in the telecommunications sector.

It should be noted that the ‘*Designated contact person*’ (question 1.1.2), is the person with whom the Commission shall communicate on all matters pertaining to the application, who may not necessarily be the person who has signed the *Declaration* (Part III).

Also, it is important that evidence of the registration of the applicant as a business is supplied, by providing *certified copies* of the Certificate and Memorandum of Incorporation, or any other registration number that may have been issued by the Company Registration Office in Saint Lucia.

5.2 Part II – Applicant’s Business and Proposed Network and/or Services

It is critical to the process that an applicant clearly presents its business/financial information, as well as information on its current and proposed telecommunications network and/or services, in keeping with the questions listed on the application form.

To support the presentation of business and financial information, a Business Plan must be supplied. Although the supply of a Business Plan is a requirement of the application process for a Class Licence (Type A), the usefulness of a well-prepared and well-researched Business Plan to business owners and management should not be underestimated: it encourages the full conceptualisation of the business, and the development of strategies for a viable and financially successful business.

Business Plans generally include the following information:

- **The Management Structure**, which should include, among other things,
 - an Organisational Chart,
 - details on the directors, business owners and members of senior management
- **A Marketing Plan**, which should include, among other things,

- details of the marketing research and market analysis
- marketing objectives
- pricing strategies
- channels of distribution for proposed products and services
- marketing and promotion plan
- **An Operations Plan**, which should include, among other things,
 - The products and/or service that would be offered, the proposed geographic coverage and method(s) of delivery
 - The facilities, capital requirements, technology/technical requirements
 - Lead times for deployment of network and launch of service
- **A Financial Plan**, which should include, among other things,
 - Source of funds
 - Availability of funds
 - Financial projections,
 - Pro forma (projected) financial statements (balance sheets cash flow and income/profit and loss statements) for at least three (3) years

It should be observed that many of the requirements of Part II of the application form, could be presented in the Business Plan, especially since the space, where provided on the form, might be insufficient.

5.3 Part III – Declaration

To complete the application form, a declaration is required as to the accuracy and completeness of the information furnished. For each of the three copies of the application form that must be submitted, original signatures, not photocopies, are required. The declaration ought to be made by a director or senior manager for the company, or someone who is vested with the powers to undertake such actions on the applicant's behalf.

5.4 Areas of Assessment of Applications

Applications for Type A Class Licences tend to be reviewed under four (4) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Business/Financial; and
- (iv) Technical.

The ensuing paragraphs list some of the specific considerations under each category, all of which speak to the completeness of the application, and the clarity of the information provided.

(i) **Administrative:**

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) **Legal:**

- That the applicant is clearly identified;
- That the evidence of business registration correctly and properly reflects the applicant.
- That the applicant's name is correctly and consistently used within the application;
- That the applicant, if a business, does exist and has been duly and correctly registered as such.

(iii) Business/Financial:

- That the due diligence in respect of the source(s) and availability of funds can be satisfied;
- That the requisite financial support is available to the applicant whilst it establishes itself in the market;
- That the financial information provided is sound;
- That the applicant has made a reasonable assessment of the market and its risks, which should be reflected in the business and financial information supplied;
- That the applicant's associations with other telecommunications businesses are clarified and the potential for collusion and unfair competition assessed;
- That the applicant's directors/management team are in good financial standing;
- That the business has access to competent expertise, when needed;
- That the proposed business is indeed viable.

(iv) Technical:

- That for any *current/ongoing telecommunications activities*, it must be clear
 - what services has the applicant been offering?
 - what infrastructure/network/facilities has been deployed to provide those services?
 - what technology/technologies is/are being used?
 - how does the infrastructure/network/facilities work to provide the services that are being offered (diagrams should be provided)? and
 - how has the applicant been meeting its present licence obligations?
- That for any *proposed activities*, that is the proposed network and/or services that the present application intends to address, it must be clear
 - what services does the applicant intend to offer?
 - what infrastructure/network/facilities does the applicant intend to deploy to provide the proposed services?

- what technology/technologies does the applicant intend to use?
- how should the infrastructure/network/facilities work to provide the proposed services (diagrams should be provided)? and
- how does the applicant intend to meet the licence obligations identified?

6.0 Completing the Class Licence(s) Application Forms - Type B

The Application for Class Licence Type B services uses a simplified application forms that combines both the licence and frequency authorisation requirement, when appropriate.

The technical requirements of Class Licence Type B services are diverse, necessitating the development of the following five (5) forms

Aeronautical Mobile Radio	<i>Form 1</i>
Land Mobile Radio	
Maritime Mobile Radio	
Amateur Radio	<i>Form 2</i>
Citizen Band Radio	
Family Radio Service	<i>Form 3</i>
Aircraft Station Radio	<i>Form 4</i>
Ship Station Radio	<i>Form 5</i>

In similar regard to the Individual and Class Licence Type A Application Forms, the structure of the Class Licence Type B Application Forms 1, 2 and 3 use the following format:

Part I – The Applicant: Requires details on the applicant, who can either be a natural person or a legal person. Supporting documentary evidence of identification or registration should also be furnished.

Part II - Technical Details Details on the radio frequency spectrum, such as frequency bands and specific frequencies if desired, must be supplied;
The number and types of radio devices that will be used,

especially transmitters and transceivers, must be recorded with the make, model and serial numbers;

Part III - Declaration An affirmation as to the accuracy and completeness of the information furnished

For the Aircraft Station Radio and Ship Station Radio application forms, Forms 4 and 5, the following format exists:

Part I – The Applicant: The aircraft details and ship details are required, including the names and addresses of the owner, the agent, the accounting authority, as well as the class, gross tonnage and size of the vessel.

Part II – Details of Present (Aircraft/Ship) Station Licence A description of the existing aircraft/ship station licence is required.

Part III – Equipment Installation The make, model, transmit power, class of emission and frequency bands, for the applicable devices from those listed must be provided.

Part IV - Declaration An affirmation as to the accuracy and completeness of the information furnished, which requires original signatures on each copy of the application form that is forwarded to the Commission.

6.1 Form 1: Aeronautical Mobile Radio, Land Mobile Radio & Maritime Mobile Radio

Applications for Aeronautical Mobile Radio, Land Mobile Radio and Maritime Mobile Radio Licences are reviewed under three (3) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Technical.

The ensuing paragraphs list some of the specific considerations under each category, all of which speak to the completeness of the application, and the clarity of the information provided.

(i) **Administrative:**

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) **Legal:**

- that the applicant is clearly identified;
- that the evidence of business registration correctly and properly reflects the applicant.
- that the applicant's name is correctly and consistently used within the application;
- that the applicant, if a business, does exist and has been duly and correctly registered as such;

(iii) **Technical:**

- That the *Required Frequency Range* (2.3) is consistent with the *Frequency Band* (2.1), and with the spectrum allocation for that service,
- That the *Class of Station* (2.2) supports the *Nature of Service* (2.4),
- That the frequency range is consistent with the approved spectrum allocation plan, with the equipment identified, and with the type of service,
- That *Number of Channels Required* (2.5) can be supported by the *Class of Station* (2.3) and the *Details of Communication Points* (2.7) supplied,

- That the make and models of the equipment listed in 2.9 of the application form, is capable of operating under the ***Class of Station*** (2.2) and the ***Required Frequency Range*** (2.3) specified, and all other specifications, such as RF output, class of emission and the necessary bandwidth, are in keeping with approved standards,
- That the make and models of the equipment listed in 2.9 of the application form, where applicable have been type approved for use in Saint Lucia, and
- That the applicant complies with any applicable requirements for aeronautical obstruction clearance

6.2 Form 2: Amateur Radio & Citizen Band Radio

Applications for Amateur Radio and Citizen Band Radio Licences are reviewed under three (3) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Technical.

The following paragraphs list some of the specific considerations under each category, all of which speak to the completeness of the application, and the clarity of the information provided.

(i) Administrative:

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) Legal:

- that the applicant is clearly identified;
- that the evidence of business registration correctly and properly reflects the applicant.
- that the applicant's name is correctly and consistently used within the application;
- that the applicant, if a business, does exist and has been duly and correctly registered as such;

(iii) Technical:

- That the each piece of equipment listed conforms to the approved standards, and has been type approved for use in Saint Lucia,
- for amateur radios capable of tuning to many bands, that the bands indicated are consistent with the make and model of the equipment,
- in the case of applications for CB Radio Licences, that the equipment is limited to only the 27 MHz (11 meters) band, which is authorized for use in Saint Lucia,
- that the class of emission, maximum RF power and other specified technical information is consistent with the respective *Frameworks* that have been prepared, and
- that the applicant complies with any applicable requirements for aeronautical obstruction clearance.

6.3 Form 3: Family Radio Licence

Applications for a Family Radio Licence are reviewed under three (3) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Technical.

The ensuing paragraphs list some of the specific considerations under each category, all of which speak to the completeness of the application, and the clarity of the information provided.

(i) Administrative:

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) Legal:

- that the applicant is clearly identified;
- that the applicant's name is correctly and consistently used within the application;
- that the purpose for which the units will be used is in keeping with that for the Family Radio Service, specifically, non-commercial use.

(iii) Technical:

- that the transmit power is in keeping with the set limit approved by the Commission,
- that the frequency ranges are in keeping with those for the Family Radio Service,
- that the equipment listed complies with approved standards, and has been type approved for use in Saint Lucia, and
- that the purpose for which the units will be used is in keeping with that for the Family Radio Service, specifically, non-commercial use.

6.4 Form 4: Aircraft Station Radio Licence

Applications for an Aircraft Station Radio Licence are reviewed by the Commission under three (3) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Technical.

However, since the requirement for a station radio licence would be an aviation condition, the Commission may liaise with the authorised aviation agencies, such as the Ministry of Civil Aviation and the Eastern Caribbean Civil Aviation Authority to coordinate the review of this application. The following paragraphs therefore describe some of the specific considerations under each category, all of which speak to the completeness of the application, and clarity of the information provided.

(i) **Administrative:**

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) **Legal:**

- that Saint Lucia has jurisdiction to issue an Aircraft Station Radio Licence to vessel in question.
- that the aircraft is clearly identified;
- that the name/markings of the aircraft is correctly and consistently used within the application;
- that the aircraft details given are correct;

(iii) Technical:

- that the aircraft call sign is correct and uses the approved format;
- that based on the class of aircraft/gross tonnage/size of aircraft, and when applicable, the equipment has been correctly registered;
- that based on the class of aircraft/gross tonnage/size of aircraft, the required communications equipment have been installed;
- the make, model, transmit power, class of emission and frequency bands of operation are consistent for equipment listed as being installed on the aircraft

6.5 Form 5: Ship Station Radio Licence

Applications for a Ship Station Radio Licence are reviewed by the Commission under three (3) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Technical.

Also, since the Division of Maritime Affairs has responsibility for ensuring that ships and other maritime vessels are correctly registered and have the required communications equipment onboard, the Commission may coordinate its review of such applications with the Division of Maritime Affairs. The following paragraphs there describe some of the specific considerations under each assessment category.

(i) Administrative:

- that the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) Legal:

- that Saint Lucia has jurisdiction to issue an Ship Station Radio Licence to vessel in question.
- that the ship is clearly identified;
- that the name/markings of the ship is correctly and consistently used within the application;
- that the ship details are correct;

(iii) Technical:

- that the ship call sign is correct and uses the approved format;
- that that based on the class of ship (or vessel)/gross tonnage/size of ship (or vessel), and when applicable, the equipment has been correctly registered;
- that based on the class of ship (or vessel)/gross tonnage/size of ship (or vessel), the required communications equipment have been installed;
- the make, model, transmit power, class of emission and frequency bands of operation are consistent for equipment listed as being installed on the ship/vessel.

7.0 Completing the Frequency Authorisation Application Form

An Application for Frequency Authorisation must be completed for Individual Licence or Class Licence Type A networks/services that require use of the radio frequency spectrum, and when broadcast networks/services are being deployed.

The application form is divided in three (3) main parts, which are discussed in the following sections:

- Part I – the Applicant;
- Part II – Applicant’s Business and Proposed Network and/or Services;
- Part III – Declaration.

To conclude this chapter, some insight is given on some of main areas in which applications are assessed. These areas tend to underline the need that information requested must be supplied, as it is considered during the review process. It is therefore reiterated that **ALL** sections and questions on the application form must be completed, and in the event that certain questions do not apply, it is strongly advised that some indication to that effect (such as “*Not Applicable*”, “*N/A*”) should be given.

7.1 Part I – The Applicant

In this part of the application, the applicant must

- (i) clearly identify itself and provide its contact details, which should also include a postal address,
- (ii) provide its business details, especially on its legal structure, and an address to which documents can be served, if different to that supplied in question 1.1.1, and
- (iii) provide some insight on any previous involvement in the telecommunications sector.

It should be noted that the “*Designated contact person*” (question 1.1.2), is the person with whom the Commission shall communicate on all matters pertaining to the

application, who may not necessarily be the person who has signed the *Declaration* (Part III).

Also, it is important that evidence of the registration of the applicant as a business is supplied, by providing *certified copies* of the Certificate and Memorandum of Incorporation, or any other registration number that may have been issued by the Company Registration Office in Saint Lucia.

7.2 Part II – Applicant’s Business and Proposed Network and/or Services

In this part of the application form, the applicant must clearly present

- (i) information on its business structure and shareholdings,
- (ii) details on its current telecommunications network and/or services, paying special attention to the radio-based infrastructure in existence and the frequencies in use, and
- (iii) details on its proposed telecommunications network and/or services, paying special attention to the radio-based infrastructure that is being proposed or that is being upgraded, the transmitter and transceivers that will be used, and the requested frequencies for operation.

7.3 Part III – Declaration

To complete the application form, a declaration is required as to the accuracy and completeness of the information furnished. For each of the three (3) copies of the application form that must be submitted, original signatures, not photocopies, are required. The declaration ought to be made by a director or senior manager for the company, or someone who is vested with the powers to undertake such actions on the applicant’s behalf.

7.4 Areas of Assessment of Applications

Applications for Frequency Authorisations are generally reviewed under four (4) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Business/Financial; and
- (iv) Technical.

The following list describe some of the specific considerations under each category, all of which speak to the completeness of the application, and the clarity of the information provided.

(i) **Administrative:**

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) **Legal:**

- that the applicant is clearly identified;
- that the evidence of business registration correctly and properly reflects the applicant;
- that the applicant's name is correctly and consistently used within the application;
- that the applicant, if a business, does exist and has been duly and correctly registered as such;

(iii) Business/Financial:

- that the applicant's associations with other telecommunications businesses are clarified and the potential for collusion and unfair competition assessed;

(iv) Technical:

- That for any *current/ongoing telecommunications activities*, the following must be clear
 - The scope of the applicant's current telecommunications activities and radio-based infrastructure that is in existence;
 - The type of network that has been deployed and the technologies that are being used;
 - The telecommunications services that are being offered via the current infrastructure;
 - The frequencies that are presently in use to support the existing telecommunications operations;
 - Whether or not the frequencies that are being used have been legitimately assigned, as might be required;
 - Whether or not there are any outstanding complaints of harmful interference against the applicant; and
 - Based on any monitoring exercises, investigations and/or inspections that may have been performed by the TU, any concerns on the applicant's capability or ability to efficiently and/or effectively operate its existing network, or to provide its current set of telecommunications services.
- That for any *proposed activities*, that is the proposed network and/or services that the present application intends to address, the following questions must be answered:
 - Can the frequencies applied for be used for the proposed telecommunications service(s)?
 - Are frequencies applied for consistent with the spectrum allocation plan?
 - Is the proposed radio-based infrastructure a development of the existing/current infrastructure, or a new or independent network?

- If the proposed radio-based infrastructure is an expansion of an existing infrastructure, do any inconsistencies/conflicts exist with respect to the proposed frequencies and/or supplementary infrastructure?
- How will the frequencies requested be used in the proposed network?
- Does the configuration of the network permit efficient use of the radio frequency spectrum?
- What infrastructure/network/facilities does the applicant intend to deploy to provide the proposed services?
- What technology/technologies does the applicant intend to use?
- Can the proposed frequencies support the proposed technology/technologies?
- Does the applicant have access to the requisite technical expertise to deploy and maintain the network and service(s)?
- Are the specifications of key equipment in keeping with approved standards and suggest suitability for the intended service? and
- How does the applicant intend to meet the licence obligations identified?
- Is the requested spectrum available?
- Are there any mitigating factors that might need to be considered which might require the applicant's frequency request to be modified, or cause it to be denied?

8.0 Completing the Type Approval Application Forms

Under r. 4(1) of the Telecommunications (Terminal Equipment and Public Network) Regulations 2002,

“A person shall not install, sell for use or use any item of equipment in Saint Lucia, unless the Commission grants a certificate of type approval in respect of that type of equipment.”

The Type Approval Application Form is divided in the following three (3) main parts:

Part I – The Applicant: Requires details on the applicant, who can either be a natural person or a legal person. Supporting documentary evidence of identification or registration should also be furnished.

Part II - Technical Details The type approvals that have been granted in other jurisdictions; the purpose for which the equipment is intended to be used, a list of the equipment for which type approval is being sought.

Part III - Declaration An affirmation as to the accuracy and completeness of the information furnished

Note: Due to the simplicity of the application form, it is critical that the technical specification of the equipment, the results of tests on the equipment, the standards against which the equipment was tested, as well as copies of the type approval certificates or declarations of conformity that have been granted in other jurisdictions and notably from the FCC, ESTI or Industry Canada, accompany the application form.

8.1 Areas of Assessment of Application

Applications for Type Approval are reviewed under three (3) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;

- (ii) Legal;
- (iii) Technical.

The ensuing paragraphs describe some of the specific considerations under each category, all of which speak to the completeness of the application, and clarity of the information provided.

(i) Administrative:

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have three (3) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part III, *Declaration*, have original signatures?

(ii) Legal:

- that the applicant is clearly identified;
- that the certificate holder, if different from the applicant, is clearly identified;
- that the evidence of business registration correctly and properly reflects the applicant.
- that the applicant's name is correctly and consistently used within the application;

(iii) Technical:

- that the following information can be extracted from the application:
 - The name of the manufacturer;
 - The equipment identification;
 - The type of equipment and its purpose for use;
 - The model identifier of equipment;
 - The frequency range(s) of the device (if applicable);

- The operating frequency/frequencies of the device (if applicable);
 - The maximum transmit power of the device (if applicable);
 - The applicable international standards;
 - The certification references from other recognised type approving agencies;
 - The name of certificate holder;
 - The address of certificate holder.
- that the equipment has been type-approved by a recognised type approving agencies, in keeping with those listed in the Schedule of the Telecommunications (Terminal Equipment and Public Network) Regulations 2002;
 - that the device configuration and parameters conform to local technical standards, or accepted international standards (when applicable).

9.0 Completing the Terminal Equipment Supplier Registration Form

Under r. 17 of the Telecommunications (Terminal Equipment and Public Network) Regulations 2002, persons or business entities must register with the Commission if they wish to

- *“provide maintenance, repair services, reticulation and any other related telecommunications installation at customer premises, and/or*
- *supply items of telecommunications terminal equipment, such as fax machines, PABXs, modems and telephone handsets.”*

The Terminal Equipment Supplier Registration Form is divided in the following four (4) main parts:

- | | |
|---|---|
| Part I – The Applicant: | Requires details on the applicant, who can either be a natural person or a legal person. Supporting documentary evidence of identification or registration should also be furnished. Information on the business and type of service(s) offered is also required. |
| Part II - Technical Details of Equipment | Type of equipment, manufacturer and model numbers for equipment that is being proposed for importation, must be supplied. |
| Part III – Supplementary Information | Provides a checklist for all of the documents and requirements that must accompany the application form. |
| Part IV – Declaration of Applicant | An affirmation as to the accuracy and completeness of the information furnished |

To conclude this chapter, some insight is given on some of main areas in which applications are assessed.

9.1 Areas of Assessment of Application

Applications for Terminal Equipment Supplier Registration are reviewed under three (3) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Technical.

The following paragraphs describe some of the specific considerations under each category, all of which speak to the completeness of the application, and clarity of the information provided.

(i) **Administrative:**

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have two (2) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part IV, *Declaration of Applicant*, have original signatures?

(ii) **Legal:**

- that the applicant is clearly identified;
- that the evidence of business registration correctly and properly reflects the applicant.
- that the applicant's name is correctly and consistently used within the application;
- that the applicant, if a business, does exist and has been duly and correctly registered as such;

(iii) Technical:

- that the sale of the identified telecommunications equipment permitted in Saint Lucia;
- that the proposed equipment either does not need to be, or has already been type approved;

10.0 Completing the Customer Premises Wiring Registration Form

Under r. 27 of the Telecommunications (Terminal Equipment and Public network) Regulations 2002, persons or business entities who wishes

“...to provide or supply items of terminal equipment such as inside wiring shall register with the Commission.”

The Customer Premises Wiring Registration Form is divided in the following four (4) main parts:

- Part I – The Applicant:** Requires details on the applicant, who can either be a natural person or a legal person. Supporting documentary evidence of identification or registration should also be furnished. Information on the business and type of service(s) offered, the applicant’s qualifications and experience, is also required.
- Part II – Service Details** Details on the areas of operations and number of employees should be supplied.
- Part III – Supplementary Information** A checklist for all of the documents and requirements that must accompany the application form is provided.
- Part IV – Declaration of Applicant** An affirmation as to the accuracy and completeness of the information furnished

To conclude this chapter, some insight is given on some of main areas in which applications are assessed. These areas tend to underline the need that the information requested must be supplied, as it is considered during the review process. It is therefore reiterated that **ALL** sections and questions on the application form must be completed, and in the event that certain questions do not apply, it is strongly advised that some indication to that effect (such as “*Not Applicable*”, “*N/A*”) should be given.

10.1 Areas of Assessment of Application

Applications for Customer Premises Wiring Registration are reviewed under three (3) general categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Technical.

The ensuing paragraphs describe some of the specific considerations under each category, all of which speak to the completeness of the application, and clarity of the information provided.

(i) Administrative:

- That the application is complete;
 - Have all supporting documents been furnished?
 - Are there any sections or questions that have not been answered?
 - Have two (2) complete and identical applications been supplied?
 - Have the application fees have been paid?
 - Does Part IV, *Declaration of Applicant*, have original signatures?

(ii) Legal:

- that the applicant is clearly identified;
- that the evidence of business registration correctly and properly reflects the applicant (if applicable).
- that the applicant's name is correctly and consistently used within the application;
- that the applicant, if a business, does exist and has been duly and correctly registered as such;

(iii) Technical:

- that the applicant is able to carry out the types of works that it has been stated in its application.

11.0 Completing the Special Licence Application Form

The Special Licence Application Form could be used when a telecommunications licence is required under emergency or other exigent circumstances. The licence is divided in three (3) main parts, which are discussed in the following sections:

- Part I – the Applicant;
- Part II – Applicant’s Business and Proposed Network and/or Service(s);
- Part III – Declaration.

To conclude this chapter, some insight is given on some of main areas in which applications are assessed.

11.1 Part I – The Applicant

In this part of the application, the applicant must

- (i) clearly identify itself and provide its contact details, which should also include a postal address,
- (ii) provide its business details, especially on its legal structure, and an address to which documents can be served, if different to that supplied in question 1.1.1, and

It should be noted that the ‘*Designated contact person*’ (question 1.1.2), is the person with whom the Commission shall communicate on all matters pertaining to the application, who may not necessarily be the person who has signed the *Declaration* (Part III).

11.2 Part II – Applicant’s Business and Proposed Network and/or Services

The applicant must clearly identify the emergency or exigent circumstance that is the basis for the Application for a Special Licence, as well as the purpose for which the

applicant intends to provide the telecommunications service(s). Hence, the applicant would be expected to provide information on

- the infrastructure that it intends to deploy,
- the services that it intends to provide, and how they can be accessed,
- the frequencies that it intends to use, if any, and
- any radio-communications stations that it intends to erect.

11.3 Part III – Declaration

To complete the application form, a declaration is required as to the accuracy and completeness of the information furnished. For each of the three copies of the application form that must be submitted, original signatures, not photocopies, are required. The declaration ought to be made by a director or senior manager for the company, or someone who is vested with the powers to undertake such actions on the applicant's behalf.

11.4 Areas of Assessment of Applications

Although Applications for Special Licences are submitted directly to the Minister, they are likely to be reviewed under the following three (3) categories, although this does not preclude the consideration of other factors or criteria:

- (i) Administrative;
- (ii) Legal;
- (iii) Technical.

The ensuing paragraphs list some of the specific considerations under each category, all of which speak to the completeness of the application, and the clarity of the information provided.

(i) Administrative:

- That the application is complete;

- Have all supporting documents been furnished?
- Are there any sections or questions that have not been unanswered?
- Have three (3) complete and identical applications been supplied?
- Have the application fees have been paid?
- Does Part III, *Declaration*, have original signatures?

(ii) Legal:

- that the applicant is clearly identified;
- that the evidence of business registration correctly and properly reflects the applicant.
- that the applicant's name is correctly and consistently used within the application;
- that the applicant, if a business, does exist and has been duly and correctly registered as such;

(iii) Technical:

- That for any proposed activities, that is the proposed network and/or services that the present application intends to address, it must be clear
 - what services does the applicant intend to offer?
 - what infrastructure/network/facilities does the applicant intend to deploy to provide the proposed services?
 - what technology/technologies does the applicant intend to use?
 - how should the infrastructure/network/facilities work to provide the proposed services (diagrams should be provided)?

12.0 Procedures on Submission of an Application Form

In Modules 3 and 5 of its Procedures Manual, *Application and Licensing Process* and *Terminal Equipment and Public Networks*, respectively, the Commission details the processes that will be used upon receipt of an application to its office. It is therefore advised that reference be made to those documents, which have been published on the Commission's website, www.ntrc.org.lc. However, for completeness of these Guidance Notes, the following basic procedure is furnished:

- (i) A receipt in the name of the applicant would be issued in respect of the application fees paid;
- (ii) An acknowledgment of receipt of the application would be sent to the applicant;
- (iii) A preliminary review of the application would be conducted to ensure that all sections of the application have been completed and that all supporting documents have been supplied;
- (iv) If omissions have been identified in the application as submitted, the applicant would be invited to supply the outstanding information¹²;
- (v) For Individual Licence Applications: When the outstanding information has been received and the application has been deemed complete, a preliminary review is conducted by the Commission. The application is then forwarded to ECTEL for the formal evaluation and recommendation.

For Class Licence Applications (Types A, B and C): When the outstanding information has been received and the application has been deemed complete, the Commission conducts a formal review of the application. For Class Licence Applications Types A and B (only), the Commission prepares recommendations on the award of licences to the Minister. (For Class Licence Applications Type C, the Commission will effect registration or certification, as applicable.)

¹² The wait for applicants to supply outstanding information is a source of significant delays to the application/assessment process.

For Frequency Authorisation Applications: When the outstanding information has been received and the application has been deemed complete, the Commission initiates a formal review of the application. On completion of the Commission's assessment exercise, the application is also forwarded to ECTEL for its review and recommendation.

- (vi) During the assessment exercise, the Commission (or ECTEL through the Commission) might request additional information or clarification on matters presented in the application.
- (vii) On completion of the evaluation, ECTEL and/or the Commission forward(s) its (or their) recommendation for the award of an Individual, Class Type A, Class Type B and/or Frequency Authorisation to the Minister, who will then decide whether or not to grant the licence and/or frequency authorisation and will issue the requisite documentation to the successful applicant.

APPENDICES

Appendix 1: Abbreviations Used in the Application Forms

To facilitate the formatting of the application forms, some abbreviations have been used for technical terms. These abbreviations are in keeping with those that are internationally recognized and have been provided below for ease of reference.

DSC	Digital Selective Calling
ELF	Extra Low Frequency
E.P.I.R.B.	Emergency Position Indicating Radio Beacon
GMDSS	Global Maritime Distress Safety System
GPS	Global Positioning System
HF	High Frequency
INMARSAT	International Maritime Satellite
LF	Low Frequency
MF	Medium Frequency
MMSI	Maritime Mobile Service Identity
NAVTEX	Navigational and meteorological warning broadcast service
RADAR	Radio Detection And Ranging
SART	Search and Rescue Transponder
SATNAV	Satellite Navigation
SHF	Super High Frequency
UHF	Ultra High Frequency
VFT	Voice Frequency Telegraphy

VHF Very High Frequency

VLF Very Low Frequency

Appendix II: Approved List of Value Added Services

1. Sending and receiving emails on mobile phone
2. Receiving emails on pagers
3. Broadband entertainment available with internet access
4. Wholesale calling card
5. Enhanced call routing
6. International toll free services
7. Universal international freephone number
8. Electronic mail
9. Voice mail
10. Direct Access Code Dialling
11. Bulletin Board Service
12. Video conferencing
13. Morning Alarm Service
14. Virtual office services
15. Fax store and forward
16. Internet access through mobile phone
17. Fax transmission through mobile phone
18. Mobile Originated Short Messaging Service (SMS) - messages sent from mobile phone
19. Transmission of SMS between mobile phones
20. Accessing general public information through mobile phone, e.g. exchange rates, flight schedule, news and sports
21. Mobile conference calls
22. Call forward
23. Mobile Call forward
24. Call barring

25. Mobile Call barring
26. Calling Line Identification Presentation (CLIP)
27. Calling Line Identification Restriction (CLIR)
28. Call wait
29. Call hold
30. Mobile voice mail
31. Alert of SMS received mail

Appendix III: Schedule of Fees

INDIVIDUAL LICENCES

LICENCE CODE	DESCRIPTION	LICENCE FEES		
		APPLICATION	INITIAL	ANNUAL
PMT	Public Mobile Telecommunications	\$ 1000	\$ 20,000	3.0% on Gross Revenue
FPT	Fixed Public Telecommunications	\$ 1000	\$ 20,000	3.0% on Gross Revenue
PRP	Public Radio Paging	\$ 1000	\$ 20,000	3.0% on Gross Revenue
INS	Internet Network/Services	\$ 1000	\$ 20,000	3.0% on Gross Revenue
SCL	Submarine Cable Landing	\$ 1000	\$ 50,000	\$ 50,000

CLASS LICENCES (TYPE A)

LICENCE CODE	DESCRIPTION	LICENCE FEES		
		APPLICATION	INITIAL	ANNUAL
ISP1	Internet Services Provision (= 15 units)	\$ 500	\$ 500	\$ 500
ISP2	Internet Services Provision (> 15 units)	\$ 500	\$ 5,000	3.0% on Gross Revenue
VAS	Value Added Services	\$ 500	\$ 5,000	3.0% on Gross Revenue
AVT	Audio Text / Video Text	\$ 500	\$ 5,000	3.0% on Gross Revenue
PNS	Private Networks/Services	\$ 500	\$ 5,000	\$ 2,000
ISR	International Simple Voice Resale	\$ 500	\$ 2,000	3.0% on Gross Revenue
SHT	Short Term (< 15 days)	\$ 500	\$ 100 - \$ 5,000	N/A

CLASS LICENCES (TYPE B)

LICENCE CODE	DESCRIPTION	LICENCE FEES	
		APPLICATION	ANNUAL
AR	Amateur Radio	\$ 25	
ARN	- Novice		\$ 50
ARG	- General		\$ 50
ARA	- Advanced		\$ 50
ARF	- Temporary Call- Sign		-
CBR	Citizen Band Radio	\$ 25	\$ 50
FRN	Family Radio Band	\$ 25	\$ 50
LM	Land Mobile Radio	\$ 200	
LMB	- Base Station		\$ 100 /unit
LMR	- Repeater		\$ 150 /unit
LMM	- Mobile		\$ 100 /unit
LMP	- Portable		\$ 50 /unit
MM	Maritime Mobile Radio	\$ 200	
MMB	- Base Station		\$ 100 /unit
MMR	- Repeater		\$ 150 /unit
MMM	- Mobile		\$ 100 /unit
MMP	- Portable		\$ 50 /unit
MMS	- Ship Station		\$ 500 /ship
AM	Aeronautical Mobile Radio	\$ 200	
AMB	- Base Station		\$ 100 /unit
AMR	- Repeater		\$ 150 /unit
AMM	- Mobile		\$ 100 /unit
AMP	- Portable		\$ 50 /unit
AMA	- Aircraft Station		\$ 500 /aircraft

CLASS LICENCES (TYPE C)

LICENCE CODE	DESCRIPTION	LICENCE FEES	
		APPLICATION	ANNUAL
TED	Terminal Equipment Supplier	\$ 25	\$ 250
CPW	Customer Premises Wiring	\$ 25	\$ 100
TYP	Type Approval		
TYP1	-Type Approval – items already approved	\$ 35	N/A
TYP2	- New Type Approval	\$ 500	N/A

SPECIAL LICENCE

LICENCE CODE	DESCRIPTION	LICENCE FEES	
		APPLICATION	ANNUAL
SL	Special Licence		
SLE	- Emergencies	\$ 0	N/A
SLX	- Exigencies	\$ 200.00	N/A

FREQUENCY AUTHORISATION (SPECTRUM) FEES

LICENCE CODE	DESCRIPTION	SPECTRUM FEES	
		APPLICATION	ANNUAL
PMT	Public Mobile Telecommunications	\$ 1,000	\$ 25,000 /MHz
	Public Radio Paging	\$ 1,000	
PRC	Commercial (25kHz bandwidth)		\$ 600 /frequency
PRN	Non-commercial (25kHz bandwidth)		\$ 200 /frequency
MBL	Microwave Broadband Link	\$ 1,000	\$ 10,000 /link
VST	VSAT (per antenna) < 55dBW EIRP	\$ 1,000	\$ 12,000 /antenna
FWA	Fixed Wireless Access (25 MHz per link)	\$ 1,000	\$ 500 /link
SS	Spread Spectrum Applications	\$ 1,000	
SSA	Type A – 500kHz link at 900MHz		\$ 500 /link
SSB	Type B – 1MHz link at 2.4GHz		\$ 2,000 /link
LMDS	LMDS – 40MHz bandwidth	\$ 1,000	\$ 500 /frequency
MMDS	MMDS – 2MHz bandwidth	\$ 1,000	\$ 500 /frequency
SES	Satellite Earth Station	\$ 1,000	
SES1	C Band (Licence < 15 days)		\$ 3,000 /antenna/day
SES2	Ku Band (Licence < 15 days)		\$ 5,000 /antenna/day
SES3	C Band (annual licence)		\$ 50,000 /antenna
SES4	Ku Band (annual licence)		\$ 60,000 /antenna
LMF	Land Mobile Radio (12.5kHz bandwidth)	\$ 200	\$ 200 /frequency
MMF	Maritime Mobile Radio (12.5kHz bandwidth)	\$ 200	\$ 200 /frequency
AMF	Aeronautical Mobile Radio (12.5kHz bandwidth)	\$ 200	\$ 200 /frequency
	BROADCAST SYSTEMS		
BAM	Broadcast AM Radio Station	\$ 500	\$ 500 /frequency
BFM	Broadcast FM Radio Station	\$ 500	\$ 2,000 /frequency
BTV	Broadcast Television Station	\$ 500	\$ 3,000 /frequency
STL1	Television STL Microwave (6MHz link)	\$ 500	\$ 1,000 /link
STL2	Radio STL Microwave (15kHz link)	\$ 500	\$ 250 /link