

# Application for Frequency Authorisation for Broadcasting Station

Telecommunications Regulatory Commission  
PO Box 4401  
27 Fish Lock Road, 3<sup>rd</sup> Floor  
Road Town, Tortola VG 1110  
British Virgin Islands



## TELECOMMUNICATIONS REGULATORY COMMISSION

### APPLICATION FOR FREQUENCY AUTHORISATION FOR BROADCASTING STATION

|                    |  |
|--------------------|--|
| Name of Applicant: |  |
|--------------------|--|

|                      |                                       |
|----------------------|---------------------------------------|
| Type of Application: | <input type="radio"/> New Application |
|----------------------|---------------------------------------|

Please tick (  ) the license that is being applied for:

- Broadcast AM Radio Station
- Broadcast FM Radio Station
- Sound
- Audio, Visual

#### Applicant Details

|                              |  |
|------------------------------|--|
| Registered Business Address: |  |
|                              |  |
|                              |  |

|                 |  |
|-----------------|--|
| Postal Address: |  |
|                 |  |
|                 |  |

Designated contact person: \_\_\_\_\_

|                   |  |
|-------------------|--|
| Position:         |  |
| Telephone number: |  |
| Fax number:       |  |
| Email address:    |  |
| Website:          |  |

**Information to satisfy assignment criteria (to be provided as an annex to the Application)**

**1. Mandatory criteria:**

An explanation is required as to how you meet the criteria below and supporting documents must be provided and attached.

- |   |
|---|
| <p>a. Applicant must have sufficient resources, skills and expertise to establish and successfully operate a radio station – as demonstrated in the business plan, which should be inclusive of:</p> <ul style="list-style-type: none"> <li>i. Technical proposal (inclusive of the engineering study, information on proposed activities and other technical information as described below);</li> <li>ii. Financial plan;</li> <li>iii. Information on resources;</li> <li>iv. Information on agreements on content;</li> <li>v. Such other information as requested by this application (also see below – section on Business Plan and Financial Information)</li> </ul>   |
| <p>b. Applicant ensures that its facilities will have minimum possible environmental (particularly visual) impact</p>   |
| <p>c. Proposed service does not prejudice (section 23 (3) of the Constitution);</p> <ul style="list-style-type: none"> <li>i. interest of defence, public safety, public order, public morality or public health;</li> <li>ii. reputations, rights and freedoms of persons, or the private lives of persons concerned in legal proceedings or proceedings before statutory tribunals, preventing the disclosure of information received in confidence, maintaining the authority and independence of the courts, or regulation of telecommunications, post, broadcasting or public shows; or</li> <li>iii. restrictions on public officers that are reasonably required for the proper performance of their functions.</li> </ul> |
| <p>d. Applicant is a believer or a believer company;</p>  |
| <p>e. Applicant is in good standing, including having no material outstanding payments due to the Government, including any public authorities, of the Virgin Islands, including social security payments and taxes, including payroll and property taxes</p>   |

The applicant shall hold a valid trade licence, authorizing respective activities<sup>1</sup>.

**2. Competitive criteria (the TRC will evaluate criteria below in case demand for frequencies exceed the availability of the respective spectrum):**

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| An explanation is required as to how you meet the criteria below and supporting documents must be provided and attached.   |
| a. Concentration of media – i.e., priority is given to applicants who (including their affiliates) do not have interests in other media establishments (in particular, other radio stations, but also printed and on-line media) – 30% |
| b. Proposed services must be unique (i.e., extent to which similar services are not provided in the Virgin Islands and could address the needs that have been unaddressed previously) – 30%  |
| c. Amount of own original content (produced specifically for such radio station) – 20%;  |
| d. Maximisation of effectiveness and efficiency of use of radio spectrum – 20% (include ability to cohabitate with other uses of similar spectrum, maximum use of available resource as well as time needed to commence broadcasting). |

**Business Details**

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

|  |                                   |                                     |
|--|-----------------------------------|-------------------------------------|
| Company <input type="radio"/>                | Partnership <input type="radio"/> | joint venture <input type="radio"/> |
| other corporate entity <input type="radio"/> | Individual <input type="radio"/>  |                                     |

|  |
|--|
| 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 |
|--------------------|---------|
|                    |         |
|                    |         |
|                    |         |
|                    |         |

<sup>1</sup> If a respective trade licence has not yet been obtained, it will have to be obtained and provided to the TRC within the timeframe set by it, but in any case before a frequency authorization is issued.

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

List significant interest holders in the applicant

| Name & Nationality | Address |
|--------------------|---------|
|                    |         |
|                    |         |
|                    |         |
|                    |         |

State whether the applicant is a shareholder (including ultimate or indirect of significant interest

|                                |                                |                                      |                                |
|--------------------------------|--------------------------------|--------------------------------------|--------------------------------|
| Ultimate <input type="radio"/> | Indirect <input type="radio"/> | Natural person <input type="radio"/> | Belonger <input type="radio"/> |
|--------------------------------|--------------------------------|--------------------------------------|--------------------------------|

| Name & Nationality | Address |
|--------------------|---------|
|                    |         |
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**History of Applicant**

Has the applicant ever applied for a Telecommunications license or a Broadcasting licence (Frequency Authorisation) in the Virgin Islands?

|                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

If YES, provide details of each such license.

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Has any such license been revoked?

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|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

If YES, on what grounds was the license (Frequency Authorisation) revoked?

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Has an affiliate of the applicant previously been granted or applied for a license (Frequency Authorisation)?

|                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

If YES, explain

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Is the applicant or its affiliates a holder of a Telecommunications or Broadcasting license (frequency authorization) in any other country?

|                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

If YES, state which other countries

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Has the applicant or any Affiliate been refused a Telecommunications or Broadcasting license (frequency authorization) in any country, or had a license revoked?

|                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

If YES, state the grounds for refusal or revocation

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

|                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

If YES, state the other name of the business and explain nature of such business

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## **APPLICANT'S BUSINESS AND PROPOSED SERVICE(S)**

### **Business Plan and Financial Information**

Please provide a business plan covering a five (5) year span outlining:

1. 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 reasons;
2. Statement showing capital cost of the operation
3. Forecast Balance Sheets, Income Statements and Statements of Cash Flow for each of the five (5) years following the commencement of operation;
4. Detailed assumptions underlying all aspects of the projections made;

5. 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)*
6. Applicant should provide Approved Balance Sheets and Income Statements for the three (3) most recent years (if available, audited balance sheets and income statements shall be provided).
7. If the applicant is a member of an operating group, please provide Approved Balance Sheets and Income Statements of its parent company or consolidated group, for the three (3) most recent years (if available, audited balance sheets and income statements shall be provided).
8. Please provide a diagrammatic representation of the applicant's group structure
9. Does the applicant, or any of its related entities, hold significant interest in any other other media establishments (in particular, other radio stations, but also printed and on-line media) – both in the Virgin Islands and abroad?

|                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

If YES, give the name(s) of business(es), percentage shareholding and describe the nature of each business

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10. Please provided clear timelines for commencement of broadcasting.

11. If applicant has a trade license, please attach.

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

|                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

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

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

|                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
|---------------------------|--------------------------|

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



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**Engineering Study**

A full Engineering study is a mandatory requirement. Such a study shall include:

- 1 Engineering Statement
- 2 Location of Proposed Transmitter site
- 3 Elevation of Antenna Structure
- 4 Proposed Operating Parameters
- 5 Antenna Elevation Pattern
- 6 Terrain and Contour Data
- 7 Predicted Service Contours (Simulated)
- 8 Longley-Rice Coverage Area
- 9 Spacing Study
- 10 Coverage Map
- 11 Equipment Details (see Proposal for the establishment or modification of a radio transmitting or receiving station)

### **Applicant's Proposed Activities**

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.

Please provide schematic drawings as necessary, and including details on the following:

- a) all technical aspects of the services (including equipment)
- b) address where apparatus is to be used
- c) who will maintain apparatus
- d) what qualifications for this purpose has this person
- e) who will operate the apparatus
- f) what qualifications for this purpose has this person
- g) If transmissions are to be effected, what will be the power applied to the valve feeding the aerial
- h) State three frequencies that you could use for transmissions (information on availability of such frequencies and possible coordination issues with foreign territories shall be provided)
- i) Are the persons nominated to maintain and operate the apparatus acquainted with the Provision of the ITU Radio Regulations in so far as they are applicable to the purpose of this Application

### **Declaration**

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

|                      |  |
|----------------------|--|
| Signed:              |  |
| Full name signatory: |  |
| Position held:       |  |
| Date:                |  |

## **Annex (for information): Criteria for assigning FM/AM broadcasting spectrum (interim)**

An explanation is required as to how you meet the criteria below and supporting documents must be provided and attached.

### 1) Mandatory:

- a. Applicant has sufficient resources, skills and expertise to establish and successfully operate a radio station - as demonstrated in the business plan, which should be inclusive of:
  - i. Technical proposal;
  - ii. Financial plan;
  - iii. Information on resources;
  - iv. Information on agreements on content;
- b. Applicant ensures that its facilities will have minimum possible environmental (particularly visual) impact
- c. Proposed service does not prejudice (section 23 (3) of the Constitution):
  - i. interests of defence, public safety, public order, public morality or public health;
  - ii. reputations, rights and freedoms of persons, or the private lives of persons concerned in legal proceedings or proceedings before statutory tribunals, preventing the disclosure of information received in confidence, maintaining the authority and independence of the courts, or regulation of telecommunications, posts, broadcasting or public shows; or
  - iii. restrictions on public officers that are reasonably required for the proper performance of their functions.
- d. Applicant is a believer or a believer company;
- e. Applicant is in good standing, including has no material outstanding payments due to the Government, including any public authorities, of the Virgin Islands, including social security payments and taxes, including payroll and property taxes.

Applicant shall hold a respective trade licence (at the time of issuing a frequency authorisation)

### 2) Competitive (i.e., in case frequencies are limited):

- a. Concentration of media – i.e., priority is given to applicants who (including their affiliates) do not have interests in other media establishments (in particular, other radio stations, but also printed and on-line media) – 30%;
- b. Uniqueness of the proposed services (i.e., extent to which similar services are not provided in the Virgin Islands and could address the needs that have been unaddressed previously) – 30%;
- c. Amount of own original content (produced specifically for such radio station) – 20%;
- d. Maximisation of effectiveness and efficiency of use of radio spectrum – 20% (include ability to cohabitate with other uses of similar spectrum, maximum use of available resource as well as time needed to commence broadcasting).