



Telecommunication Act – 2001
(Act 2001-36)

FORM 2B

TU002B

**APPLICATION FOR A GENERAL TELECOMMUNICATIONS
SERVICE PROVIDER LICENCE**

PART A: APPLICANT INFORMATION

(Please read the Notes provided at the back of this Form before completion)

1. Name (if individual):.....

2. Nationality (if individual):.....

3. Address of Applicant (registered office or principal place of business):

.....
.....

4. Mailing Address (if different from registered office address):

.....
.....

5. Applicant is a (n):

Individual Corporation Unincorporated Association Partnership

Please indicate whether this is: a new application an application to modify an existing licence

an application to renew a licence

6. Telephone No.:..... 7. Facsimile No.:

8. "E-mail" address:.....

9. Name of Manager of entity:.....

10. Person in Barbados to be contacted in absence of Manager:
Name:.....
Address:.....
.....
Telephone No:..... "E-mail" Address:.....
Facsimile No:.....

11. Has the applicant operated under or carried on business under any name other than the name in this application?
 Yes No

12. In addition to the applicant, are there any other parties in interest?
 Yes No
If Yes, please identify:

13. Indicate
(a) the approximate number of persons currently or to be employed by the applicant:.....
(b) the number of persons you expect to hire within the next year specific to the proposed service:.....
(c) the approximate number of persons employed who reside in Barbados:.....
If the above numbers are not specific to operation of the service proposed herein, how many additional employees residing in Barbados do you expect to hire within the next year specific to the proposed service:.....

PART B: SYSTEMS AND SERVICE DETAILS

14. General description of proposed telecommunications network

15. Proposed service area coverage:
Is any of this coverage area currently unserved by a similar service: Yes No
If Yes, please describe:

16. Indicate proposed in-service date (if service is to be phased, please indicate phases):

17. Targeted customer base and approximate number of customers applicant's service is capable of serving:

Please describe the ability of the applicant's proposed service to expand to serve an increasing number of subscribers and the estimated costs to the applicant of such expansion.

18. Indicate

(a) whether the applicant, including any party to this application or any affiliate of the applicant currently has a Network Licence

Yes No

(b) if not, when will the applicant apply for a Network Licence?

(c) when does the applicant expect to submit an application for a Network Licence:

19. Indicate

(a) name under which applicant proposes to operate the service in Barbados:

(b) whether the applicant, or any affiliate of the applicant, has provided services or marketed to the public of Barbados or in any other country under any other name

Yes No

(c) if Yes, please provide details as to the other name and the countries in which the service was provided or marketed under that name

Yes No

(2) where the answer to (a), (b) or (c) is "Yes", please attach an explanation.

20. Indicate

(a) whether equipment needed by customers for the service will be readily available:

Yes No

If the answer to (a) is "No" indicate

(b) when the customer equipment will be available to customers:

(c) how customers will obtain equipment required for the service:

PART C: BASIC QUALIFICATIONS INFORMATION

21. (1) Indicate whether the applicant, or any affiliate of the applicant,
- (a) has ever applied for a Service Provider or Carrier Licence in Barbados; Yes No
 - (b) has ever been refused such licence or a licence renewal; Yes No
 - (c) has ever had such licence suspended or revoked. Yes No

If the answer to (a), (b), or (c) is “Yes”, please attach an explanation.

22. Indicate whether the applicant, or any affiliate of the applicant currently holds any Service Provider Licence in Barbados.

Yes No

If Yes,

- (a) specify the licence, the licensee and the date issued:

.....
.....

- (b) specify the period in which the applicant, or any affiliate of the applicant has been providing telecommunications service or operating the telecommunications network in Barbados.

.....

23. Indicate whether the applicant, or any affiliate of the applicant.

- (a) has ever applied for a Spectrum Licence in Barbados: Yes No
- (b) has ever been refused such licence or a licence renewal: Yes No
- (c) has ever had such licence suspended or revoked: Yes No

Where the answer to either is “Yes”, please attach an explanation.

24. Indicate whether the applicant or any affiliate of the applicant, currently has a Spectrum Licence in Barbados.

Yes No

If Yes,

- (a) specify the spectrum licence held, the licensee and the date issued:

.....

- (b) specify the time period in which the applicant or any affiliate of the applicant, has been using spectrum in Barbados:

.....

25. Indicate whether the applicant, or any affiliate of the applicant currently:

(a) has a Dealer's Licence issued by the Minister in Barbados: Yes No

(b) intends to apply for a Dealer's Licence in Barbados: Yes No

(c) expects to submit an application for a Dealer's Licence: Yes No

Licensee: Date of Issuance:

26. Indicate whether the applicant or any affiliate of the applicant currently holds licences or authorisation to provide telecommunications services in the Caribbean.

Yes No

If Yes, please identify the countries in the space provided below and the approximate number of years the applicant has engaged in providing telecommunications service.

Applicant, Affiliate to the Application	Country	Number of Years providing service

27. (1) Indicate whether the applicant or any affiliate of the applicant for a telecommunications service or network in any Caribbean country or any other country:

(a) has ever been refused such licence; Yes No

(b) has ever had such licence suspended or revoked. Yes No

(2) Where the answer to (a) or (b) is "Yes", please attach an explanation.

28. (1) Indicate whether the applicant, or any affiliate of the applicant has ever been convicted of an arrestable offence[♦]

(a) in Barbados: Yes No

(b) in any CARICOM Member Country: Yes No

(c) in North America: Yes No

(d) in any other Country: Yes No

(2) If Yes, please attach an explanation

[♦] an arrestable offence has the meaning assigned to it by section 2 of the *Criminal Law (Arrestable Offences) Act*, Cap 125A.

29. (1) Indicate whether any officer or member of the applicant's managerial staff has ever been convicted of an arrestable offence*

- (a) in Barbados: Yes No
- (b) in any CARICOM Member Country: Yes No
- (c) in North America: Yes No
- (d) in any other country: Yes No

(2) If Yes to any of the above, please attach an explanation

30. Indicate whether the applicant, or any of the applicant's officers and managerial staff are currently the subject of a charge or indictment for an offence under the law of any country (excluding non-arrestable offences).

Yes No

If Yes, please identify the name of the Licensee and the Licence held.

Licensee: Licence:

31. Indicate whether the applicant, or any affiliate of the applicant, have any shareholdings over 10% in any other Licensed Service Provider, Licensed Carrier, or Licensed Spectrum User in Barbados.

Yes No

If Yes, please identify the name of the Licensee and the Licence held.

Licensee: Licence:

32. Indicate whether the applicant, or any affiliate of the applicant, has any shareholdings over 10% in any licensed telecommunications provider in any CARICOM member state.

Yes No

If Yes, please identify the name of the companies and the CARICOM states in which they operate.

33. Indicate whether the applicant, or any affiliate of the applicant is engaged in the manufacturing of any telecommunications equipment.

Yes No

If Yes, please attach an explanation

34. Indicate whether the applicant has any business activities outside the telecommunications market.

Yes No

If Yes, please briefly describe the nature of the business activities and where such activity is conducted.

.....

.....

.....

PART D: FINANCIAL INFORMATION AND QUALIFICATIONS

35. Applicant must provide a copy of its most recent annual independently audited financial report as well as the most recent unaudited financial reports. If none is available, applicant must submit an attachment explaining why none is available. In addition, the applicant or an officer of the applicant's organization must attest to the validity of the unaudited financial reports. Where the applicant is a consortium all members of the consortium must supply individual financials.

36. Applicant must submit an explanation of estimated costs of construction, operation and other expenses that the applicant may realistically incur during the first 5 years of operation under this licence.

37. Applicant must demonstrate that it has the financial resources to construct and operate the network for the first 2 years of operation under this licence and must provide information or verification of its creditworthiness, available capital, and source of financing including, if applicable, a lender's statement committing to providing a sum certain.

38. Indicate whether the applicant or any affiliates of the applicant

(a) has ever been bankrupt; or Yes No

(b) has ever been a director of a company that has become bankrupt or insolvent Yes No

If Yes, please attach an explanation and a certified copy of the discharge.

39. Indicate whether the applicant, including any party of this application or any affiliates of the applicant, is currently Engaged in bankruptcy proceeding

Yes No

If Yes, please attach an explanation.

40. Applicant must attach a diagram of the corporate structure of the applicant including any parent, affiliate, subsidiary of the applicant and any party of interest in the applicant.

41. Indicate whether any members of the applicant's board of directors also serve on the board of any other entity licensed as a carrier or as a service provider in Barbados

Yes No

If Yes, please state the name of each such director and the other licensed service providers or carriers on which the director also serves as a director.

42. Applicant must provide the names and addresses of all the members of the applicant's board of directors.

.....
.....
.....
.....

43. Where any member of the applicant's board of directors is currently employed by any government, state:-

- (a) the name of each such director;
- (b) the country each such director is employed by; and
- (c) the ministry or government agency, and the nature of the director's work for that government.

PART E: TECHNICAL INFORMATION

44. **Technical Expertise**

Indicate

- (a) the applicant's technical qualifications including the number and types of technical experts the applicant currently employs; and
- (b) whether these are employees of the applicant or contracted by the applicant.

PART F: DOCUMENTARY EVIDENCE

45. The following documents are required to be supplied by the applicant:

- (a) a copy of a Certificate of Incorporation or a Business Registration Certificate;
- (b) a most recent annual audited financial report;
- (c) documentary evidence to demonstrate the financial capability of the company for the first 2 years of operation;
- (d) a performance Bond or Bank Guarantee for payment of licence fees for the first two years of the licence.

PART G: CERTIFICATION STATEMENT

The applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are true, complete, correct and made in good faith.

The applicant agrees to comply with the *Telecommunications (Public Telecommunications Licensing) Regulations, 2003* with regard to the application procedures and requirements.

If granted a Licence by the Minister, applicant agrees to provide the licensed service in accordance with the *Telecommunications Act, 2001*, Regulations made under the Act and terms and conditions of the licence. A Licensee must pay an annual licence fee in accordance with the *Telecommunications (Licence Fees) Regulations, 2003*.

The applicant must obtain any other necessary government approvals required regarding the construction and use of the proposed network facilities.

If granted a licence by the Minister, applicant must have the capability of shutting down any transmitters in the event of a malfunction.

Typed or printed name of party authorised to sign:

Position: _____

Signature: _____

Date: _____

NOTES:

1. This Application Form must be completed in its entirety and submitted to the Ministry with the prescribed application fee in accordance with the instructions provided below.
2. The Minister may request the applicant to provide additional information not contained in this application form.
3. Applicants are responsible for complying with the application procedures and requirements set forth in the *Telecommunications (Public Telecommunications Licensing) Regulations, 2003* issued by the Minister.
4. Applicants are responsible for complying with other Government requirements regarding the proposed service.
5. To be eligible for filing an application, applicant must comply with all legal requirements for holding a licence.
6. Applicants providing false or misleading information will be subject to penalties in accordance with section 92 of the *Telecommunications Act, 2001-36*.
7. A brief description of the proposed network, but not the submitted application, will be made available for public inspection. Information provided in this application will be treated as confidential.
8. Grant of licence is at the discretion of the Minister. Application fees are not refundable.
9. This application is only for a licence to provide the telecommunications services. A separate application and licence is required for use of spectrum. The applicant must have both licences before the applicant can provide the service or use the spectrum required to operate the proposed network. The applicant is urged to submit this application and the application for a Spectrum Licence at the same time to expedite processing. The application form for a Spectrum Licence may be obtained from the Ministry.
10. Any person seeking to provide a network in Barbados must submit a separate application for the relevant Network Licence. This application form may be obtained from the Ministry.
11. Persons operating without the required licences are subject to the fines and penalties set out on the *Telecommunications Act, 2001-36*.
12. Applicants granted a licence by the Minister will be responsible for paying an annual licence fee in accordance with the *Telecommunications (Licence Fees) Regulations, 2003*.
13. This form may also be used to modify a pending application for a General Telecommunications Service Provider Licence or for an application to modify an existing General Telecommunications Service Provider Licence. In such cases, the Ministry should be consulted to determine the appropriate modification fee to be submitted.

General Filing Instructions

1. If this is a request for modification of a licence, applicant must consult the Ministry for the appropriate modification fee.
2. To be accepted for filing, applications must be signed by a person authorised by the applicant. By signing, the applicant certifies that the information submitted is true, complete, correct, and made in good faith.
3. The applicant shall submit 2 copies of the application, including supporting documentation and the application fee, to:

The Chief Telecommunications Officer
 Telecommunications Unit
 Ministry responsible for Telecommunications
 Barbados

Instructions for Completion

If this is an application to modify an application, please attach a copy of the original application submitted. And if requesting a licence modification, also attach the licence granted. Where there is no change in the information requested in the application form, please put "No Change" next to the information requested. Where the information requested is not the same, please indicate the modification being proposed and the nature of the change and the reason for the proposed change.

Part A: Applicant Information

Items 9-11: Contact information should be provided for the person the applicant has designated as the person to whom the Ministry should send correspondence.

Item 12: This item pertains to any other business (not cellular) that the applicant may have operated under or carried on business. Marketing or the conduct of business of any cellular services under other names is addressed in *Item 26*.

Item 15: Applicant must identify a real party (parties) in interest if different from the applicant. If the applicant is the real party in interest, enter the applicant's name. If not, enter the real party in interest (e.g. a parent controlling entity) and any other person with an ownership interest over 10%.

Item 13: The members of the Caribbean Community or CARICOM are: Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago.

Part B: System and Service Details

Item 17: Describe the types of services (e.g. voice-mail, data, etc.) and whether analogue or digital. Please note any unique features or service plans.

Item 20: For example, state where customers would be able to purchase the equipment they need for the applicant's proposed service.

Part C: Basic Qualifications and Information

Items are self-explanatory.

Part D: Financial Information and Qualifications

Items are self-explanatory

Part E: Technical Information

Items are self-explanatory

This application form applies to the following services:

1. Trunking Service
2. Domestic Data Services
3. Paging Services
4. Fixed Wireless Services
5. Mobile Broadband Services
6. Any other service for which there is not a specific Service Provider Licence.