



REQUEST FOR APPLICATIONS  
FOR A 15 YEAR RENEWABLE  
COMMUNICATIONS SERVICES  
LICENCE IN KIRIBATI

30 September 2015



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## 1. Introduction

In this Request for Applications (RFA), the Government of Kiribati and the Communications Commission of Kiribati (CCK) seek applications **by 30 October 2015** for a Licence to provide mobile cellular communications services in Kiribati. As explained further below, applicants may include in their applications requests to provide additional services, which if granted will also be included in the Licence.

The successful applicant will be selected by a National Committee including representatives from the Ministry of Communication, Transport and Tourism Development, the CCK, National ICT Committee and the Attorney General Office.

This application process is a key step in the implementation of the National ICT Policy of the Government of Kiribati, which “is focused on creating a robust, stable, market-driven ICT sector, which the Government believes will create a favourable climate that is attractive to private investors and will lead to increased ICT infrastructure investment and services development.”

Information about Kiribati, its economy and political system, the communications market and its regulation, and other information useful to investors is available in the publication, *Communications Opportunities in Kiribati*, which is available at <http://www.cck.ki/>.

References to the “Act” in this RFA are to the Communications Act 2012. References to a “Rule” or “Rules” in this RFA are to the CCK’s Communications Licensing Rules 2014. References to the “Regulatory Framework” are to the Act and any rules, decisions, orders, notices, determinations and technical standards made by the CCK in its lawful exercise of its powers under the Act.

## 2. The Licence and Regulatory Matters

### 2.1 Scope and terms and conditions of the Licence

In accordance with Rules 7 and 8 and Schedule 2 of the Rules, the Licence will be an “individual licence” under the Rules. It will entitle the Licensee to establish, install, own, import, operate and use any communications networks and services, including national and international cellular mobile communications networks and services, international gateway facilities and international roaming services.

Applicants are not confined to applying to provide only mobile cellular communications services. For example, they may propose in their applications to provide fixed line services, leased line services, wholesale services and any other services.

Applicants should read the form of Licence set forth in Annex I (Form of Licence). This form will be adapted to take into account the successful applicant’s application, such as the specific services to be provided, any rollout and coverage commitments made, use of specific radio frequencies and numbering allocations, quality of service and other elements.

### 2.2 Term and automatic renewal

The Licence will have a term of 15 years, and will be automatically extended for at least 5 additional years if the CCK determines that the Licensee has complied with all material aspects

of the Licence and the Regulatory Framework. The extension will be subject to a renewal licensing fee to be established at that time.

### 2.3 Two year grace period

Rule 8 permits the CCK to limit the number of individual licences “in order to sustain competitive markets pursuant to Section 31 (2) of the Act or limited based on the availability of natural resources such as radio frequency and numbering resources.”

Considering the scale of Kiribati’s market, the capital and operating cost of cellular mobile networks and services, and the importance of sustaining a competitive market, the CCK is only offering one licence for such networks and services pursuant to this RFA.

If a Licence is granted pursuant to this RFA, the CCK will not grant another Licence for the provision of cellular mobile communications services in Kiribati’s urban centres – i.e., on South Tarawa, Betio or Kiritimati – for at least 2 years after the date of issuance of the Licence. The CCK has not excluded potential licensing on the Outer Islands (i.e., areas other than these three islands) in connection with a universal access plan or public private partnership for the Outer Islands.

### 2.4 Annual licence fees

Licence fees are set out in Schedule 2 of the Rules, which is available in Appendix 3 to *Communications Opportunities in Kiribati*. In the case of mobile cellular communications services, the annual fees are set as a percentage of annual gross revenue (AGR), with the level depending on the level of population coverage of the services:

1% ≥ 75% coverage

2% ≥ 65% coverage

3% < 65% coverage

Annual gross revenues means the total revenue derived from the licensed services during a licence year minus any general business licence fees paid to the Government, and are calculated on the basis of annual financial statements in accordance with Rules 46 – 49.

### 2.5 Technology neutrality

The Licensee may utilize its choice of technologies, provided that all equipment meets international and national environment and safety standards and any other technical rules and standards that are part of the Regulatory Framework.

### 2.6 Rollout and coverage commitments

The Licensee will be subject to any rollout or coverage commitments it provides in its application.

The Government is considering establishing a public private partnership (PPP) with the country’s telecom operators for coverage of Outer Islands that would otherwise be uneconomic to serve, and expects to make public investment available for infrastructure for such purpose. The new licensee along with other licensees will be expected to participate in negotiations with the Government regarding the establishment of such a PPP.

## 2.7 Interconnection and access

Interconnection with and access to services and facilities of other licensees will be subject to the Regulatory Framework, which is described in *Communications Opportunities in Kiribati*.

The CCK carried out a public consultation on draft Interconnection and Access Rules earlier this year, but has not yet adopted such Rules. Potential applicants are encouraged to submit reasoned comments on these draft Interconnection and Access Rules as soon as possible.

## 2.8 Radio frequencies

Radio frequencies will be authorised pursuant to a separate *Application Form for a Radiocommunications Licence*, a copy of which is available on the CCK's website and is reproduced as Annex III (Application Form for a Radiocommunications Licence). Applicants should attach the completed form for frequencies with their applications under this RFA.

Applicants must justify the frequency bands requested. Excessive requests will be rejected and any assignments will be subject to the authority of the CCK to release spectrum or alter, amend or cancel spectrum allocations and assignments in accordance with the Regulatory Framework.

The following radio spectrum has been assigned to ATHKL:

<b>Networks</b>	<b>Frequency Assignments</b>
LTE Network	700 MHz, 17 MHz paired
UMTS	850 MHz, 10 MHz paired
GSM	900 MHz, 8MHz paired
GSM	1800, 8 MHz paired
GSM	1900 MHz, 8 MHz paired
ISP Network	2.4 GHz
<b>Microwave Links</b>	
3G Network	8 GHz band, CHL 2, 4, 6 and 8 paired
HF Network between Tarawa and the Outer Islands	(Nonouti, Nikunau, Onotoa, Beru, Tamana, Arorae, Tabiteuea S, Banaba) 4840, 5890, 6805, 6975, 6988, 7150, 7260, 7405, 7425, 7440, 7460, 7470, 7480, 7515 (MHz)
4RF	1.5GHz, 1448.25-1523.25, 1499.25-1434.25, 1441.25-1506.25
ALCON 7	2 CHL 16Kbps

## 2.9 Numbering

Numbers will be authorised pursuant to the *Mobile Numbers Application Form* and (if the applicant is applying for services requiring fixed geographic numbers) *Fixed Geographic Numbers Application Form*. Copies of these forms are reproduced as Annex IV (Mobile Numbers Application Form) and Annex V (Fixed Geographic Numbers Application Form). Applicants should attach the completed form(s) for numbers with their applications under this RFA.

The CCK will review the request and issue a range of numbers according to its National Numbering Plan. The following numbering ranges are already allocated to ATHKL for 2G and 3G and so should not be requested by the applicant:

6XXXX	2G
720-XXXXX	Tarawa Island
733-XXXXX	Abaiang Island
734-XXXXX	Marakei Island
735-XXXXX	Butaritari Island
736-XXXXX	Makin Island
737-XXXXX	Banaba Island
738-XXXXX	Maiana Island
739-XXXXX	Kuria Island
740-XXXXX	Aranuka Island
741-XXXXX	Abemama Island
742-XXXXX	Nonouti Island
743-XXXXX	Tabiteuea Island North
744-XXXXX	Tabiteuea Island South
745-XXXXX	Onotoa Island
746-XXXXX	Beru Island
747-XXXXX	Nikunau Island
748-XXXXX	Tamana Island
749-XXXXX	Arorae Island
780-XXXXX to 782-XXXXX	Kiritimati Island
783-XXXXX	Fanning Island
784-XXXXX	Washington Island
785-XXXXX	Kanton Island

## 3. Identity and Eligibility of Applicants

### 3.1 Legal entity

Rule 20 of the Communications Licensing Rules 2014 provides that, to be eligible to apply for a licence, a person must either be:

- (a) a company incorporated under the Companies Ordinance of Kiribati or a foreign company registered under the Companies Ordinance;
- (b) any society registered under the Cooperative Societies Ordinance;
- (c) a natural person over the age of 18; or
- (d) a Kiribati government agency or an organization or statutory body created pursuant to the laws of Kiribati.

Foreign company applicants that are not registered under the Companies Ordinance should so register as soon as possible.

### 3.2 Cross-ownership with ATHKL

Neither ATHKL nor any of its shareholders may be an applicant under this RFA or hold, or be an affiliate of a person holding, any ownership interest in an applicant.

Neither an applicant nor any of its shareholders may hold, or be an affiliate of a person holding, any ownership interest in ATHKL.

For these purposes:

- “affiliate” means, in relation to any one person, any other person directly or indirectly controlling or controlled by or under direct or indirect common control with such specified person; and
- “control” means the power to determine, directly or indirectly, the actions of another person in any manner, whether through the ownership of shares or other securities (held directly or through intermediary entities) or an agreement or arrangement of any type.

## 4. The Application Process

### 4.1 Registration

Applicants must register their interest to be eligible to receive answers to questions, bank account information for transmission of the application fee and instructions for electronic delivery of the application, and to submit an application.

Applicants may register by email to the addresses provided in section 4.5, supplying:

- (a) the name and jurisdiction of the potential applicant;
- (b) a brief description of the current nature, scale and location of the telecom operations of the entity or any group of which it is part; and
- (c) the name, fixed and mobile telephone numbers and email address for its authorised representative for purposes of communications about the licensing process.

### 4.2 Q&A

Potential applicants that register in accordance with section 4.1 may submit questions by email to the addresses provided in section 4.5. Responses will be provided if time allows, in which case all registered persons will receive the questions submitted together with the responses to such questions. The identity of the registered persons which posed the questions will not be disclosed.

### 4.3 Delivery of applications

Applications must be delivered in both electronic and paper form, although an additional week is allowed for delivery of paper copies.

An applicant may be requested to provide additional or modified information or materials after it has submitted its application and any such information or material subsequently supplied will be deemed to be part of the application.

#### 4.3.1 Electronic delivery by 30 October

Applications must be delivered electronically by 5pm Kiribati time on 30 October 2015.

Electronic delivery of the application will be made by uploading the relevant documents to a virtual document room that will be used for the purposes of the application process.

Instructions for using the virtual document room will be provided in advance of the deadline for receipt of applications only to persons that register pursuant to section 4.1. Electronic copies should be in Microsoft Word, PowerPoint or Excel, or Adobe Acrobat readable and searchable format.

At the time of application, an applicant should also notify the email addresses provided in section 4.5 that it has uploaded its application. The application itself should not be sent by email.

#### 4.3.2 Paper delivery by 6 November

Paper copies of the application must be delivered one week later than the deadline for electronic copies, i.e., by 5pm Kiribati time on 6 November 2015. Paper copies must be identical to electronic copies.

A paper copy should be delivered to each of:

Attention: Secretary, Ministry of Communication, Transport and Tourism  
Development, P.O. Box 487, Betio, Tarawa, Republic of Kiribati

and

Attention: CEO, Communications Commission of Kiribati, P.O. Box 529, Betio,  
Tarawa, Republic of Kiribati

and

Attention: Rory Macmillan, Macmillan Keck, Attorneys & Solicitors, 72 Boulevard  
Saint Georges, Geneva 1205, Switzerland.

#### 4.4 Application fee

The application fee for the Licence is AUD 1,000 and is non-refundable.

Applicants should transmit this sum by wire transfer to the account of the CCK within 3 business days after their applications are delivered. Bank account information will be supplied to each applicant upon receipt of the application.

The fee will be the same even if the application includes services in addition to mobile cellular communications services.

#### 4.5 Contact information

Communications relating to this RFA (except submission of an application – see section 4.3) should be sent by email to [ceo@cck.ki](mailto:ceo@cck.ki) and [meere.karotu@mcttd.gov.ki](mailto:meere.karotu@mcttd.gov.ki) with a copy to the CCK's legal advisor at [rory@macmillankeck.pro](mailto:rory@macmillankeck.pro).

#### 4.6 Designation of the successful applicant

The National Committee will select the successful applicant pursuant to the criteria set out in section 4.9 of this RFA. The National Committee is advised in this licensing process by the firm of Macmillan Keck, Attorneys & Solicitors, which has included on its team senior financial and technical experts for this purpose. The intention is to notify applicants of the result within 10 days after applications are due or as soon thereafter as possible, and to issue the Licence another week or as soon thereafter as possible once any issues such as radio frequency bands to be authorised are finalised.

## 4.7 Delivery of any performance bond

If a successful applicant has undertaken to provide a performance bond pursuant to section 5.3, then it must deliver a compliant performance bond to the CCK within 21 days after the date on which it is designated as successful applicant.

## 4.8 Default by and replacement of a successful applicant

If a successful applicant has breached a representation made or undertaking given in its application or a term or condition of this RFA or the Licence, fails to deliver a performance bond proposed pursuant to section 5.3 of this RFA, or in the sole judgment of the National Committee should not be awarded the Licence for any other reason, then another applicant having the next highest evaluation may be designated to receive the Licence in its place.

## 4.9 Evaluation Criteria

Applicants will be evaluated based on the factors described in this section according to the following weighting:

Track record in other markets (section 5.2)	30%
Rollout and coverage commitments and any supporting performance bond (section 5.3)	30%
Technical plan / network design (section 5.4) and business plan (section 5.5)	30%
Financial strength (section 5.6)	10%

Information that is more detailed and supported by evidence or commitments will have greater weight than information that is not.

# 5. Content of Applications

## 5.1 Information about the applicant

The Licence is being made available pursuant to a tender process in accordance with Rule 30 of the Licensing Rules for Communications Networks and Services, 2014. Rule 30 provides that the invitation to submit tenders for a Licence (here, this RFA) should set forth the formal requirements for a valid tender.

The applicant should provide the information about itself set forth in this section. Applicants should not use the application form for an individual licence that is found on the CCK's website.

### 5.1.1 Legal entity

Provide the name, type of legal entity, date and jurisdiction of formation of the applicant, and registered office address.

### 5.1.2 Authorised representative

Provide the full name, address, fixed and mobile phone numbers and email address of one or more natural persons having the authority to act on behalf of the applicant in connection with this application process.

### 5.1.3 Financial statements

Provide the applicant's latest annual financial statements, including balance sheet, income statement and cash flow statement, prepared in accordance with generally accepted accounting principles consistently applied and audited if these have been audited.

### 5.1.4 Directors and officers

Provide names and nationalities of all directors and holders of senior corporate positions.

### 5.1.5 Criminal records and bankruptcy

Provide details of any criminal record or personal bankruptcy, in any country, of any person listed in item 5.1.4.

### 5.1.6 Applicant's group, ownership and control

Provide a chart showing the members of any group of companies to which the applicant belongs and its ultimate parent entity (or individual if it is ultimately controlled by an individual). Provide information of the type described in sections 5.1.1 and 5.1.3 regarding the person that is the ultimate parent of the applicant.

For these purposes, "ultimate parent" means an affiliate that has direct or indirect control over the applicant but is not itself controlled by any other person. See section 3.2 for the meanings of "affiliate" and "control."

### 5.1.7 Consortia and management agreements

If the applicant is a member of a consortium, describe the role and contribution of each consortium member in terms of resources, experience or expertise, and the nature of the relationship among members. Provide copies of any consortium, joint venture, shareholder or similar agreement among the members evidencing a genuine and substantial role of the parties.

In demonstrating its experience, an applicant may rely on the experience of a person who is not the applicant if such person has given a substantial and enforceable commitment to the applicant to make such experience available to the proposed licensee through a management, technical, commercial or other agreement. In such case, the applicant must provide:

- (a) a copy of the relevant commitment;
- (b) the written consent of such person to its inclusion in the application; and
- (c) the information required in this section 5.1 with respect to such person.

## 5.2 Track record

Provide information about the applicant's track record in providing telecommunications services, particularly mobile cellular services. It may include the track record of the group of which the applicant is a part and on whose resources it will draw and depend to develop its

business in Kiribati. If the applicant has a track record providing goods or services in Kiribati, these should also be described.

Applicants will be evaluated on their track record, particularly with regard to operating in small countries with competitive and low ARPU markets. The purpose of this category is to ensure that the applicant has adequate experience to deal with the realities of entering the Kiribati market.

Applicants are encouraged to provide objective market, commercial, financial and technical data, including information about their services, subscribers and revenues, to enable genuine and substantive evaluation of the nature and scale of their experience. Comparisons to the Kiribati environment will also be helpful in assessing relevance of an applicant's experience.

Applicants are also encouraged to indicate the track record of their proposed management team for Kiribati.

### 5.3 Rollout and coverage commitments

Include a completed form as set out in Annex II (Rollout and Coverage Commitment Form). Any rollout and service coverage commitments made by the applicant will be included in the Licence awarded to it.

Points will be allocated for the applicant's rollout and service coverage commitments for voice and data services. In particular, the ability to launch rapidly an attractive voice service available to a substantial portion of the Kiribati population, including on some Outer Islands, will attract higher points.

Additional points will be allocated in the evaluation of rollout and service coverage commitments where the applicant undertakes to provide a performance bond to secure them. Delivery of such a bond strengthens the credibility of the applicant's promises and provides a remedy in case of failure to fulfil them.

If the applicant proposes to submit a performance bond in connection with receiving the Licence, it should state so in the application, including the proposed amount of such bond. Such performance bond must be a standard performance bond acceptable to the CCK from an international bank acceptable to the CCK. It must state unconditionally that the bank will pay the amount or any parts of it to the principal (the CCK) on demand without reference to the customer (the Licensee) or underlying transaction and even if the customer has given the bank notice not to pay the money.

### 5.4 Technical plans / network design

Provide a summary and diagrams, if applicable, of proposed network infrastructure, technologies and standards that the applicant plans to put in place over the first three years, including radio based infrastructure.

The applicant's technical plans and network design will be evaluated with a view to assessing the applicant's understanding of what is involved in developing a successful telecommunications business in Kiribati. They will also be reviewed against any rollout and service coverage commitment provided by the applicant with a view to ensuring that the applicant is providing realistic commitments that it will indeed be able to fulfil.

## 5.5 Business plan

Provide a business plan, which may be at a high level, encompassing:

- (a) services to be provided and proposed pricing levels;
- (b) target customer base;
- (c) service coverage (including locations and commencement dates);
- (d) marketing plans;
- (e) distribution plans;
- (f) human resource plan for international and local staff;
- (g) projected key performance indicators for the first five years of operations; and
- (h) projected financial results for the first five years.

The applicant's business plan will be evaluated in a manner similar to the technical plans / network design.

## 5.6 Financial strength

In addition to the financial information required by section 5.1.3 and 5.1.6, the applicant is encouraged to describe the nature and sources of the financial resources available to it.

The applicant's financial strength will be considered, including access to financial resources and its understanding of the financial implications of developing its business according to its business plan. This will include considering the adequacy of financial resources to construct, maintain and operate a network and other necessary infrastructure, attract and retain necessary personnel, and otherwise operate a successful business in Kiribati.

## 5.7 Radio spectrum requirements

Provide a copy of the applicant's application for radio frequencies to the CCK. (See section 2.8.)

## 5.8 Numbering requirements

Provide a copy of the applicant's request for numbering. (See section 2.9.)

## 5.9 Required representations and undertakings

The application must include the following representations:

- (a) **Statement of application:** *[insert name of applicant]*, hereby applies to the Communications Commission of Kiribati for a Licence pursuant to the Request for Applications (RFA) for a 15 year renewable communications services licence in Kiribati.
- (b) **Validity:** This application remains valid and binding for a period of 90 days from the date of its submission.
- (c) **Accuracy:** *[insert name of applicant]* hereby represents to the CCK that this application does not include any false statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

(d) **Non-disqualification:** [insert name of applicant] hereby represents to the CCK that it is not disqualified from obtaining or holding a licence under Communications Act 2012 or the RFA.

The foregoing representations and undertakings may not be limited or qualified in any way without the CCK's written permission.

If after submission of the application a change in circumstances occurs such that the representations or undertakings above can no longer be made or given, the applicant must inform the CCK promptly of such change. The CCK reserves the right to disqualify an applicant if such changes result in its noncompliance with this RFA or for any other reason.

## 6. General Provisions

### 6.1 Incomplete application

Any application that is incomplete as of the deadline for receipt of applications may be disqualified. An applicant that does not adequately provide information or materials requested subsequently may also be disqualified.

### 6.2 Responsibility for costs

Each applicant will, irrespective of the result of this application process, bear all of its own costs for and in connection with the preparation and submission of its application and any associated actions.

### 6.3 Confidentiality

The Government of Kiribati and the CCK will take reasonable steps to ensure the confidentiality of information in applications which applicants designate as commercially sensitive business secrets, except for rollout and service coverage commitments, performance bond amounts and identities of applicants.

### 6.4 Governing law

This RFA, the application process, the Licence and all related matters will be governed by the laws of Kiribati.

### 6.5 Reservation of non-award and disclaimer

This RFA is not an offer or undertaking to issue the Licence, and the right not to award a licence is reserved, along with the right to change the RFA and timetable or other elements of this application process.

### 6.6 Disclaimer and due diligence

The information in *Communications Opportunities in Kiribati* is provided for the convenience of applicants. Neither the Government of Kiribati, nor the CCK, nor their advisers, employees, agents or subcontractors represents or warrants, either expressly or implicitly, that such information or any other written or oral communications made or information provided to an applicant is accurate or complete.

Each applicant should conduct its own independent investigation, due diligence, and analysis of all relevant facts and conditions.





# **COMMUNICATIONS COMMISSION OF KIRIBATI**

## **INDIVIDUAL LICENCE**

For

**PROVISION AND OPERATION OF COMMUNICATIONS  
NETWORKS AND SERVICES**

Issued to:

**NEW ENTRANT MOBILE OPERATOR  
(ENTRANT)**

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**EFFECTIVE DATE:**

This Licence shall become effective upon signature of both Parties.

Signatures:

Mr. Teekabu Tikai  
Vice Chairman  
For the Communications Commission of Kiribati

Date:

[INSERT NAME]  
[INSERT TITLE]  
For [ENTRANT]

Date:

## LICENCE OF ENTRANT TO PROVIDE COMMUNICATIONS NETWORKS AND SERVICES

The Communications Commission of Kiribati, “the Commission:”

*Bearing in mind* that the Communications Act 2012 was made by the Maneaba ni Maungatabu and assented by the Beretitenti to promote a communications licensing regime that promotes entry by new licensees and which fosters investment and innovation in communications networks and the supply of communications services;

*Accepting* that the Commission is the authority responsible for regulating the communications sector and licensing service providers who own or operate a communications network or provide a communications service in Kiribati or between any place in Kiribati and any place outside of Kiribati;

*Hereby grants to:*

**[ENTRANT]**

Registration Number [insert number]

Address: [Insert Address]

This Individual Licence (the Licence) to provide authorized Communications Networks and Services subject to the terms and conditions set forth in this Licence.

## **PART I: GENERAL TERMS AND CONDITIONS**

### **1. Definitions**

The words and expressions used in this Licence shall have the meanings set forth in the Communications Act 2012, and in the rules issued pursuant to the Act and in this Licence, including the definitions set forth below:

‘Act’ means the Communications Act 2012

‘Annual gross revenue’ means the total revenue derived from the licensed services during a licence year minus any general business licence fees paid to the Government

‘Communications’ means the conveyance from one device to another of any message by means of any wire, radio, optical, electric, magnetic, electromagnetic or similar system

‘Communications facility’ means any infrastructure, building, including a switching equipment location, mast site, tower, pole, trunk line, access line, duct or other underground facility, or other passive equipment that is used or is capable of being used for communications or for any operation directly connected with communications, but excluding customer equipment

‘Communications market’ means a market for communications services or access

‘Communications network’ means a system that uses electricity or electromagnetic energy for providing communications services between network termination points

‘Communications service’ means a service for the transmission of communications by means of a communications network

‘Consumer’ means a customer who contracts for a communications service that is offered on standard conditions that are of general application and not negotiated individually

‘Customer’ means a person who contracts for a communications service

‘Day’ means a calendar day

‘Domestic roaming service’ means a wholesale mobile access service provided by a licensed service provider that enables customers of another licensed service provider to use its network facilities to initiate or receive mobile calls, data services or value added services in a designated geographic area

‘Effective date’ means the date of the grant of this Licence

‘Emergency call services’ means free access to 24/7 telephone number (s) that connect users to police, fire, ambulance and other public safety and emergency services available in Kiribati

‘Fixed communications network’ means a communications networks that facilitates the conveyance of signals by means of wireline or wireless facilities between points at fixed locations on a network

‘Force Majeure’ means a devastating act of nature or other natural disaster that is beyond the reasonable control of the Licensee, including but not limited to earthquakes, floods, widespread fires, tropical storms or acts of war or terrorism

‘International gateway’ means network facilities and physical plant that are used to enable a communications network to connect with and switch traffic to or from foreign communications networks, including via terrestrial links, undersea cables or satellites.

‘Internet service’ means a communications service using the Internet Protocol, except for a public mobile communications service

‘International roaming services’ means the ability for a customer of a licensed service provider in Kiribati to be able to use their mobile telephone or device while outside of Kiribati as a result of an arrangement with a foreign operator (s)

‘Licence year’ means the period of 12 months from the anniversary of the licence effective date

‘Mobile backbone transmission facilities’ means radio and non-radio (i.e. wireless or wire line) communications facilities, such as microwave systems and fibre optic cables, that are used to link the communications facilities of a licensee (including its base transceiver stations, base station controllers and mobile switches) or with the communications network facilities of another licensed service provider

‘Outer Islands’ means all inhabited islands in the Republic of Kiribati except for South Tarawa and Kiritimati islands

‘Person’ means a natural or a legal person

‘Public fixed communications service’ means any communications service, including voice, data or video that is provided to the public over a fixed communications network

‘Public mobile communications service’ means a communications service provided to the public by means of radio communications access facilities that transport messages between the cell area of one antenna to the cell area of a different antenna

‘Regulatory Framework’ means the Communications Act 2012 and any rules, decisions, orders, notices, determinations and technical standards made by the Commission in its lawful exercise of its powers under the Act

‘Retail customer’ means a customer who subscribes to a licensed service provider’s retail services

‘Service provider’ means a person who holds an Individual licence to provide communications networks and services.

‘Specified communications network’ means a communications network that includes a line or radiocommunications link, or series of lines or radiocommunications links, between two fixed points, including—(a) radiocommunications transmission links; (b) cable transmission links; and (c) cable access networks

‘Tariff’ means any statement by a service provider that sets forth its offered services and their prices, rates, charges or other compensation of any form, and terms and conditions for the use of those services

‘User’ means any person using a communications service, regardless of whether such a person is contracted to acquire the service

‘Value added service’ means a communications service that enhances or provides additional features to a particular communications service

‘Wholesale customer’ means a customer that is a licensed service provider that can interconnect with and procure wholesale communications services from another licensed service provider.

## **2. Activities, Facilities and Services Covered by the Licence**

The Licensee is authorized, on a non-exclusive basis, to build, own, operate and provide communications networks and services to the public, including national and international services. A list of authorized services is attached as Schedule A.

## **3. Geographic Scope**

The Licensee is authorized to provide communications network and services throughout the territory of the Republic of Kiribati and between Kiribati and any other nations.

## **4. Governing Law**

This Licence shall be governed by and interpreted in accordance with the laws of the Republic of Kiribati, including any future legislation that may be enacted.

## **5. Compliance Obligation of the Licensee**

The Licensee shall comply (and shall cause its officers, subcontractors and agents to comply) with the terms and conditions of this Licence (including its Schedules); and the Communications Act 2012, and any rules, decisions, orders, notices, determinations and technical standards made by the Commission in its lawful exercise of its powers under the Act (hereinafter collectively referred to as the “Regulatory Framework”), including but not limited to those concerning:

- (a) Licensing
- (b) Interconnection and access
- (c) Competition
- (d) Pricing
- (e) Consumer protection
- (f) Quality of service
- (g) Technical standards
- (h) Radio spectrum management
- (i) Numbering
- (j) Universal access.

## **6. Radio Spectrum**

In cases where radio spectrum and apparatus are necessary to provide the licensed services, the Licensee is required to apply separately for these licences in accordance with the Regulatory Framework.

## **7. Technology Neutral**

The Licensee may utilize its choice of technologies, provided that all equipment meets international and national environment and safety standards and any other technical rules and standards that are part of the Regulatory Framework.

## **8. Licence Term**

- (a) The Licensee is authorized to provide the services as granted by this Licence for a period of fifteen (15) years. This Licence shall be automatically extended for a period not less than five (5) years upon expiry if the Commission determines that the Licensee has complied with all material aspects of this Licence and the Regulatory Framework. The extension will be subject to a renewal licensing fee to be established at that time.
- (b) The Licence may be amended as part of the renewal process if the Commission determines that modification is necessary to address substantial changes in circumstances, including but not limited to technology advancement and market developments, or in accordance with any provisions of the Regulatory Framework.

## **9. Non-Discriminatory Licence Provisions**

The general terms and conditions of this Licence shall not differ in any material way from the licences granted by the Commission to other persons for the provision of the same or similar classes of services.

## **10. International Gateways**

The Licensee shall have non-discriminatory access to all International Gateway sites licensed to operate in Kiribati, subject to an Interconnection Agreement and shall provide non-discriminatory access to its own International Gateway sites.

## **11. New Infrastructure**

The Licensee shall build any new communications network facility with reasonable space for the purpose of co-locating equipment to enable interconnection between its own network and the network(s) of other licensed service providers.

## **12. Records and Plans of the Network**

- (a) The Licensee shall keep records and plans (including overall network plans and maps) of the installation of communications facilities, including installations for radio and fixed communications nodes and exchanges provided under this Licence and any other details concerning its network as may be reasonably required by the Commission.
- (b) The Licensee shall mark or otherwise identify every wire laid and each communications facility installed by the Licensee or any contractor on its behalf so as to distinguish it from any other wire or communications facility laid or installed in Kiribati.

## **13. Billing**

The Licensee shall ensure the accuracy and reliability of any systems, equipment, data or procedures used to measure or to track the provision of its licensed services for the calculation of related tariffs.

#### **14. Significant Market Share**

The Licensee may be designated as a Dominant Service Provider and may face additional regulatory obligations provided that its market share is determined by the Commission to equal or exceed forty percent (40%) of the total annual gross revenues of all licensed service providers for a specific communications market.

#### **15. Regulatory Fees**

The Licensee shall pay all fees as required by the Regulatory Framework including but not limited to its annual licence fees for the licensed services, radio spectrum and apparatus, and any fees for numbering resources. The Licensee, if required, shall also pay a universal access levy up to maximum of two (2) percent of its annual gross revenues (net of interconnection and payments made to international operators) to support a Universal Access Fund.

#### **16. Taxes, Customs and Duties**

For the avoidance of doubt, the Licensee shall throughout the period of this Licence be liable for payments of all applicable taxes, duties, and levies from time to time on all activities carried on pursuant to this Licence and the income derived therefrom (including but not limited to company taxes, income taxes, value added and sales taxes, import and export duties or similar taxes, duties or levies).

#### **17. Licence Amendment**

This Licence may be amended according to the Regulatory Framework:

- (a) On the initiative of the Commission where new or amended international treaties, commitments, recommendations, standards or the laws of the Republic of Kiribati require the modification; or the modification would further the objectives of the Act .
- (b) On the initiative of the Licensee in cases where the Commission considers that there are compelling reasons to do so.

#### **18. Surrender, Suspension and Revocation**

This Licence may be surrendered, suspended or revoked by the Commission pursuant to the Regulatory Framework. In the event of surrender, suspension, revocation of this Licence, the Licensee shall cooperate fully with the Commission in implementing all measures necessary to reimburse pre-paid customers for any unused services, ensure continuity of service and avoid disruption for customers during any transition to a new duly licensed service provider.

#### **19. Transfer of Control**

The Licensee shall not transfer the control of this Licence to another person or through any transaction without the prior written approval of the Commission. If the Licensee decides to undertake, or becomes aware of, any transaction to transfer control, the Licensee shall notify the Commission in writing within sixty (60) days prior to the intended completion date of the transaction. The Commission shall not refuse to issue such approval if it is convinced, acting reasonably, that the new owner will be able to meet all of the terms and conditions of this Licence.

#### **20. Dispute Resolution, Appeal and Arbitration**

The Commission shall settle conflicts among Licensees or among other parties pursuant to the Regulatory Framework. Resolutions adopted by the Commission are binding on all parties. Parties affected by the decisions of the Commission may apply to the Commission for reconsideration and have the right to go to Court.

## **21. Penalties and Fines**

- (a) The Licensee shall pay penalties and fines for non-compliance with the terms and conditions of this Licence and the Regulatory Framework.
- (b) The Licensee may not pass on to its customers any of the costs associated directly or indirectly with any fines, penalties and/or sanctions incurred for such non-compliance.

## **22. Access to Premises and Information**

- (a) The Licensee shall cooperate fully in allowing appointed or designated Inspectors of the Commission to enter the Licensee's premises and obtain access to the Licensee's records and documents, and inspect and remove any equipment and communications systems that are not in compliance with the Regulatory Framework.
- (b) The Licensee shall provide true and complete responses on a timely basis to all information requests issued by the Commission. It shall also comply in good faith with any reporting requirements within any requested timeframes needed by the Commission to validate that the terms of this Licence are being met.

## **23. Breach of License**

The Licensee shall be liable for all breaches of this Licence whether caused or carried out by itself or its servants or agents or by a person acting on its behalf. Failure to comply with any of the terms of this Licence or with any other terms or provisions of the Regulatory Framework shall be a breach of this Licence.

## **24. Force Majeure**

Neither Party shall be liable for any breach of this Licence caused by an event of Force Majeure, including but not limited to acts of God, insurrection or civil disorder, war or military operations, acts of terrorism, national or local emergencies, actions of the Government of Kiribati that, based on reasonable grounds, cause the Licensee to be materially delayed in or prevented from performing or carrying out any of its obligations under this Licence.

## **25. Notices**

Any notice or other communication to be given by a Party to the other in connection with this Licence shall be in writing and evidenced by written proof of delivery to the respective addresses of the Parties.

- (a) For the Commission, it shall be marked for the attention of the Chief Executive Officer at P.O. Box 529, Betio, Tarawa, Republic of Kiribati.
- (b) For the Licensee, it shall be marked for the attention of [insert details].

## **PART II: SPECIAL TERMS AND CONDITIONS**

Part II of this Licence includes the special terms and conditions of this Licence as described in Schedules A through C.

## **SCHEDULE A: LICENCED SERVICES AND MANDATORY SERVICES AND ACTIVITIES**

### **1. Licensed Communications Networks and Facilities**

- 1.1 The Licensee is hereby authorized to establish, install, own, import, operate and use:
- (a) a land-based public mobile communications network and facilities;
  - (b) mobile backbone transmission facilities;
  - (c) international gateway facilities; and
  - (d) any other networks, facilities and equipment necessary to supply the licensed communications services.

### **2. Licensed Communications Services**

- 2.1 The Licensee is hereby authorized to provide the following services without any undue preference for or undue discrimination against particular persons or classes of persons:
- (a) National and international mobile communications services
  - (b) Call handling services
  - (c) Messaging services
  - (d) Data services
  - (e) Value added services
  - (f) Internet services
  - (g) Domestic and international roaming services
  - (h) *[Add any other services which the applicant successfully applies to offer]*

### **3. Mandatory Communications Services and Activities**

3.1 The Licensee, as a provider of public voice communications services, is hereby required to provide the following mandatory communications services and activities:

- (a) **Customer Care Center**  
The Licensee shall establish a customer care center to be made available to its customers at no charge.
- (b) **Emergency Services**

The Licensee shall enable any member of the public, including those with disabilities, to access emergency services with priority routing, including police, fire and ambulance services.

3.2 Evidence of Mobile Coverage

The Licensee, as a provider of public mobile communications services, is hereby required to provide evidence of mobile coverage. Evidence is required in order to calculate the annual licence fee due and payable according to the Regulatory Framework. Evidence may include published coverage maps and technical reports verifying that the required minimum signal strength is available for a specified population group. This evidence shall be provided as part of the Licensee's submission of its annual licence fees.

- (a) Mobile coverage shall be defined as the percentage of the total number of inhabitants, according to the most recent census in islands where the Licensee provides public mobile communications services at the minimum signal strength.
- (b) The minimum signal strength required to quality for achieving mobile coverage for a given island is -90 dBm at  $\geq 90\%$  of outdoor locations in and around the towns, villages or main roads of the island where it is generally recognized that 75% of the population are living. The required signal strength may be adjusted from time to time where there is mutual agreement between both Parties to this Licence.
- (c) [*Note: Insert any other details based on Entrant's application*]



## SCHEDULE C: QUALITY OF SERVICE (QoS) OBLIGATIONS

The Licensee shall comply with any rules or decisions that the Commission may issue in relation to QoS obligations and reporting requirements. The QoS targets in this licence have the purpose of setting minimum, initial targets for South Tarawa and Kirimati islands only. These targets will be reviewed periodically by the Commission to ensure that customers benefit from advances in technology as well as to confirm that these targets remain valid and realistic, taking into account operational constraints.

The Licensee shall provide its communications services to customers 24 hours a day, 7 days a week. In the event that there is a complete discontinuation of the provision of services at the international level for a period of longer than 60 minutes, the Licensee shall report the discontinuation to the Commission within a period not to exceed 24 hours.

1. The Licensee shall comply with the **QoS Performance Obligations** set forth in the table below.
2. The Licensee shall provide a QoS Compliance Report ("**QCR**") to the Commission certifying its actual performance in relation to the QoS Performance Obligations.
3. The first QCR shall be submitted within 12 months of the Licence Effective Date. Thereafter, it shall be submitted on a semi-annual basis beginning six (6) months after the Licence Effective Date, no later than one (1) month after the close of each period.
4. Failure to meet the QoS Performance Obligations set forth in the table below on a repeated basis or in a manner that is significantly disruptive to customers may result in the imposition of fines or penalties in accordance with the Regulatory Framework.
5. The Commission may also require the Licensee to provide refunds to any customers or class of customers as a means of providing reasonable compensation for the Licensee's failure to comply with these QoS Performance Obligations. The amount of the compensation shall take into account the severity, impact and duration of the Licensee's failure to meet its QoS Performance Obligations.
6. With respect to the verification of the Licensee's compliance with any or all of the QoS obligations, the Commission may, at any time and at its sole discretion, require the Licensee to:
  - (a) carry out, at its own cost and expense, sample testing and to deliver a special report in accordance with the written instructions of the Commission; and
  - (b) submit to sample testing or a full audit carried out, at the cost and expense of the Commission, by a person designated by the Commission.
7. The Commission may publish on its website the results of the Licensee's compliance with the QoS obligations in full or in summary form, including in a comparison with other licensed service providers and international benchmarks. However, the Commission shall not publish the results of the Licensee's compliance with the QoS Performance Obligations relating to the first year following the Licence Effective Date.

Table 3: ENTRANT QoS Performance Obligations

Mobile Network QoS Performance Obligations			
Type	Description	Measure	Obligation
Network call set-up success rate	The call set-up success rate is defined as the fraction of the attempts to make a call that results in a connection to the dialed number.	The 10% of cells that have the highest levels of carried traffic during their busy hour for the identified measurement period. The call set-up success rate is calculated for each cell during the identified busy hour. The network call set-up success rate is the average across the individual success rates for each cell.	≥ 95%
Network dropped call rate	This measures the dropped call rate over the busiest part of the network.	The dropped call rate is calculated during the busy hour for each of the 10% of busiest cells. The network dropped call rate is the average over the dropped call rates for each cell.	≤ 3.5%
Network quality	This measures the proportion of the network over which performance is deemed to be adequate during busy periods.	The busy hour with the highest level of traffic during the month is identified for each cell. The call set-up success rate and dropped call rates are then calculated for each cell over this busy hour.	≥ 90%
Network availability	This provides a measure of the proportion of time that the network is available to its subscribers.	For each base station site, the number of hours during which at least 80% of the installed capacity is operational during the month is determined and divided by the total number of hours in the month. Network availability is the average of the availability of each base station.	≥ 99.9%
Billing Complaints	The number of billing complaints received from post-paid and pre-paid customers during a given month	The number of complaints received is divided by the total number of subscribers for a given month	<2%
	Time to resolve billing complaints	The proportion of billing complaints resolved within - 20 working days - 30 working days	95% 99%



## Annex II (Rollout and Coverage Commitment Form)

Applicants should complete this form and submit it with their applications.

### **Rollout and coverage commitments**

The applicant will launch:

- commercial voice services \_\_\_\_ days after the date of the Licence with a coverage of \_\_\_\_% of the population; and
- data services \_\_\_\_ days after the date of the Licence with a coverage of \_\_\_\_% of the population.

Within three years after the date of the licence, the applicant will achieve coverage of \_\_\_\_% of the population for voice and \_\_\_\_% of the population for data services (3G, LTE or other high speed data).

Delete and complete as appropriate:

[The applicant will provide a performance bond securing these commitments in an amount of AUD \_\_\_\_\_. / The applicant will not provide a performance bond.]

The applicant will provide other performance guarantees consisting of:

[Provide details]

## Annex III (Application Form for a Radiocommunications Licence)



1. Applicant's details	
Name ( individual, company, service provider, society, organization)	
Physical Address	
Postal Address	
Name of Contact Person	
Website:	Email:
Telephone:	Mobile:

2. Intended Use	
Description of how apparatus and/or radio spectrum will be used	

3. Types of Licences and Related Application and Annual Licence Fees					
Please complete this section by indicating the licence type, as well as the number of licences required. If you are unsure of which type of licence to apply for, describe your service in the box provided below.					
<b>LICENCE TYPES:</b>					
	<b>AERONAUTICAL</b>	<b># of Licences</b>		<b>MOBILE SERVICES</b>	<b># of Licences</b>
1	Aeronautical Base Station		29	700 MHz Band (reserved for Public Mobile Services)	
2	Aeronautical Mobile Station		30	850 MHz Band (reserved for Public Mobile Services)	
3	Aeronautical Radio navigation		31	GSM 900 Band (reserved for Public Mobile Services)	
4	Aircraft Station - registered passenger		32	GSM 1800 (reserved for Public Mobile Services)	
5	Aircraft non passenger		33	GSM 1900 (reserved for Public Mobile Services)	
	<b>AMATEUR</b>		34	All other MHz Bands (except for the Citizen Band)	
6	Novice			<b>SATELLITE SERVICES</b>	
7	Full Amateur		35	Dish less than 3 meters	
8	Amateur Group 2 – 5		36	Dish between 3 and 8 meters	
9	Amateur Group 6 or more		37	Dish bigger than 8 meters	



10	Amateur Beacon or repeater		38	Outer Islands Commercial Installations/Island Councils regardless of dish size	
	<b>BROADCAST RADIO</b>		39	Educational Institutions regardless of dish size	
11	Studio to Transmitter Link for Radio		40	Hotels regardless of dish size	
12	FM Repeater		41	Individual (Non-Commercial)	
13	Radio FM Station less than 500 watts		42	Mobile Satellite earth station	
14	Radio FM Station 500 watts or above		43	INMARSAT Station (LMES)	
15	Radio AM Station		44	Meteorological Aids Station (SM)	
	<b>BROADCAST TV</b>		45	Satellite Mobile Handheld Iridium System	
16	Studio to Transmitter Link for TV			<b>SHIP STATION</b>	
17	TV Repeater		46	Maritime Radio navigation/location	
18	TV Station 1 kW or more		47	Class B (Lagoon Voyage)	
19	<b>CITIZEN BAND</b>		48	Class C (Near Coastal)	
20	27 MHz		49	Class D (Foreign Going)	
21	UHF		50	Coast Station	
	<b>FIXED SERVICES</b>			<b>OTHER FEES</b>	
22	VHF/UHF Base Station			Type Approval per model	
23	HF Fixed Station			Type Approval for already approved model if imported by a different supplier	
24	HF Shared frequency			Storage and release fee for confiscated equipment and unapproved apparatus	
25	HF Fixed Control Station			Limited Radio Dealer (Retail only)	
	<b>FIXED LINK SERVICES</b>			Full Radio Dealer (Retail & Servicing)	
26	Frequency (TX / RX)			Station Inspections - for commercial use only	
	<b>LAND MOBILE</b>				
27	Land mobile Station (HF/VHF/UHF)				
28	VHF/UHF Repeater				



<b>4. Station details</b>		
<p><i>(FOR SHIP, AIRCRAFT STATIONS OR AMATEUR STATIONS ONLY)</i></p> <p><b>Ship Station only</b>  <b>Ship name*</b> (or if no name, provide registration number)</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 10px;"></div> <p><b>Aircraft station only</b>  <b>Aircraft registration markings</b></p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 10px;"></div> <p><b>Application qualifications: Proof of Certificate of Proficiency required for ship (Classes B-D and Coast stations) aeronautical and amateur stations.</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; padding: 2px;">CERTIFICATE TYPE</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">CERTIFICATE NUMBER</td> </tr> </table> <p><b>Station (s) location details</b></p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	CERTIFICATE TYPE	CERTIFICATE NUMBER
CERTIFICATE TYPE		
CERTIFICATE NUMBER		

<b>5. Payment of Application and Annual Licence Fees</b>
<p>Licence applications will not be processed without payment of application and first annual licence fees. Please check the box to indicate that you have included the payment receipt as part of this licence application. <input style="float: right;" type="checkbox"/></p>

<b>6. Declaration</b>			
<p>I declare that the information provided in this application, and in any accompanying documents, by me as the applicant, or as a person authorized by the applicant, is true and correct in every detail and that the equipment to be employed is of a type approved by the CCK.</p> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="border: 1px solid black; padding: 2px;">Signature</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">Print Name</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">Date</td> </tr> </table>	Signature	Print Name	Date
Signature			
Print Name			
Date			



**7. CCK USE ONLY**

Date:
Client number:
Correspondence number:
Transaction number:
Licence number:

Annex IV (Mobile Numbers Application Form)



## Application form for Mobile Numbers

Name of Service Provider .....

Company Registration Number: .....

Postal Address .....  
.....

Registered office address (if different) .....  
.....

### Contact Person

Name .....

Telephone number .....

E-mail address .....

### Description of the intended use of the numbers

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

Estimated starting date of service .....  
.....

### Estimated quantity of numbers required including forecast of expected utilisation over 1, 2 and 5 year period

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

Preferred numbering allocation (with alternatives and priorities)

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

Provide details of any existing utilisation of similar allocations already made including anticipation exhaustion date

.....  
.....

Any other information that the Service Provider considers relevant to this application

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

Declaration

I certify that the information provided in this application is true and correct

Signature of authorised person .....

Name .....

Position .....

Date .....

### Notes for Applicants for Mobile Numbers

Numbers are a limited national resource that is managed in the overall national interest.

The CCK is responsible for the efficient management of numbers and for administering numbers to enable Service Providers to supply licensed communications services to the public.

#### Eligibility

1. All service providers providing publicly available communications services are eligible to apply for allocations and reservations of numbering capacity.
2. In addition, the Commission may choose, from time to time, to allocate numbers to others, including end users. Such numbers may include, for example, "golden numbers".

3. In all other circumstances, any other person who requires the use of numbers must seek an allocation from an eligible service provider.

### **Information required**

Applications must complete this application form in full. Only applications submitted on this form will be accepted. Please provide as much information as you consider necessary to support the application. Additional information can be provided on separate sheets, and must be attached to the form.

In addition, applicants shall provide the CCK with any other information judged to be relevant to the application, and the supply of which does not place an undue burden on the applicant.

### **Quantity of number required**

Numbers will normally be issued in blocks of 1,000 or 10,000 and 100,000 numbers. If the request is for a different size of block then the reasons must be given.

### **Preferred numbering range**

You can state a preference for a particular numbering range (with alternatives), or you can allow the CCK to choose the numbering range. If the CCK is unable to allocate one of the preferred ranges you will be notified of possible alternatives

### **Description of the intended use of the numbers**

Please provide operational and infrastructure details of the service and how the numbers will be used, including interconnectivity and what services and networks can be accessed.

### **Response time**

As soon as the application has been fully considered and the number lists have been updated, the applicant will be notified in writing of the assignment. As far as possible, applications will be answered within 30 days after receipt.

### **Granting application**

The CCK can grant an application in full or in part, or can refuse an application

### **First come – first served**

If several applications for the same numbering resource are received, then the application first registered as received by the CCK will be dealt with first. This means that the administration will generally be based on a "first come first served" principle.

### **Fees**

Numbering fees are payable upon the date of the first allocation and subsequently upon this anniversary date thereafter or upon any other mutual agreed timetable between the Commission and the service provider. Failure to pay the required fees will result in no new numbers being issued and may result in existing allocations being withdrawn.

#### **Conditions of use**

All allocations are subject to the National Numbering Rules 2015.

#### **ITU Operational Bulletin**

Where appropriate, the CCK will notify the ITU of the assignment of numbers, number series and addresses for the purpose of insertion and announcement in the ITU's Operational Bulletin.

#### **Notification to other Service Providers**

Other Service Providers and users will not automatically receive notification of assignments from the CCK. It is therefore the responsibility of the Service Provider who has been assigned numbering resources to contact other providers and users as necessary for the purpose of informing these of the assignment.

#### **Incorporation in the National Numbering Plan**

The assignment will appear in the records of the National Numbering Plan as published from time to time by the CCK.

Annex V (Fixed Geographic Numbers Application Form)



## Application form for Fixed Geographic Numbers

Name of Service Provider .....

Company Registration Number .....

Postal Address .....  
.....

Registered office address (if different) .....  
.....

### Contact Person

Name .....

Telephone number .....

E-mail address .....

### Description of the intended use of the numbers

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

Estimated starting date of service .....  
.....

### Estimated quantity of numbers required including forecast of expected utilisation over 1, 2 and 5 year period

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

Preferred numbering allocation (with alternatives and priorities)

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

Provide details of any existing utilisation of similar allocations already made including anticipated exhaustion date

.....  
.....

Any other information that the Service Provider considers relevant to this application

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

Declaration

I certify that the information provided in this application is true and correct

Signature of authorised person .....

Name .....

Position .....

Date .....

### **Notes for Applicants for Fixed Geographic Numbers**

Numbers are a limited national resource that is managed in the overall national interest.

The CCK is responsible for the efficient management of numbers and for administering numbers to enable Service Providers to supply licensed communications services to the public.

#### **Eligibility**

1. All service providers providing publicly available communications services are eligible to apply for allocations and reservations of numbering capacity.
2. In addition, the Commission may choose, from time to time, to allocate numbers to others, including end users. Such numbers may include, for example, "golden numbers".

3. In all other circumstances, any other person who requires the use of numbers must seek an allocation from an eligible service provider.

### **Information required**

Applications must complete this application form in full. Only applications submitted on this form will be accepted. Please provide as much information as you consider necessary to support the application. Additional information can be provided on separate sheets, and must be attached to the form.

In addition, applicants shall provide the CCK with any other information judged to be relevant to the application, and the supply of which does not place an undue burden on the applicant.

### **Quantity of number required**

Numbers will normally be issued in blocks of 1,000 or 10,000 numbers. If the request is for a different size of block then the reasons must be given.

### **Preferred numbering range**

You can state a preference for a particular numbering range (with alternatives), or you can allow the CCK to choose the numbering range. If the CCK is unable to allocate one of the preferred ranges you will be notified of possible alternatives

### **Description of the intended use of the numbers**

Please provide operational and infrastructure details of the service and how the numbers will be used, including interconnectivity and what services and networks can be accessed.

### **Response time**

As soon as the application has been fully considered and the number lists have been updated, the applicant will be notified in writing of the assignment. As far as possible, applications will be answered within 30 days after receipt.

### **Granting application**

The CCK can grant an application in full or in part, or can refuse an application

### **First come – first served**

If several applications for the same numbering resource are received, then the application first registered as received by the CCK will be dealt with first. This means that the administration will generally be based on a "first come first served" principle.

### **Fees**

Numbering fees are payable upon the date of the first allocation and subsequently upon this anniversary date thereafter or upon any other mutual agreed timetable between the Commission and the service provider. Failure to pay the required fees will result in no new numbers being issued and may result in existing allocations being withdrawn.

#### **Conditions of use**

All allocations are subject to the National Numbering Rules 2015.

#### **ITU Operational Bulletin**

Where appropriate, the CCK will notify the ITU of the assignment of numbers, number series and addresses for the purpose of insertion and announcement in the ITU's Operational Bulletin.

#### **Notification to other Service Providers**

Other Service Providers and users will not automatically receive notification of assignments from the CCK. It is therefore the responsibility of the Service Provider who has been assigned numbering resources to contact other providers and users as necessary for the purpose of informing these of the assignment.

#### **Incorporation in the National Numbering Plan**

The assignment will appear in the records of the National Numbering Plan as published from time to time by the CCK.