

SCHEDULE 3

APPLICATION FOR A SPECIAL LICENCE AND RELATED SPECIAL FREQUENCY AUTHORISATION UNDER SECTION 37 OF THE TELECOMMUNICATIONS ACT 2016

Instructions

- * Three (3) copies of the completed application should be submitted in an envelope clearly marked “Telecommunications Special Licence and Related Frequency Authorisation Application” addressed to the Director, Telecommunications Agency, Colgrain House, 205 Camo Street, South Cummingsburg, Georgetown.
- * The completed application must be accompanied by the application fee designated by the Telecommunications Agency (the “Agency”) in section 93(3) of the Telecommunications Act 2016 (the “Act”), in the regulations thereto, or in the Telecommunications Code, whichever is applicable.
- * The application must be completed fully, in typed or block letters. You should attach additional pages as may be needed in order to answer all of the questions fully and to otherwise submit a complete application.
- * Terms used in this application form have the same meaning as they have in the Act, the Telecommunications (Licensing and Frequency Authorisation) Regulations 2020 (the “Regulations”) and other regulations issued under the Act. You should review both the Act and the regulations issued under it carefully before filing your application, not only to ensure that you know what the terms used mean, but also to understand the legal regime under which you are applying to operate a telecommunications network or provide a telecommunications service.
- * You must inform the Agency in writing if you wish to request that any information contained in your completed application be treated as confidential and identify all such information clearly and with specificity.
- * Under the Regulations, you have an obligation to inform the Agency promptly of any matter included in your application that changes in any material respect, both while your application is pending and after any licence has been issued to you. Failure to inform the Agency promptly of any such material change is an offence punishable upon conviction with a fine of not less than one million dollars and not more than two million dollars and imprisonment of six months, with additional fines for continuing failures after conviction.
- * This application must be signed:
 - in the case of an application by an individual or sole proprietor, by the individual or sole proprietorship in whose name the application is made
 - in the case of an application by a partnership, by a partner, accompanied by a resolution by the managing or general partner stating that the individual signing the application is authorised to do so by the partnership
 - in the case of a company or other body corporate, by a director, corporate secretary or other authorised officer, accompanied by a resolution of the company’s Board of Directors or, if the applicant is a body corporate other than a company, a resolution of the body corporate’s governing body stating that the individual signing the application is authorised to do so by the company or other body corporate
- * Please note that, if your application is granted, the special licence and (if applicable) related frequency authorisation will be valid for **ten (10) days only**. If the activities for which you are applying are to extend beyond those ten (10) days, **you must submit a written request for an extension of the special licence and (if applicable) related frequency authorisation to the Agency prior to the expiration of your original special licence and (if applicable) related frequency authorisation. The written request must set forth an explanation for why there is good cause for the extension.**

PART A: PRELIMINARY INFORMATION

1. This application is being submitted for: *(check all that apply)*

- Emergency or other exigent circumstances
- Demonstration purposes
- Testing purposes
- Other short-term purposes *(please describe briefly)*: _____

PART B: THE APPLICANT AND ITS AFFILIATES

1. **Full Name of Applicant:** _____

2. **Applicant’s Address and Other Contact Information**

Physical Address: _____

Postal Address (if any): _____

Designated Contact Person: _____

Contact Person’s E-mail Address: _____

Contact Person’s Telephone Number(s): _____

Contact Person’s Facsimile Number(s): _____

3. **Address in Guyana (if different from the above)**

Physical Address: _____

4. **Applicant’s Profile**

4.1 **Business classification:** *(check one)*

- Individual
- Sole proprietorship
- Partnership
- Company
- Other *(describe)* _____

4.2 If the Applicant is an individual or a sole proprietor:

Name: _____

Nationality: _____

Address: _____

Passport/Other ID Number: _____

Name under which Applicant proposes to do business: _____

4.3 If the Applicant is a partnership:

Type of partnership: _____

Place of formation: _____

Registration number: _____

Name under which partnership proposes to do business (if different from item B(1) above):

4.4 If the Applicant is a company:

Type of company: _____

Place of incorporation: _____

Date of incorporation: _____

Registration number: _____

Name under which company proposes to do business (if different from item B(1) above):

4.5 If the Applicant is another type of body corporate:

Type of body corporate: _____

Place of formation: _____

Date of formation: _____

Registration number: _____

Name under which body corporate proposes to do business (if different from item B(1) above):

5. Authorised Agent and Address in Guyana for Service of Process

Name of authorised agent: _____

Address in Guyana: _____

7. History of the Applicant and Its Affiliates

Please answer "yes" or "no" to the following questions and provide complete details for any questions to which you answer "yes":

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

Yes No

7.2 Has the Applicant or any of its affiliates ever applied for a licence, exemption or frequency authorisation under the Act or any other Guyana law or regulation and been refused?

Yes No

7.3 Has the Applicant or any of its affiliates ever been granted a licence, exemption or frequency authorisation under the Act or any other Guyana law or regulation?

Yes No

7.4 If the answer to question 7.5 is “yes,” has any such licence, exemption or frequency authorisation been modified, suspended or terminated, or has the Applicant or any of its affiliates otherwise been penalised or sanctioned in relation to any such licence, exemption or frequency authorisation?

Yes No

7.5 Does the Applicant or any of its affiliates currently hold, or have any of them ever applied for or held, a licence, exemption, frequency authorisation or any other type of permit to operate a telecommunications network or provide a telecommunications service in any country other than Guyana?

Yes No

7.6 Does the Applicant or any of its affiliates currently operate, or have any of them ever operated, a telecommunications network or provided a telecommunications service in any country other than Guyana for which a licence, exemption, frequency authorisation or any other type of permit was not required?

Yes No

7.7 If the answer to question 7.7 or 7.8 is “yes,” has any such licence, exemption frequency authorisation, or other permit been refused, modified, suspended or terminated, or has the Applicant or any of its affiliates otherwise been penalised or sanctioned in relation to the operation of any such telecommunications network or provision of any such telecommunications service?

Yes No

7.8 Has the Applicant, or any of its shareholders or other owners, partners, directors or other governing body members, officers or key managerial staff ever been the defendant or respondent in any proceedings in any court in any jurisdiction involving dishonesty, fraud, theft, violence or other violation of law, or is any of them currently the subject of any such proceeding?

Yes No

PART C: APPLICANT’S PROPOSED TELECOMMUNICATIONS NETWORK AND/OR TELECOMMUNICATIONS SERVICES

1. Applicant's Proposed Purposes and Activities

1.1 **Emergency or exigent circumstances.** If applicable, please provide information on the emergency or exigent circumstances that are the basis of this application:

1.2 **Demonstration, testing or other short-term purposes.** If applicable, please provide information on the demonstration, testing or other short-term purposes that are the basis of this application: _____

1.3 **Purposes and type of activities.** Please provide information on the purposes for which the Applicant proposes to operate a telecommunications network and/or provide telecommunications services and the type of activities to be carried out.

2. **The Proposed Telecommunications Network and/or Telecommunications Services and Use of the Spectrum/Operation of Radiocommunication Equipment**

2.1 Telecommunications Networks and Telecommunications Services

(a) Please describe any telecommunications network that the Applicant proposes to operate and any infrastructure it is planning to put into place, including radiocommunication networks infrastructure:

(b) Please describe any telecommunications services that the Applicant is planning to provide, including details on how access to the service is to be provided (e.g., indirect access, direct access, lease lines, etc.) and to whom the service is to be provided:

- (c) Does the Applicant need to use the spectrum and, if so, what is/are the proposed frequency band(s)?

- (d) Is an earth station involved in the Applicant's proposed use of the spectrum?

Yes No

If "yes," please provide the following information on the earth station and its characteristics:

- (i) A letter from the satellite provider, indicating the name and address of the satellite provider, assigned frequencies for the proposed service and the station to be communicated with.
- (ii) A copy of the manufacturer's technical specification for the transmitter, receiver and antenna.
- (e) Please provide the following information on the radiocommunication equipment, including antennas, and any radiocommunication station you intend to install and operate:
- (i) Transmitter**
- A. Location of station, including geographic coordinates
 - B. Make, model and class of equipment
 - C. Requested frequency band(s)
 - D. Number of channels requested and channel bandwidth
 - E. Effective radiated power (dBm) If the transmitter has a power rating, please indicate it.
 - F. IF Frequencies (kHz)
 - G. Pattern of radiation (not a spec of a transmitter)
 - H. ITU class of emission designation (for each frequency)
 - I. Type of service(s)
- (ii) Receiver**
- A. Make, model and class of receiver
 - B. Requested frequency band
 - C. Receiver selectivity (adjacent channel rejection)
 - D. Receiver sensitivity (Indicate type dB SINAD, dynamic, static)
 - E. Spurious and image rejection
 - F. IF Frequency (KHz)
 - G. Type of service(s)
- (iii) Antenna**
- A. Geographical location including latitude and longitude
 - B. Antenna make and model
 - C. Antenna type
 - D. Antenna size and maximum gain
 - E. Antenna height above average terrain (m)

- F. Maximum EIRP (dBW)
- G. Beamwidth (degrees)
- H. Maximum power density (mW/cm²)
- I. Azimuth (degrees)
- J. Elevation (degrees)
- K. Polarisation
- L. Total transmission line loss
- M. Effective radiated power
- N. Power supply requirements
- O. Type of service(s)
- P. Hours of operation (UTC)

(iv) Satellite earth stations

- Q. Name of receiving earth station
- R. Operating satellite(s)
- S. Agreements with satellite provider
- T. Satellite receiving beam designation
- U. Proposed date of bringing into use

PART D: DECLARATION

On behalf, and with the authorisation, of the Applicant, I declare that the information provided in this application, including all attached and supplementary materials, is true and accurate in all material respects. I acknowledge and agree that submitting an application to the Agency does not mean that a licence (or a related special frequency authorisation) will be granted, and that consideration of this application is a matter for the exercise of the Agency's and Minister's discretion acting in accordance with the Telecommunications Act 2016. If the licence (and, if applicable, related frequency authorisation) is granted, I am fully aware of the obligations and conditions associated with the licence and (if applicable) related frequency authorisation, including the obligation to exclude unauthorised persons from access to or the operation of any radiocommunication equipment that the Applicant may be authorised to install and operate. I understand that in processing this application, the Agency may undertake such investigations as it considers appropriate to verify the information submitted and/or to assess the background or suitability of any person involved or to be involved in any permission or authorisation hereby applied for, and I hereby expressly consent for myself and on behalf of the Applicant and all such persons, to the carrying out by the Agency of such investigations. I confirm that I am duly authorised by the Applicant and such other persons to make this declaration.

Name of Applicant: _____

By: _____

Full name of signatory: _____

Position: _____

Date: _____

See the Instructions at the beginning of this application for how Applicants who are partnerships, companies or other bodies corporate must document the above signatory's authorisation to execute and submit this application.