



Application for ICT Licence(s)

(Types 6, 7 or 8 Services, and/or Types B or F Networks)

Instructions for completion

- Print clearly – illegible, unclear or incomplete application forms may delay processing.
- Licence Types are defined in a Section 23(2) Notice published from time to time in the Gazette by the Utility Regulation & Competition Office ('OfReg' or the 'Office'). A copy of the current notice can be found on the Office's website at www.ofreg.ky.
- You should use this form (ICT Form 3) if you require a Licence for Types 6, 7 or 8 Services (sound or TV broadcasting) and/or Types B or F networks
- You should use ICT Form 2 if you require only a Type D or Type E network Licence
- You may use this form to apply for Type D, E or S Network Licences ONLY if you also are applying for a Type B or F Network Licence or a Type 6 to 8 Service Licence.
- Queries concerning the completion of this form should be directed to the Office at 1-(345)-946-4282, fax 1-(345)-945-8284, or email info@ofreg.ky.

Disclosure of Information

The Office will publish a copy of your completed application and any attachments on its web site unless it is accompanied by a claim for confidentiality in accordance with the ICT Confidentiality Regulations.

If a claim of confidentiality is made, the application must be accompanied by a redacted version for the public record.

Applicant's Details

1. Client number (IF KNOWN)

2. Organisation name

3. Trading Name (IF APPLICABLE)

4. C.I. Company Registration Number

5. Does Company have a current Trade & Business Licence? (IF YES, PLEASE ATTACH COPY)

YES

NO

6. Telephone

7a. General Inquiry Email address (IF ANY)

7b. Web Address*(IF ANY)

8. Postal address

9. Physical address

10. Contact Name

11. Type(s) of Network(s) and/or Service(s)

At least one of the following types of ICT Networks or ICT Services MUST be selected

Networks:

- Type B – Fixed Wireless Access (other than mobile including microwave)
- Type F – Broadcast Network

Services:

- Type 6 – Public Service Television Broadcasting
- Type 7 – Subscription Television Broadcasting (NB. You may apply for a Type 7 Licence ONLY if you are also applying for a Type 6 Licence.)
- Type 8 – Sound Broadcasting

12. Additional Licence Types

The following licence types may be included in this application PROVIDED at least one of the above has been selected.

Networks:

- Type D1 – Fibre Optic Cable - Domestic
- Type D2 – Fibre Optic Cable - International
- Type E1 – Satellite (incl VSAT) - Domestic
- Type E2 – Satellite (incl VSAT) - International
- Type S – Spectrum

Services:

- Type 9 – Internet Service Provider (ISP)
- Type 11 – Provision of ICT Infrastructure to a Licensee, excluding dark fibre
- Type 11a - Provision of dark fibre to a Licensee
- Type 14 – Applications Service Provider (ASP)

Check this box if you plan to make use of any spectrum, and provide full details in answer to question 28 below. There is an annual fixed fee for each transmission frequency or channel to be used. See the description in the Section 23(2) Notice. There is no application fee.

Check for Application Fee Required to be Enclosed and made out to 'OfReg'.

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(See separate Schedule of ICT Application Fees)

Company Directors and Management

Where appropriate, the following information should be provided as an attachment to this application:

13. Attach details of all directors and officers of the Company.

- a. Full name
- b. Appointment
- c. Date appointed
- d. Private Address
- e. Age
- f. Nationality
- g. Occupation
- h. Other directorships held during the past 5 years
- i. Other business interests
- j. Whether or not resident in the Cayman Islands
- k. A curriculum vitae including a summary of background, and any experience relevant to running the networks and services applied for.

14. Have any directors or officers of the Company ever declared personal bankruptcy or been a director or officer of a company which has gone into liquidation, official receivership, administration, or become insolvent (either while he was a director or officer or within 3 years of his ceasing to be a director or officer)?

- No
- Yes. Please attach details.

15. Have any directors of the Company been a director of a company whose ICT licence (or equivalent) has been revoked by any country's regulatory authority for breach of licence condition(s) (either while he was a director or within 3 years of his ceasing to be a director)?

- No
- Yes. Please attach details.

16. Attach names and addresses of all shareholders of the company (unless a publicly traded company). Include nationality and place of residence.

- No
 Yes. Please attach details.

17. Has any director of the Company or any member of the Company's managerial staff ever been, or are they now, the defendant or respondent in any proceedings in any court in any jurisdiction involving non-payment of debt, dishonesty, fraud, theft, restitution or violence?

- No
 Yes. Please attach details.

18. Details are required of the involvement by the applicant and its participants (including shareholders or other subscribers of more than 5% of the applicant's total funding requirements) in any of the activities listed alongside, and the extent of the interest. For these purposes, the applicant includes associates of the applicant (i.e. directors and their associates and other group companies).

- a. Advertising agencies;
- b. Newspapers (including holdings in a group having substantial control over one or more newspapers);
- c. Other broadcasting interests (including radio, television, satellite and cable broadcasting, and allied activities);
- d. Bodies whose objects are wholly or mainly of a religious nature;
- e. Bodies whose objects are wholly or mainly of a political nature;
- f. Publicly-funded bodies.

19. Provide a diagrammatic representation of the applicant's group structure and major shareholders, including the percentage of shares held. OfReg may request further information from the applicant concerning shareholding and corporate ownership structure.

20. Provide a diagrammatic representation and narrative description of the company's management structure. Include brief resumes of key managerial staff indicating relevant prior experience, qualifications, and nationality. Detail any other sources of expertise available to the Company.

21. List any activities which will be contracted-out to agencies, consultants, etc., including numbers of personnel upon whom the applicant will be able to draw, if known.

22. Give details of any role to be played by unpaid voluntary helpers, including estimates of the number of volunteers who might participate during a typical week, and the activities they might undertake.

23. Attach names, addresses and contact details for the following professional advisors to the company.

- a. Attorney
- b. Accountant
- c. Auditors

Company Background

Where appropriate, the following information should be provided as an attachment to this application:

24. Does the Company or any affiliate currently hold, or has it ever held, a broadcasting or ICT Licence in the Cayman Islands or another country?

- No
 Yes. Please attach details.

25. Has the Company or any affiliate ever had an application for a broadcasting or ICT Licence in the Cayman Islands or another country refused?

- No
 Yes. Please attach details.

26. Has the Company or any affiliate ever had a broadcasting or ICT Licence in the Cayman Islands or another country revoked?

- No
 Yes. Please attach details.

Broadcasting Services (All applicants)

27. Proposed or Current Station Name

28. Provide a one-sentence positioning statement summarising the type of programme service or format currently offered proposed.

29. Programme service

Outline, in general terms, the approach and objectives of the current or proposed programme service, and the broad format and content to be provided, e.g. whether a 'full service' or more specialised in appeal; whether predominantly music-led or speech based; the extent to which output would be locally- originated or part of a wider, externally-sourced service.

30. Audience Feedback

Outline, in general terms, the approach the applicant intends to take when receiving, acknowledging and dealing with audience feedback (including complaints) – including making such feedback procedures easily accessible and well publicised, simple to understand and use, handling of complaints and comments timely, keeping such feedback confidential, providing a response to such feedback, and providing relevant information to the Office

31. Hours of broadcasting

State the minimum number of hours per day for which the applicant is or will be committed to broadcasting a programme service. If hours differ between weekdays and weekends, provide details.

32. Local content

Outline the minimum time periods, for both weekdays and weekends, during which the applicant is or will be committed to broadcasting locally produced and presented programming from the applicant's own studios (or an outside broadcast facility) within the Cayman Islands.

Set out how the applicant proposes to comply with its obligations under section 55 ICT Law, in particular to ensure that local programming as defined protects persons under the age of eighteen and such programming includes nothing which – offends against taste and decency; is likely to encourage or incite to commit a crime or lead to disorder; be offensive to public feelings; is an offensive representation of, or reference to, a person (living or deceased); and presents any news broadcasted with due accuracy and impartiality.

33. Non-local origination of programming

If part or all of the programme service is or will be provided other than by broadcasting originating from the licensee's own studios (or outside broadcast facility), provide full details of the origin and scheduling of such programming. State how it will be supplied and to what extent, if any, there will be local input to such programming (including advertising and station 'branding').

34. News and Sports Output

- a. Outline the station's approach towards the provision of news and sports information (if any), with reference to the source(s) of any news, and to the style of its presentation and content.
- b. Produce a table showing the times of scheduling and the minimum duration of news bulletins, extended news sequences and/or news magazines, as appropriate, for each hour of the day on weekdays (noting any daily variations from the general pattern), Saturdays, Sundays, and public holidays. Show clearly which do or will contain local and/or regional, national or world news. For bulletins or sequences which contain local news, state whether any of these are or may be carried on other services in this or other licence areas. If any bulletins include both local/regional and world news, state whether the latter is or will be mixed with the former or is or will be provided by a separate live feed from an external news supplier. Detail any special news provision proposed, e.g. news in language(s) other than English.
- c. If local/regional news is or is to be obtained from sources other than through the station's own news staff resources, state what these are, and whether any firm agreements have been made with external news suppliers.

35. Programme Schedule

- a. Using a suggested maximum of two pages for each, provide an outline of the programming for:
 - i) a typical weekday (indicating any variations from day to day, as appropriate);
 - ii) a typical Saturday;
 - iii) a typical Sunday.
- b. Summarise, for each programme or day-part (as appropriate), the main type(s) of music and/or speech content, style of presentation, and the proportions of programming airtime.

(NOTE: Although the detail of this programme schedule may be varied within the 'promise of performance' or 'format' agreed, it is expected that the general approach and balance of the service proposed, as outlined below, will be maintained).

36. Appeal of programme service

- a. To what extent, and in what ways, is the programme service designed to "cater for the tastes and interests of persons living in the area", either general or particular?
- b. If the programme service is designed to appeal especially to particular sections or demographic groups (e.g. certain age-groups) within the population, state which.
- c. To what extent, and in what ways, does or will the service cater for tastes and interests different from those catered for by other broadcasting services available within the Cayman Islands?

Sound Broadcasting (Type 8 applicants only)

37. Proposed music policy

If the service does or will include music, include an outline of the proposed music policy and presentation style. State the percentage of local music that it is intended to include or it currently includes.

38. Automated output

Give details of any periods during which whole programmes or lengthy sequences of programme elements are or will be originated locally yet is or will be wholly automated or pre-recorded, and not reliant upon the presence of a presenter. Indicate the scheduling, duration and method of provision of such output.

39. Balance between music and speech

Of all programming airtime (i.e. excluding any advertising or other commercial content, promotional trails and sponsor credits) averaged across the whole of the daytime and non-daytime periods as specified, what proportion is or will be devoted to speech (including presentation of music)?

40. Speech content

Describe, as fully as possible, the speech content (if any) of the current or proposed service, other than news output (see Q33 above). Provide examples of speech material, and indicate whether this is or would be in the form of short features (less than 3 mins. duration), longer items or entire programmes. (The scheduling of all regular speech output, apart from general presentation and introduction of music items, should also be included in the proposed programme schedule at Q34 above).

41. Music output (If applicable)

- a. Provide a brief (one or two sentence) positioning statement which summarises the station's approach, for inclusion in the 'promise of performance' or 'format' when agreed.
- b. Outline in more detail the station's music policy, describing all type(s) of music to be played, and addressing, as appropriate, such matters as the style and pattern of presentation (e.g. to what extent there is or will be a reliance on the playing of music tracks without intervening presentation; the size and structure of the station's playlist; the planned frequency of rotation of most popular music tracks).
- c. Give details of all type(s) of music which it is expected that the service does or will play, using recognised definitions: e.g. current, new releases, gold, recurrent, dance, easy-listening, etc. Define each of these categories to specify their precise nature (e.g. for 'current' or 'recurrent' material, indicate the expected maximum interval between the dates of release and airplay; for 'gold', specify in which decade the tracks were first released). For each type, provide four examples of individual tracks as illustrations of how these are interpreted. State the minimum and maximum proportions (as percentages) of total number of tracks to be represented by each type listed, in descending order of prominence, during any consecutive period of three daytime hours devoted mainly to music output.

Engineering (All network applicants)

42. Transmission Site(s)

For licences where the coverage brief provides for more than one transmission site, please answer each part of this question separately for each site.

- a. What is the applicable Licence Type?
- b. What is the location of the transmission site you propose to or do use, on which the business plan of your application is based? (Give latitude and longitude, and a basic description of the site; e.g. building or mast).
- c. What degree of confidence do you have (and on what basis) that facilities can be implemented within the budgetary provisions made in the business plan, and that, where required, planning permission can be obtained? What level of detail has been entered into, if any, with the relevant site landlords/managers, whether by direct or indirect negotiation?
- d. What is the height above ground level at which the transmitting aerial is or would be sited? Please confirm your assumed height of the ground above ordnance datum (i.e. sea level) for this site.
- e. What assumptions are you making about radiated power in either or both planes of polarisation, including the extent to which this does or may vary in different directions away from the transmitter? (This should take into account what you actually intend to implement or have implemented, and any requirements arising from the coverage brief for this Licence).

43. Transmission equipment.

- a. List principal items, technical specifications and configurations of proposed transmitter equipment, including aerials (with their associated gain).
- b. Give maximum power output capability of transmitter.
- c. State who within applicant group will be responsible for supervising or undertaking transmitter installation (and for ensuring compliance with the appropriate standards)
- d. If an outside contractor is or will be employed, who this is.
- e. Show how capital or leasing costs of transmitting equipment, including any necessary building works, etc., and other installation costs, have been incorporated in financial forecasts
- f. Equipment source and availability

44. Transmitter maintenance

- a. Describe current or proposed arrangements for transmitter maintenance and repair.
- b. If an outside contractor is used or proposed, summarise previous experience in this role.
- c. If in-house resources are used or proposed, indicate test equipment available, and show how important parameters of the signal will be monitored and controlled.

45. Studio location

- a. What is the current or proposed location of the studio(s)? If premises have already been obtained or earmarked for use, please give the actual address, and describe the present use of the property.
- b. Is it shared with other occupants; if so, who are they?
- c. What is the current status of any plans to acquire the use of these premises?
- d. (Not required for current licensees) If no specific premises are proposed, describe in general terms the district and type of location that will be sought.

46. Studio installation and maintenance (Not required for licence renewals)

- a. Who within the applicant group will have responsibility for supervising studio installation?
- b. Will installation be undertaken in-house, or by use of an outside contractor? If the latter, state who (if known) and summarise previous experience.
- c. Indicate what allowance has been made for anticipated costs of building construction and/or modifications, purchase and installation of equipment, and project management within financial forecasts.
- d. Outline arrangements for ongoing maintenance and repair of studio equipment.

47. Spectrum requirements

For every transmitter in the proposed configuration, provide:

- a. Amount of spectrum required
- b. Frequencies applied for.
- c. Number of channels and band(s)

Business and Marketing

48. Attach a detailed business plan covering a period of at least 3 years that includes:

- a. Major assumptions used, including trends in audience share and advertising revenue (and the relationship between them)
- b. Sources of funding, debt levels, equity and independent confirmation as appropriate
- c. Pro forma financial statements for 3 years, to include balance sheet, cash flow and income statements. In addition to hard copies, financial statements should be provided in spreadsheet format with all input data, formulas and calculations left intact.
- d. An indication of when the applicant anticipates moving into profit

(Current licensees should provide at least 2 years of data for sub-paragraphs (a) to (d))

49. Analysis of the existing marketplace

Summarise the main findings and conclusions drawn from the applicant's knowledge of, and/or any background research undertaken into, the population of the local area, its demographic and/or economic characteristics, and existing patterns of media usage in the area, and list the sources used.

50. Evidence of demand

(Not required for licence renewals)

Summarise the main findings of any original market research undertaken, or any analysis of existing audience research information, which demonstrates a demand for each of the type of programme service proposed. If the applicant has commissioned original research, a brief summary should also be provided of the survey methodology, stating who designed the research; when (give actual dates of any fieldwork), where, and by what method any interviews with the public were conducted, and by whom; the sample size and composition.

51. Size and composition of expected audience

(Not required for licence renewals)

- a. What is the adult (aged 15+) population within which it is intended to measure the listenership of the service?
- b. Provide an estimate of the 'weekly reach' which the service is expected to achieve (i.e. the percentage of the adult population listening to it in the course of one week) during the first year on air, together with the anticipated average weekly hours of listening. Outline the basis on which estimates have been calculated, and any assumptions taken into account.
- c. Is the proposed service likely to appeal especially to certain age-groups within the population? If so, state which, and provide estimates of weekly reach and average listening hours among each age-group, during the first year on air. Outline the basis on which estimates of audience profile have been calculated.
- d. From which existing radio services in particular is it expected that listeners to the proposed service will be attracted?

52. Promotional and consultative activity

(Not required for licence renewals)

Describe any activities undertaken by the applicant in order to enhance its local involvement, or to generate awareness of its proposals and interest in them locally, or to consult particular organisations, individuals and/or the public generally about requirements from a new local radio service (other than by formal audience research).

53. Local support

(Not required for licence renewals)

List any local organisations, prominent individuals, etc. who have offered their support to this licence application. (One copy only of each letter of support which the applicant considers significant may be submitted with the application, as a separate appendix). Describe any practical involvement or assistance from local organisations, etc., which is expected to contribute significantly to the programme service or other aspects of the station's operation.

54. Advertising revenue (If applicable)

(Current licensees should provide statements of the last 2 years advertising revenue)

Provide forecasts or, if available, financial statements, of net advertising revenue (showing gross revenue, less agency commission and discounts) for each of the first three years of the licence period. Detail the arrangements proposed for the sale of advertising airtime, and how annual revenue from advertising has been calculated. In particular, detail the population coverage assumed, audience reach and average weekly listening hours for each year, percentage of airtime sold, and rate card tariffs. A draft advertising rate card should be included.

55. Other revenue

(Current licensees should provide the last 2 years financial statements)

Provide forecasts of net income (showing gross income, less deductions for commission, etc.), and basis on which it has been calculated, from sources other than the sale of advertising airtime, for each of the first three years of the licence period.

56. Provide details of your proposed retail tariffs (If applicable)

57. Provide copies of your retail terms and conditions for the provision of your services to the public (if applicable).

58. Provide copies of all existing contracts with all classes of customer (if any)

59. How many staff do you currently or propose to employ within the Cayman Islands?

a. Initially

Caymanian

Expatriate

b. After 1 year

Caymanian

Expatriate

c. After 3 years

Caymanian

Expatriate

60. Explain fully how the following services are or will be provided:

- a. Audience feedback
- b. Customer service and complaint resolution
- c. Customer billing

61. Provide details of any quality of service targets supported by the applicant.

Filing

An original signed application and three paper copies must be filed with the Office. All paper copies must be held together with rubber bands or fasteners. The applicant is to provide an electronic copy of its application via email or data storage device clearly labelled with the applicant's name, date of filing, and the names of the electronic files. The Office prefers that electronic documents be provided in their original format (such as word processing or spreadsheet format) rather than as scanned images or pdf files. The application fees must accompany the application in order for the Office to consider the application.

Certification

1. The Applicant by submitting this form and any attachments thereto represents, warrants and undertakes to and with OfReg that all information, facts and matters (together the 'Information') contained or referred to in the form and any attachments thereto are true and accurate as at the date of the application and correct in all respects and that nothing has been omitted which renders any of such Information incomplete, false or misleading.
2. So far as such Information relates in whole or in part to past or present matters of fact upon submission of the form, they shall also be deemed to constitute fundamental representations upon the faith of which OfReg may grant the Licence or Licences applied for.
3. Promptly upon the occurrence of or promptly upon the Applicant becoming aware of the impending or threatened occurrence of any event which would or might reasonably be expected to cause or constitute a breach of the representations, warranties and undertakings in sub-clause 1 above (or would have caused or constituted a breach of the representations, warranties and undertakings in sub-clause 1 had such event occurred or been known to the Applicant prior to the date of application), the Applicant shall give written notice of the same to OfReg and shall use its best endeavours promptly to prevent or remedy the same.
4. Where the Information consists of any audited accounts of the Applicant, the Applicant by submitting this form and any attachments thereto represents, warrants and undertakes to and with OfReg that those accounts are accurate in all material respects and show a true, complete and fair view of the state of affairs financial position assets and liabilities of the Applicant and of its results for the financial period therein stated.
5. The Applicant further certifies that, to the best of its knowledge, any matters which might influence OfReg's judgement as to whether the Applicant, its directors and substantial shareholders are fit and proper persons to hold an ICT Licence have been made known to OfReg.

Signed on behalf of the Applicant:

Full name(s) of Signatory(ies):

Position:

Date (dd/mm/yyyy):