

**S.I. 2003 No. 98**

**Telecommunications Act  
(Act 2001-36)**

**TELECOMMUNICATIONS (SPECTRUM MANAGEMENT  
AND LICENSING) REGULATIONS, 2003**

The Minister in exercise of the powers conferred on him by section 110(1)(g) of the *Telecommunications Act* makes the following regulations:

**1.** These Regulations may be cited as the *Telecommunications (Spectrum Management and Licensing) Regulations, 2003*.

Citation.

**2.** (1) In these Regulations,

Interpretation.

"existing spectrum user" means a person who holds spectrum rights within the meaning of paragraph 1(b) of the *First Schedule* to the Act;

"fee" or "appropriate fee" means the relevant fee prescribed under the *Telecommunications (Licence Fees) Regulations, 2003*;

S.I. 2003  
No. 78.

**3.** (1) The Minister shall grant spectrum licences in accordance with the Transition Timetable set out in the *First Schedule* to the Act and in the Form 3 set out in Part I of the *Schedule* to these Regulations.

Transitional  
arrange-  
ments.  
Form 3.  
Schedule.

(2) Existing spectrum users shall be required to complete the application procedure set out in these Regulations, but no application fee is payable in respect of the application.

(3) Where a licence granted to an existing spectrum user under paragraph (1) has expired, the spectrum licensee shall be required to apply for a renewal of that licence in accordance with these Regulations.

(4) The transitional arrangements referred to in paragraph (1) shall apply with respect to spectrum that was licensed at the date of the commencement of these Regulations and not to the use of any additional spectrum that may be required thereafter.

### *Spectrum Management*

Monitoring  
the use of  
spectrum.

**4.** The Minister shall monitor the use of radio frequencies to ensure that spectrum licensees comply with the terms and conditions of the licences and that the licensees and other users of the spectrum comply with these Regulations.

Coordinated  
management  
of spec-  
trum.

**5.** The Minister shall co-ordinate the management of the spectrum for telecommunication and radio communication purposes.

### *Spectrum Licences*

Determina-  
tion of  
number of  
spectrum  
licences.

**6.** The Minister may determine the number of spectrum licences to be issued in the various authorised services to ensure the efficient use and management of the spectrum.

Application  
for a  
spectrum  
licence.

**7.** (1) A person other than a person referred to in regulation 3 who is desirous of obtaining a spectrum licence under sections 10(1)(c) and 23 of the Act shall apply to the Minister in accordance with the provisions of section 44 of the Act and these Regulations.

Schedule.

(2) An application under paragraph (1) shall be in the Form 3 set out in Part I of the *Schedule* and shall be accompanied by the appropriate fee.

(3) Paragraphs 1 and 2 do not apply to the Police Force, the Defence Force, the Regional Security System or the armed forces of any other State.

(4) The fee referred to under paragraph (2) is not refundable.

Applicant  
qualifica-  
tions.

**8.** (1) In accordance with the provisions of section 11 of the Act, an applicant for a spectrum licence will be required to satisfy the Minister that the applicant meets

- (a) the legal requirements referred to in that section and all other criteria set out in the Form 3 set out in the *Schedule*; and
- (b) the financial and technical requirements specified in that section and in the Form 3.

Form 3.  
Schedule.

Form 3.

(2) All applicants for spectrum licences shall be required to disclose information in respect of ownership or other interests held in other operations and services for which licences are required under the Act, including operations and services in respect of dealer's and spectrum licences.

**9.** (1) The Minister shall place a brief description of the subject matter of the application for a spectrum licence together with a contact address in a Register prepared for that purpose at the Ministry; and the Register will be available for inspection by the public within a week of the application having been accepted for filing.

Registers.

(2) The Minister shall ensure that material supplied by an applicant for a spectrum licence is treated as confidential information in accordance with section 7 of the Act.

(3) The Register required to be maintained under section 49 of the Act shall contain

- (a) the name of the applicants to whom spectrum licences have been granted; and
- (b) the frequency band allocated to the spectrum licensees,

but shall not contain any more detail in respect of the applications than that set out in paragraph (1).

**10.** (1) The Minister may determine an alternative application procedure from that prescribed in these Regulations for a special spectrum licence.

Special  
spectrum  
licence  
application.

Form 4.  
Schedule.

(2) Subject to paragraph (1), the application for a special spectrum licence shall be in the Form 4 set out in Part II of the *Schedule*.

Substantial  
and  
significant  
changes to  
applications.

**11.** (1) Each applicant is responsible for the continuing accuracy and completeness of information furnished in or in connection with an application.

(2) Whenever it is to the applicant's knowledge that the information referred to in paragraph (1) is no longer substantially accurate and complete in all material respects, the applicant shall immediately notify the Minister of that fact and within 10 business days, amend or request the amendment of its application so as to furnish such additional or corrected information as may be appropriate.

(3) Where the Minister considers that the application has been significantly amended so that the ability of the Minister to process the application within the time frame specified in regulation 13(1) is restricted, the Minister shall provide the applicant with a new date for the application to be considered properly filed.

Refusal of  
applications.

**12.** (1) An application that is accepted for filing, but which is later determined to be non-compliant, will be refused unless, upon being informed by the Minister of the nature of the non-compliance, the applicant amends the application to remedy the non-compliance within 21 business days of being so informed.

(2) Upon the written request of the applicant, an application not yet considered by the Minister may be withdrawn without prejudice to any future application.

Notification  
of  
Minister's  
decision.

**13.** (1) The Minister shall notify the applicant of his decision within 3 months from the date the application is accepted for filing.

(2) Notwithstanding paragraph (1), where the Minister has good reason to require more time to consider an application, the applicant shall be so informed not later than 30 days from the date the decision was to have been given, of the reason for the delay and shall be provided with a reasonable time within which the Minister is expected to give a decision.

(3) Where the Minister has decided to approve the grant of a spectrum licence, the Minister shall grant the spectrum licence in accordance with the provisions of Part IX of the Act.

**14.** After the review of all the relevant information filed, the Minister shall make a final determination with respect to the application, taking into account all those considerations specified in sections 43 and 44 of the Act.

Ministerial determination.

**15.** (1) Where a spectrum licensee is desirous of renewing the spectrum licence, the licensee shall apply to the Minister no later than one year prior to the expiration date of the spectrum licence or at such other time as the Minister determines.

Renewal of spectrum licences.

(2) The Minister may renew a spectrum licence upon a request by the spectrum licensee made in accordance with sections 11, 23 and 44 of the Act and these Regulations for such additional period as is determined by the Minister.

(3) The renewal by the Minister referred to in paragraph (2) may be made upon expiration of the spectrum licence where the licensee has not

- (a) materially contravened the Act or any Regulations made thereunder;
- (b) breached a material term of its spectrum licence;
- (c) failed to act in accordance with the Spectrum Plan; or
- (d) defaulted on any licence fee owed to Government.

(3) On granting a renewal of a spectrum licence, the Minister may vary the terms of the spectrum licence where the conditions then prevailing require such variation and it is reasonable to do so.

(4) Where a variation is made under paragraph (3), and the variation relates to a redistribution of the spectrum, the licensee shall be entitled to be compensated for any loss that may reasonably have been incurred from the variation, in accordance with standards established by the Minister.

(5) The renewal of the spectrum licence shall not take effect until the spectrum licensee has paid the prescribed fee in accordance with section 11 of the Act, and any unpaid annual spectrum fees assessed in accordance with section 13 of the Act.

Modifica-  
tion of  
spectrum  
licence.

**16.** (1) A spectrum licensee may, in accordance with section 44(7) of the Act, apply to the Minister for a modification of a spectrum licence.

(2) The modification requested under paragraph (1) may include a modification in respect of the

- (a) permissible location of licensed facilities;
- (b) range of permissible emissions;
- (c) range of permissible power; and
- (d) permissible use of aerial systems.

(3) An application made under paragraph (1) must be filed in the manner specified in these Regulations for initial applications, and must contain required statements of fact and technical information.

(4) The Minister may request additional information to be provided by the applicant referred to under paragraph (1) in order to determine whether to grant the modification.

(5) In considering a request by a spectrum licensee to modify its spectrum licence, the Minister shall take into account the Spectrum Plan, national security and all those considerations specified in sections 11, 12(1) and sections 43 of the Act.

(6) In deciding whether to agree to a modification proposed by the spectrum licensee, the Minister shall give due consideration to any submissions received from the spectrum licensee and other interested parties in relation to the proposed modification.

17. Where the Minister proposes a modification to a spectrum licence for the better use of spectrum pursuant to section 44(3) of the Act, the Minister shall notify the public in the *Official Gazette* and at least one daily newspaper that he proposes to modify that licence with specific objectives and non-discriminatory rules for the proposed redistribution; and shall allow any person likely to be affected by the proposed redistribution, an opportunity to make representations to the Minister regarding the proposed modification within such time as the Minister determines.

Redistribution of spectrum.

18. (1) Where a spectrum licensee wishes to

- (a) assign its spectrum licence or any rights under that licence pursuant to section 20 or 44 of the Act; or
- (b) transfer control of operations under the Act,

Transfer of control or assignment.

the spectrum licensee shall apply in writing to the Minister for prior approval and shall not transfer control or assign its licence or any rights under that licence until the licensee has received written approval from the Minister.

(2) The Minister shall make a determination with respect to an application under paragraph (1) no later than 3 months from the date the application was filed.

(3) The Minister shall have regard to the following matters where relevant, when deciding on a request for assignment or transfer:

- (a) the circumstances of each transfer or assignment so as to ensure that spectrum licensees are not unduly restricted in the management of their commercial affairs;
- (b) whether the assignee or transferee satisfies the criteria for the grant of a spectrum licence;
- (c) where the assignment or transfer is from one or more individuals to a body corporate owned or controlled by the same individual or individuals, the extent to which the assignment or transfer achieves a change in their relative interests;

- (d) where the assignment or transfer is from a body corporate to its shareholders, the extent to which there is a change in the interests of the assignor; and
  - (e) where the assignment or transfer is the result of a corporate reorganization, the extent to which there is a change in beneficial ownership.
- (4) Notwithstanding paragraph (3), the Minister shall not withhold approval of the assignment where
- (a) the assignment or transfer achieves no material change in the relative interests of the assignee and assignor;
  - (b) the assignment or transfer is
    - (i) to a wholly owned subsidiary of the assignor,
    - (ii) from a body corporate to its parent company,
    - (iii) between wholly owned subsidiaries, or
    - (iv) results from a corporate re-organisation that involves no change in the beneficial ownership or management of the assignor.

Regulatory  
fees.  
S.I. 2003  
No. 78.

**19.** (1) In accordance with section 13 of the Act, spectrum licensees shall pay an annual spectrum licence fee as specified in the *Telecommunications (Licence Fees) Regulations, 2003*.

(2) The application fee payable by all applicants, except for existing spectrum users, for a spectrum licence is separate from the annual spectrum licence fee referred to in subsection (1) above.

Efficient  
use of  
spectrum.

**20.** (1) All spectrum users are required to use the spectrum efficiently, in accordance with international best practices and, where required, to recognise the legitimate interests of existing users.



(2) The use of any spectrum by the spectrum licensee may be withdrawn by the Minister after reasonable notice to the spectrum licensee to that effect where the frequency remains unused by the spectrum licensee for 12 consecutive months; but at the written request of the spectrum licensee and where the licensee shows good cause for the non-use of the spectrum, multiple 6 month extensions of the spectrum licence may be granted on payment of the appropriate fee.

**21.** A user of a spectrum licence must take such steps as the Minister may by notice in writing reasonably require to ensure that its activities do not

Interference and other protections.

- (a) cause harmful interference to the lawful operation of any legitimate spectrum licensee;
- (b) expose the public to harmful radio frequency radiation; and
- (c) pose a hazard to navigation by air or sea.

**22.** (1) A spectrum licensee shall only construct or cause to be constructed aerials, masts and towers to support facilities and other equipment to be used by that spectrum licensee, in accordance with the *Town and Country Planning Act* and Regulations made thereunder.

Antennae structure requirements.

Cap. 240.

(2) The provisions of the *Town and Country Planning Act* and Regulations referred to under subsection (1) shall not preclude the sharing of any facility with another spectrum licensee.

## SCHEDULE

**Telecommunications Act-2001  
(Act 2001-36)**

*(Regulations 7,8)*

## PART I

<b>FORM 3</b>		<b>TU003</b>
<b>APPLICATION FOR A TELECOMMUNICATIONS SPECTRUM LICENCE</b>		
<b>PART A: APPLICANT INFORMATION</b>		
<i>(Please read the Notes provided at the back of this Form before completion)</i>		
1. Name (if individual):		
2. Nationality (if individual):		
3. Address of Applicant (registered office or principal place of business):		
4. Mailing Address (if different from registered office address)		
5. Applicant is a (n):		
Individual	<input type="checkbox"/>	Corporation
Unincorporate Association	<input type="checkbox"/>	Partnership
Please indicate whether this is:		
	a new application	<input type="checkbox"/>
	an application to modify an existing licence	<input type="checkbox"/>
	an application to renew a licence	<input type="checkbox"/>

6. Telephone No.:	7. Facsimile No.:
8. "E-mail" address:	
9. Name of Manager of entity:	
10. Person in Barbados to be contacted in absence of Manager:	
Name:	Address:
Telephone No.:	"E-mail" Address:
11. Facsimile No.:	
12. Indicate whether the applicant is a member of the GSM Association:	
	Yes <input type="checkbox"/> No <input type="checkbox"/>

13. Indicate

- (a) the approximate number of persons currently or to be employed by applicant: \_\_\_\_\_
- (b) the number of persons you expect to hire within the next year specific to the proposed network: \_\_\_\_\_
- (c) the number of technical persons who are providing the mobile service and the full complement of technical staff to be employed:  
\_\_\_\_\_

**PART B: FREQUENCIES REQUESTED AND PROPOSED OPERATIONS**

14. General description of proposed telecommunications network:

15. Precise frequencies requested:

16. Indicate whether the applicant, or any affiliate of the applicant, currently has a Spectrum Licence.

Yes  No

If yes, identify the Licensee and the date issued by the Minister:

Licensee \_\_\_\_\_ Date of Issuance: \_\_\_\_\_

17. Indicate

(a) whether the applicant intends to apply for a Service Provider Licence;

Yes  No

(b) whether the applicant intends to apply for a Network Licence.

Yes  No

If yes, when does the applicant expect to submit an application for such Licence? \_\_\_\_\_

**PART C: BASIC QUALIFICATIONS INFORMATION**

18. (1) Indicate whether the applicant, or any affiliate of the applicant,

(a) ever applied for a Spectrum Licence in Barbados;

(b) has ever been refused such licence or a licence renewal;

(c) ever had such licence suspended or revoked.

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

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

If Yes,

- (a) specify the name of the licensee, the type of licence, licensed frequencies and the date issued;

-----  
-----

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

-----

20. Indicate whether the applicant, or any affiliate of the applicant, currently has a Dealer's Licence.

Yes  No

If "Yes", identify the Licensee and the date issued by the Minister:

Licensee \_\_\_\_\_ Date of Issuance: \_\_\_\_\_

Indicate

- (a) whether the applicant intends to apply for a Dealer's Licence;
- (b) when the applicant expects to submit an application for a Dealer's Licence \_\_\_\_\_

21. Indicate whether the applicant, or any affiliate of the applicant, currently holds any licences or authorisations to operate Spectrum Licences in other countries.

Yes  No

If Yes, please identify the countries in the space provided below the applicant has engaged in operating Spectrum Licences or attach an explanation.

Name of Licensee	Country	Frequencies	Term of Operations
------------------	---------	-------------	--------------------

22. Describe applicant's experience in operating spectrum.

23. (1) Indicate whether the applicant, or any affiliate of the applicant for a spectrum licence or any licence or authorisation for a telecommunications service or network in any Caribbean country

- (a) has ever been refused such licence;
- (b) ever had such licence suspended or revoked.

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

24. (1) Indicate whether the applicant, or any affiliate of the applicant for a spectrum licence or any licence or authorisation for a telecommunications service or network in any country
- (a) has ever been refused such licence;
  - (b) ever had such licence suspended or revoked.
- (2) Where the answer to (a) or (b) is "Yes", please attach an explanation.

25. (1) Indicate whether the applicant, or any affiliate of the applicant has ever been convicted of an arrestable offence\*
- (a) in Barbados;
  - (b) in any Caricom Member Country;
  - (c) in North America;
  - (d) in any other Country.
- (2) If Yes, please attach an explanation.

26. (1) Indicate whether any officer or member of the applicant's managerial staff has ever been convicted of an arrestable offence\*
- (a) in Barbados;
  - (b) in any Caricom Member Country;
  - (c) in North America;
  - (d) in any other Country.
- (2) If Yes, please attach an explanation.

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

Yes  No

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

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



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

Yes  No

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

29. Indicate whether the applicant, or any affiliate of the applicant, have any shareholdings over 10% in any licensed telecommunications provider in any Caricom member state.

Yes  No

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

Licensee \_\_\_\_\_ Licence \_\_\_\_\_

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

Yes  No

If, Yes, please attach an explanation.

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

Yes  No

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

-----  
 -----  
 -----

**PART D: FINANCIAL INFORMATION AND QUALIFICATIONS**

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

33. Has the applicant, or and affiliates of the applicant ever been bankrupt or ever been a director of a company that has become bankrupt or insolvent?

Yes  No

If yes, please attached an explanation and a certified copy of the discharge.

34. Please attach a diagram of the corporate structure of the applicant including any parent, affiliate, subsidiary of the applicant and any party of interest in the applicant.

35. Do any members of the applicant's board of directors also serve on the board of any other entity licensed as a spectrum user in Barbados?

If yes, please state the name of the director(s), the name of the licensed entity and the license held by the entity.

---

---

---

36. Please provide the names and addresses of all of the members of the applicant's board of directors.

-----  
-----  
-----  
-----  
-----  
-----  
-----

37. If any member of the applicant's board of directors is currently employed by any government, please state the name of each such director, the country each such director is employed by and the ministry or government agency, and the nature of the director's work for that government.

-----  
-----  
-----  
-----  
-----  
-----  
-----  
-----

38. Applicant must attach a Performance Bond or Banker's guarantee issued by a reputable bank that acts as a guarantee for a guaranteed sum of the payment of the annual licence fees for a Spectrum Licence due to the Government for the first 2 years of the applicant's licence.

**PARTE: TECHNICAL INFORMATION**

39. Technical Expertise

Please state the applicant's technical qualifications including the number and types of technical experts the applicant currently employs and whether these are employees of the applicant or contracted by the applicant.

40. Proposed Spectrum Usage

Applicant must provide (as Exhibit A) a description of the use to which the requested spectrum will be put. This description must include:

- type of operation using licensed spectrum (e.g., commercial GSM network, paging, internal dispatch, etc.)
- technology used
- equipment used and any equipment designated by the Minister as requiring certification
- number of transmitting sites and transmitting antennas
- subscriber capacity (if applicable)
- if spectrum will be used to interconnect with domestic fixed landline network or networks, a description of that interconnection
- preferred spectrum allocation
- bandwidth required

41. Spectrum Efficiency and Frequency Coordination

Applicant must provide (as Exhibit B) a description of the methods, if any, that it will employ to ensure that the licensed spectrum is efficiently used (e.g., spectrum-efficient equipment to be used, frequency reuse plans, etc.). This exhibit must also include a description of any frequency coordination efforts that have been undertaken or will be required in order to minimize the amount of interference that will be caused by applicant's operations on the licensed spectrum.

**PART F: DOCUMENTARY EVIDENCE**

42. The applicant also must provide the following documents:

1. Copies of Certificate of Incorporation and/or Business Registration Certificate.
2. Most recent annual audited financial report.
3. Documentary evidence to demonstrate the financial capability of the company for the first 2 years of operation.
4. Performance Bond or Bank Guarantee for payment of licence fees for the first two years of the licence.

**PART G: CERTIFICATION STATEMENT**

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

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

If granted a licence by the Minister, applicant agrees to operate on the licensed spectrum in accordance with the *Telecommunications Act*, regulations, and terms and conditions of the licence. Licensee must pay an annual licence fee in accordance with the *Telecommunications (Licence Fees) Regulations, 2003* Licence Fees issued by the Minister.

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

If granted a licence by the Minister, the applicant agrees to maintain the capability to shut down operation of any transmitters upon direction of the Ministry or in the event of a malfunction.

Typed or printed name of party authorised to sign:

Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**NOTES**

1. To obtain a licence to provide one of the following services over a wireless network, this Application Form must be completed in its entirety and submitted to the Ministry with the prescribed application fee in accordance with the instructions provided below:
  - Mobile Radio Telecommunications Service
  - Commercial Trunked Radio Communication Service
  - Fixed Wireless Broadband Multimedia Service
  - Mobile Broadband Multimedia Service
  - Public Radio Paging Service
  - Wireless Domestic Data Service
2. Applicants are responsible for complying with the application procedures and requirements set forth in the *Telecommunications (Public Telecommunications Licensing) Regulations, 2003* and the *Telecommunications (Spectrum Management and Licensing) Regulations* issued by the Minister.
3. To be eligible for filing an application, the applicant must comply with all legal requirements for holding a licence.
4. Applicants providing false or misleading information will be subject to penalties in accordance with section 92 of the *Telecommunications Act 2001-36*.
5. A brief description of the facilities that would operate on the licensed spectrum, but not the submitted application, will be made available for public inspection. Information provided in this application will be treated as confidential.
6. Grant of licence is at the discretion of the Minister. Application fees are not refundable.

7. This application is only for a licence to operate on particular frequencies. A separate application and licence is required for the construction, operation, and maintenance of a wireless network. The applicant must have both licences before the applicant can operate the network or use the licensed spectrum. The applicant is urged to submit this application and the application for a Network Licence at the same time to expedite processing.
8. Any person seeking to provide a commercial wireless service in Barbados must submit the appropriate application for a Service Provider Licence. This application form may be obtained from the Ministry responsible for Telecommunications.
9. Persons operating without the required licences are subject to the fines and penalties set out in the *Telecommunications Act 2001-36*.
10. Applicants granted a licence by the Minister will be responsible for paying an annual licence fee in accordance with the Schedule of Licence Fees available from the Ministry.
11. This form may be used to seek modification of an existing Spectrum Licence.



**General Filing Instructions**

1. If this is a request for modification of a licence, the applicant must consult the Ministry for the appropriate modification fee.
2. To be accepted for filing, applications must be signed by a person authorised by the applicant. By signing, the applicant certifies that the information submitted is true, complete, correct, and made in good faith.
3. The applicant shall submit 5 copies of the application, including supporting documentation, and the application fee, to:

The Chief Telecommunications Officer  
Ministry responsible for Telecommunications  
“The Business Centre”  
Upton, St. Michael  
Barbados

**Instructions for Completion**

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

**Part A: Applicant Information**

Items 8-11: Contact information should be provided for the person the applicant has designated as the person to whom the Ministry should send correspondence.

**Part B: Frequencies Requested and Proposed Operations**

Item 14: Provide a description of the type(s) of facilities and operations that will be employed on the spectrum requested to be licensed.

Item 15: Identify the frequencies for which the applicant seeks to be licensed.

**Part C: Basic Qualifications and Information**

Items are self-explanatory.

**Part D: Financial Information and Qualifications**

Items are self-explanatory.

**Part E: Technical Information**

**Telecommunications Act, 2001  
(Act 2001-36)**

*(Regulation 10(2))*

PART II

<b>FORM 4</b>	<b>TU004</b>
<b>APPLICATION FOR A TELECOMMUNICATIONS SPECIAL SPECTRUM LICENCE</b>	
<b>PART A: APPLICANT INFORMATION</b>	
<i>(Please read the Notes provided at the back of this Form before completion)</i>	
1. Name (if individual):	
2. Nationality (if individual):	
3. Address of Applicant (registered office or principal place of business):	
4. Mailing Address (if different from registered office address)	
:	<input type="checkbox"/> <input type="checkbox"/>
	<input type="checkbox"/>

5. Applicant is a (n):	
Individual	Corporation
Unincorporate Association	Partnership
6. Telephone No.:	7. Facsimile No.:
8. "E-mail" address:	
9. Name of Manager of entity:	
10. Person in Barbados to be contacted in absence of Manager:	
Name:	Address:
Telephone No.:	"E-mail" Address:
11. Facsimile No.:	
12. Mobile No.:	

<b>Operational Information</b>		
<b>Location of Operation Transmission Path</b>		
<b>Purpose and Objective</b>		
<b>Period</b> (State the commencing and ending dates)	Date from (dd/mm/yyyy)	Date End (dd/mm/yyyy)
<b>Equipment Information</b>		
<b>Brand Name &amp; Model No.</b>		
<b>Description of System and Operation</b> (attach supporting documents such as block diagram)		

<b>RF Emission Information</b>	
<b>Type of Emission</b> (AM, FM, pulse etc.)	
<b>Tx Bandwidth</b> (kHz)	
<b>Rx Bandwidth</b> (kHz)	
<b>Frequency range(s) in which equipment can operate in</b>	
<b>Number of spot frequencies required</b>	
<b>TX Frequency</b> (MHz)	
<b>Rx Frequency</b> (MHz)	
<b>RF Transmitter Power</b> (W rep)	
<b>Type of Antenna Used and its Gain</b> (dB)	

**For Satellite Uplink or Downlink Frequencies**

<b>Operational Information</b>	
<b>Name or Location of Ground Station</b>	
<b>Associated Space Station</b>	
<b>(For GeoStationary Only) Nominal Orbital</b>	<b>Longitude</b> in Degrees-Hours-Minutes-(E/W) (e.g. 120-45-30-W)
<b>Name of Satellite Operator</b>	
<p>I declare that all the information in this registration form is true and correct. I understand that approval from the Ministry responsible for Telecommunications in Barbados for this application is based on information as declared in this application. Should this information be subsequently found to be inaccurate or incorrect, the Ministry reserves the right to suspend or revoke the licence.</p>	
----- Name	----- Company Stamp
----- Signature	----- Date

**IMPORTANT INFORMATION**

1. All sections of this application **MUST** be completed. Guidelines are attached to this form.
2. Any supporting documents should be submitted to the Chief Telecommunication Officer, Telecommunications Unit, Ministry responsible for Telecommunications, "The Business Centre", Upton, St. Michael, FAX: (246) 228-6167/426-0960.
3. The Fee Payable is as set out in 9.1 and 9.2 of the Guidelines.
4. Only authorised persons (managerial level) may use this form. If application is made on behalf of a company, please include the Corporate Registration No. of the company for confirmation purposes.



**APPLICATION GUIDELINES FOR  
TELECOMMUNICATIONS SPECIAL  
SPECTRUM LICENCE**

(Section 46 of the *Telecommunications Act 2001-36*)

**1. Introduction**

- 1.1 This guide provides information on the available frequencies, operating conditions and fees payable for the special use of frequencies. This usage is typically necessitated by such purposes as exhibitions, demonstration and testing of equipment, or occasional broadcasts. The Ministry shall decide at its discretion, the circumstances in which the special use of frequencies will be permitted.

**2. Demonstration of Equipment by Dealers**

- 2.1 Dealers holding valid Telecommunications Sellers and Dealer's Licences may apply to the Ministry for the special use of frequencies for occasional needs such as the demonstration of equipment to potential customers at their business premises.

**3. Equipment Type Approval**

- 3.1 Unless otherwise specified by the Ministry, all equipment operated by a licensed seller and dealer for demonstration purposes must be type-approved by the Ministry.
- 3.2 Equipment intended for temporary use, for example, by an exhibitor or an equipment manufacturer or supplier who takes part in an exhibition, may be exempted from approval. However, equipment that has earlier failed the Ministry's approval or acceptance test may not be operated unless the applicant satisfies the Ministry that its operation will not cause harmful interference to the operation of other radiocommunication networks and equipment.

**4. Duration of Use**

- 4.1 The duration of temporary use typically ranges from a few hours to a few days; up to a maximum period of 10 days and is not renewable.

**5. Where to Apply**

- 5.1 Applications must be submitted at least 3 weeks before the scheduled demonstration to:

The Chief Telecommunications Officer  
Telecommunications Unit  
Ministry responsible for Telecommunications  
“The Business Centre”  
Upton  
St. Michael

**6. Information Required**

- 6.1 The following information is required and must be attached to the application:
- (a) a brief description of the equipment and its functions;
  - (b) a copy of the equipment’s technical specifications which shall include the frequency range, the desired frequency, the necessary bandwidth, emission characteristics, antenna gain, bandwidths and effective radiated power;
  - (c) alternative frequencies or frequency ranges, if the desired frequencies or frequency ranges are not available;
  - (d) for VSAT or earth station, the station location in Barbados and documentary evidence of permission to access the satellite system including the name and location of satellite;
  - (e) approval from the Government Information Service must first be obtained for all transient satellite news gathering;

- (f) location and period of demonstration; and
- (g) name and telephone number of the person to contact in case of radio interference.

**7. Frequencies for Special Use**

7.1 The following frequencies are assigned for special use:

	<b>Frequency</b>	<b>Bandwidth</b>
i)	25.273 kHz	16kHz
ii)	83.250/87.750 MHz	16kHz
iii)	141.775 MHz	16kHz
iv)	161.450 MHz	16kHz
v)	821 MHz	± 2 MHz
vi)	1 530 – 1 544 MHz	Satellite Receive Band

The above list may be modified as a result of international or national frequency allocations.

7.2 Frequencies not listed may be approved on a case-by-case basis.

**8. Conditions of Operation**

8.1 Frequencies approved for special use will be subject to the following conditions of operation:

- (a) all frequencies for use are operated on a shared-basis;

- (b) usage of frequencies shall not cause interference to other Radio communication networks duly authorised by the Ministry;
- (c) the usage is confined to the location indicated by the applicant and transmission is allowed only during the approved period;
- (d) the RF output power and the height of external antenna's would normally be not more than 0.5 W erp and 10 m above ground respectively. The Ministry may consider higher power or antenna height where adequate justification is provided by the applicant.

**9. Fees and Charges**

- 9.1 A fee of \$50 is payable for a frequency selected from frequencies listed in paragraph 7.1.
- 9.2 Where a frequency that is not from the pool of frequencies in paragraph 7.1 is approved for use, the fee payable shall be as follows:

<b>Bandwidth (x)</b>	<b>Fee 10 days or less</b>
$x < 25 \text{ kHz}$	\$100
$25 \text{ KHz} < x < 500 \text{ kHz}$	\$150
$500 \text{ kHz} < x < 1 \text{ MHz}$	\$400
$1 \text{ MHz} < x < 20 \text{ MHz}$	\$800
$x > 20 \text{ MHz}$	\$1300

- 9.3 Unless otherwise determined by the Ministry, a fee of \$100 is payable for a frequency mentioned in paragraph 9.2, if the period of usage is less than a day or the cumulative hours of operation are less than 24 hours.
- 9.4 Unless otherwise determined by the Ministry, the station licence fee of the Radiocommunication equipment is waived.
- 10. Exportation of Equipment**
- 10.1 Any non-type approved equipment shall be exported out of Barbados immediately after operation, and documentary proof of export must be submitted to the Ministry.

Made by the Minister this 18th day of July, 2003.

ANTHONY P. WOOD  
Minister responsible for Telecommunications.