NOT FOR SALE

APPLICATION FORM FOR COMMERCIAL BROADCASTING SERVICE LICENCE

CA/F/MMS/APL-01

NOVEMBER 2023

1. MANDATORY REQUIREMENTS FOR AN APPLICANT

SECTION A: INSTRUCTIONS

- 1. This application should be completed in English and any document in foreign language must be translated into English.
- 2. The application should be accompanied by an affidavit sworn by one of the Directors submitting the documents listed herein in line with the template attached as Annex 1.
- 3. Completed application form should be presented at our offices on Ground Floor, Wing B, CA Centre Waiyaki Way, at the Front Desk where you will be issued with a Payment Instruction Form.
- 4. Payments of fees can be made by Banker's or Company Cheque at the Cashier's office on ground floor on presentation of the Payment Instruction Form. The Cashier's office is open in the morning between **0900** and **1200** hours and in the afternoon from **1400** to **1600** hours on weekdays (and closed on public holidays).
- 5. Applicants <u>MUST</u> submit a business plan addressing among others <u>ALL</u> issues highlighted in the business plan guideline attached as Annex 2.

	SECTION B: REQUIRED DOCUMENTATION		
I.	Originals of the following documents:		
1.	A covering letter, signed by the applicant, addressed to the Director General (see address below) on		
	Applicant's letterhead.		
	For Government Entities, the Application letter should be by Institution's Chief Executive Officer.		
II.	Clear photocopies of the following documents of the Applicant:		
1.	Copy of Certificate of Incorporation/Business Name/Registration Certificates or equivalent and for		
	other shareholder companies where there is chain ownership in the applicant.		
	(Note: Government Agencies are exempted from this requirement)		
2.	If the applicant is registered under the companies Act (Cap 486):		
2.1	Copy of form CR/12 or equivalent from the Registrar of Companies listing the directors and		
	shareholders of the company and details of their nationality and shareholding – (CR/12 should not be		
	older than two (2) months from the date of issue).		
2.2	(Note: Government Agencies are exempted from this requirement) and		
2.2	Copy of form CR/12 or equivalent from the Registrar of Companies giving the details of the name of Shareholder/Director, Nationality and shares held) for other companies that are shareholder or in		
	the ownership chain of the Applicant until all shares are attributed to individuals. (Note: Government Agencies are exempted from this requirement)		
3.	Copy of the relevant documents as listed below where applicable:		
3.	 Cooperative Society's By-Laws, Membership Agreement Terms and Conditions, Minutes of its 		
	AGM authorizing venture in the service for which the licence is sought; or		
	Partnership Deed for business name; or		
	• Constitution of the Society Membership Agreement Terms and Conditions and Minutes of its		
	AGM authorizing venture into the service for which the licence is sought; or		
4.	Certificate/letter from Capital Markets Authority (CMA), if the company is listed in a stock exchange		
	in Kenya.		
5.	For any foreign company applicant or holding shares in the applicant or in the ownership chain of the		
	applicant.		
5.1	Notarized Copy of Certificate of Incorporation		
5.2	Notarized Copy of Shareholders Register or equivalent of a foreign company listing the directors and		
	shareholders of the company and details of their nationality and shareholding.		
6.	Kenyan National Identity Cards (ID) or valid Kenyan/Foreign passports for all Directors and		
	Shareholders of the Applicant. Both sides of ID should be copied on the same side of an A4 size		



paper. Copies of passport should include pages showing the nationality, date of issue and expiry, name and photograph of the holder.

(Note: Government Agencies are exempted from this requirement)

7. Valid Tax Compliance Certificate from Kenya Revenue Authority.

SECTION C: APPLICATION AND LICENCE FEE:							
The table below shows fees p	The table below shows fees payable for the respective licences:						
Broadcast Licence Category	dcast Licence Category Licence Application Initial Licence Annual Operat						
	Duratio	Fee (KShs.)	Fee (KShs.)	Fee (KShs.)			
	n	(payable when	(payable after	(payable on/or before			
	(Years)	submitting	approval and	1st July of each year)			
		application	before issuance				
		form)	of licence)				
	10	5,000.00	100,000.00	0.4% of annual			
Commercial free to air				turnover or			
television (on DTT Platform)				80,000.00 whichever			
				is higher			
Commercial free to air radio	10	5,000.00	100,000.00	0.4% of annual			
(on DTT Platform)				turnover or			
				80,000.00 whichever			
				is higher			
Commercial FM Radio Licence	10	5,000.00	100,000.00	0.4% of annual			
				turnover or			
				80,000.00 whichever			
				is higher			

Note 1: Frequency fee, in cases where spectrum is utilised, is separately charged in accordance with the CA Approved frequency fee schedule on an annual basis

Note 2: Applicants for FM radio broadcasting licence MUST complete Application for FM Frequency Assignment in the Sound Broadcasting Radio Communication Service form CA/F/FSM/04 for each of the proposed transmission site attached as ANNEX 3



2. APPLICATION ACCEPTANCE SECTION - CHECKFOR OFFICIAL USE ONLY

No	Application Requirements	U	Checking Officer
1.	Duly signed Cover letter on applicant's letterhead		
2.	Duly completed application form		
3.	Declaration by the applicant with name, designation, signature and date		
4.	Duly executed affidavit submitting copies of the documents (no erasures)		
5.	Business plan for the licence applied for enclosed		
6.	Application fees paid		

Submit all documents using a sworn affidavit while all foreign documents must be notarized. No **Application Requirements** Receiving Checking Officer Officer **Registration Details of Applicant** Copy of Certificate of Incorporation/Registration Certificates or equivalent and similar documents for other shareholder companies where there is chain ownership in the applicant. Where the Applicant is a Government Agency/body, a copy of the Act, Gazette Notice or other relevant legal Instrument creating the Agency. Ownership Details of Applicant Copy of the **current** CR/12 or equivalent issued within the last 2 months i) indicating names of shareholders, their addresses, their nationalities, shares held by each, names of directors and whether directors are nominees or not or whether non shareholder directors. ii) Copy of the **current** CR/12 or equivalent, issued within the last 2 months for other shareholder companies, where there is chain ownership of the applicant, indicating all the details as above, until all shares are attributed to individuals. iii) For Societies, a copy of the minutes of the last AGM or document indicating the officials Identification Documents of owners/Directors (Individuals and Companies) Clear Copies of ID for directors and shareholders or notarized copies of i) passports in case of foreigners. ii) In case of government officials, submit a gazette notice appointing the officer. iii) Copy of Certificate from the Capital Markets Authority (CMA) (or its equivalent for foreign companies) in case of listed companies. Other Requirements A copy of the relevant document as listed below to be provided: 10. Society By-Laws or Constitution, (immediately prior to submission of Application) and Membership Agreement Terms and Conditions for Societies Partnership Deed for Partnerships Copy of Valid Tax Compliance Certificate of the Applicant (Not of the 11. owners/Directors) Receiving and Checking Officers MUST confirm submission of all requirements by checking against each requirement before accepting and logging an application Receiving Officer **Checking Officer** Comments: Name: Name: Signature:Date: Signature: Date:



3.	NAME OF APPLICANT			
	(In bold capital letters in the order the na	nmes appear on Registration Certificate etc)		
M/S				
M1/3_				
Expla	in the literal meaning of the name			
4.	APPLICANT'S CONTACTS			
	Physical Address:			
T	own	Street/Road		
Τ.	R No. Floo	r Room		
	1100	Koom		
N	ame of Building	-		
2	Postal Address:			
	O. Box	Postal Code		
Po	ost Office Town			
3.	Phone and Fax Contact:			
T	el. No.	Fax. No.		
1				
IV	Iobile (Other Tel. Nos.		
4.	Email Address:			
5.	LICENCE DETAILS			
Pleas	e identify the commercial free to air broad	leasting service being applied for:		
- 1		Commercial Free To Air Television (on		
5.1.	Tick the category of the broadcasting service you wish to provide (tick only	DTT Platform) Commercial Free To Air Radio (on DTT		
	one).	Platform)		
~ ~		Commercial FM Radio Licence		
5.2.	Provide the name of the area you wish to provide the broadcasting service.			
5.3.	Language(s) of Broadcast			
PROI	POSED STATION IDENTITY OF BROA	ADCASTING SERVICE (e.g. Wakenya FM) (attach		
regist	ration of business name certificate/trade	emark certificate for the station identity)		
г,	to do Paradara da 64			
Expla	un me merai meaning of the name			



OTHER INFORMATION ABOUT THE APPLICANT 6.1 State whether any of the partners/ directors/ shareholders have a beneficial interest in any other business licensed to provide or operate telecommunication and or broadcasting services. **6.2** Has any previous application by you been rejected under the Act? (If so give details) **6.3** Has any previous license granted to you under the Act been cancelled, suspended or modified? (If so give details) **6.4** Have you or any of the directors or shareholders adjudged bankrupt or has entered into a composition or scheme of arrangement with his creditors or is of unsound mind, if so please explain. REFEREES (referees should not be employees of the applicant entity, Ministry of Information & Communications or the Authority) The following details should be completed by two different and independent referees who have known you for at least three (3) years. 7.1 First Referee I certify that the information given in this form is true and correct to the best of my knowledge Full Name (Block letters as the names appear on the ID/Passport) **Postal Address:** P. O. Box Postal Code Post Office Town **Phone and Fax Contact:** Tel. No. Fax. No. Mobile Other Tel. Nos. **Email Address:**



Occupation	Signature
7.2 Second Referee	
I certify that the inform	nation given in this form is true and correct to the best of my knowledge
Full Name	(Block letters as the names appear on the ID/Passport)
Postal Address: P. O. Box	Postal Code
Post Office Town	
Phone and Fax Conta	ect: Fax. No.
Mobile	Other Tel. Nos.
Email Address:	
Occupation	Signature
8. DECLARATION	
my/ our knowledge. I/We information in support of any	rmation we have provided in this application is true and correct to the best of also understand that it is an offence under the Penal Code to give false application.
	y should be accountable and a senior person in the organisation)
Signature	
Date	Company Stamp
9. COMPLETED APPL	ICATION FORMS SHOULD BE ADDRESSED TO: -

Director General Communications Authority of Kenya CA Centre, Waiyaki Way P. O. Box 14448 NAIROBI - 00800

Tel: 254-20- 4242000 Fax: 254-20- 4451866.



10. FOR OFFICIAL USE ONLY			
BPC	COMMENTS		
Not Recommended	Recommended		
Applicant to do the following:	for:		
	Name:		
	Designation		
	Signature:		
	Date:		
Name:			
Signature:			
Date:			
	Official Stamp		

CLC#	Reason for deferment	Name & Signature





ANNEX 1: TEMPLATE OF AFFIDAVIT TO BE SUBMITTED

REPUBLIC OF KENYA

$\frac{\text{IN THE MATTER OF OATHS AND STATUTORY DECLARATIONS ACT}}{\text{OF KENYA}}\text{ CHAPTER 15, LAWS}$

<u>AND</u>

$\frac{\text{IN THE MATTER OF AN APPLICATION FOR LICENSE FROM THE COMMUNICATIONS}}{\text{AUTHORITY OF KENYA}}$

AFFIDAVIT

		========
I,		of Post Office Box Number
	(Town)_	(Postcode) do hereby make oath and state as follows:
1.	THAT I am an adul	of sound mind and
	osition/ status in the once competent to sweat	applicant entity) of(name of the applicant) and ar this Affidavit.
2.	THAT I am a citize	n of theand holder of
Na	ational Identity Card N	o. (or Passport No.)
3.	to the Authority for	(name of the applicant) has resolved to make an application a(name of the licence in accordance with arket Structure) licence.
4.		itted the following copies of our documents in support of the said application:[tick in copies have been provided]
	4.1. Registration	and ownership status:
	4.1.1. For a	n applicant registered under the Companies Act (Cap 486):
	4.1.1.1. C	opy of Certificate of Incorporation
	sl	n original letter from the Registrar of Companies listing the directors and nareholders of the company and details of their shareholding – Original Form R/12
		ttach copy of original CR/12 for other companies which are shareholder of the pplicantuntil all shares are attributed to individuals.
	4.1.2. Copy	of Business Name, or



- 4.1.3. Copy of Registration Certificate etc.
- 4.1.4. If the company is listed in a stock exchange in Kenya, copy of Certificate from Capital Markets Authority (CMA).
- 4.1.5. For any foreign company which is a shareholder of the Applicant attach copies **certified by a Notary Public** of:
 - 4.1.5.1. Certificate of Incorporation of the foreign company/iesand
 - 4.1.5.2. ShareholderRegister of the foreign company/ies.
- 4.1.6. Copies of Kenyan National Identity Cards (ID) or Kenyan/Foreign passports for all Directors and Shareholders of the Applicant:
 - 4.1.6.1. Both sides of the ID should be copied onto the same side of an A4 size paper, and
 - 4.1.6.2. Passport copies should include pages showing the nationality, date of issue and expiry, name and photograph of holder.
- 4.2. Compliance with Kenya Revenue Authority rules:
 - 4.2.1. Copy of Valid Tax Compliance Certificate.
- 4.3. A business plan relevant to the specific broadcasting market segment whose licence is being sought
- 4.4. A copy of one of the document listed below:

APPLYING ENTITY	REQUISITE CONSTITUTING DOCUMENT
1. Non-Governmental	Constitution of the NGO
Organization (NGOs)	
2. Cooperative Society	Cooperative Society's By-Laws
3. Partnership	Partnership Deed
4. Society	Society's Constitution

	4.5. Other documents (please list)
5.	THAT I swear that the documents listed in 4 above are authentic copies of the original documents issued by the relevant authorities to the applicant.
6	THAT this Affidavit is sworn in support of (Applicant's name) application for



license.	
7. THAT what is deponed to herein above is true and within my over	wn knowledge.
SWORN atby the said)
Thisday ofin the year) (Deponent))
BEFORE ME <u>COMMISSIONER FOR OATHS</u>))
Drawn by:	
(law firm)	
(physical address)	
P. O. Box	
(town)	
(postal code)	



ANNEX 2: BUSINESS PLAN GUIDELINE

Please provide separately a Business Plan ensuring that the following details are included in the sequence provided below. The applicants have to provide separate Business Plans for each license applied for. Any additional information is encouraged.

1. Executive Summary

Briefly describe your organization and the business concept, including summary of services to be provided.

2. Details/Profiles of Directors/Shareholders

Details and profiles of directors/shareholders (name, employment/businesses/activities involved in).

3. Association with CA Licensees

Details of association of the business or directors/shareholders with existing CA licensees, if any.

4. Technical Information

Provide the proposed system configuration with block diagrams. Specifically provide details of your studio equipment, studio to transmitter/BSD link and where satellite is used, the name and transponder being used. Please indicate if broadcasting equipment quoted complies with the relevant ITU Recommendations for ITU Region 1

In addition, applicants for FM radio broadcasting licence <u>MUST</u> complete Application for Frequency Assignment in the Sound Broadcasting Radio Communication Service form CA/F/FSM/04 (Annex 3) for each of the proposed transmission site.

5.Station Programming

Provide your proposed station's programming indicating the proposed hours of broadcasting for each day of the week, a schedule of your programme segments for each day of the week, specific value proposition of your programming format in the proposed coverage area, your own produced programmes and their weekly proportions, any planned external source of programming (local or foreign). Also indicate if regular news services programmes on matters of public interest form part of your programming and how often these will be broadcast. Also indicate the principal sources of news.

6. Market Information

With respect to the proposed coverage area, please provide the rollout plan and a market study report of the area for which the license is sought profiling the population and existing broadcasting services in the area. Indicate which licensees provide similar services in the proposed area, identify any gaps in the market and demonstrate how unique your intended programming is and how it differs from them and address the existing gaps.

7. Value Proposition (Unique contribution) to the market

Demonstrate the value proposition (unique contribution) that your intended programming and business is adding to the market. How it differs from what is existing in the market.

8. Revenue Stream

Provide the anticipated revenue stream from advertising, sponsorships and other sources describing how in the provision of the proposed services the business will generate income to sustain its operations, improve the services and, where applicable, a payback to its owners.

9. Financial Projections

Based on the revenue streams highlighted in 8 (above) provide at least three-year financial projections including Income statements, Balance sheet and Cash Flow statement projections as per International Accounting Standards (IAS). Highlight specifically:

- (a) Costs for capital investment (equipment, building, offices, vehicles etc)
- (b) Recurring costs (staff salaries, royalties, rent energy communications etc)
- (c) Financial investments from the applicant(s)

Please provide the financial estimates in Kenya Shillings (KSHs) only.



10. Capacity to provide proposed services

Attach evidence of capacity to provide the proposed service, including:

- (a) Evidence of capital (Bank deposits, credit facilities, or bank guarantee)
- (b) Demonstration of technical experience and capability as well as access to technical expertise and experience
- (c) Operational arrangements (Human resource plan, customer service plan support arrangements)
- (d) Projected start date of the business

11. Quality of Service Assurance Statement

Describe how you will ensure provision of quality services, how quality services will be maintained in provision of the proposed services, and the measures that you will put in place to ensure consumer protection. In addition, provide the set of technical related activities that will be implemented to ensure that you provide services to customers' satisfaction.

ANNEX 3: LICENSE CATEGORIES AND ENTITIES THAT CAN OR CANNOT APPLY

Entities that can apply for;	Limited Company	Cooperative Societies	Business Names	Community Based Organisations
Commercial Broadcasting Licence	\checkmark	\checkmark	\checkmark	×

Key: $\sqrt{\ }$ - Can Apply \times - Cannot Apply

ANNEX 4: INFORMATION ON THE LICENSING PROCEDURE AND PROCESS

1. Submission and Receipt of Licence Application

Submission of an application may be done through the postal system or in person at our office. We encourage you to present you application in person where our receiving officer will check the documents and advice you on any shortcoming.

Once the receiving officer has confirmed that all documentations are in order, you will be requested to pay the application fees. Please retain your original payment receipt.

2. Consideration and approval of application by the Authority

An application, which meets all the licensing requirements, will be processed within 135 days from the date when all the requirements have been met.

The Authority considers applications on a first-come-first-served basis. Although your application will undergo several internal processes, you will be informed in writing and advised on the way forward in the event that the application is not successful at any stage.

3. Letter of licence offer

If the application is approved, you will be informed in writing (letter of offer) and may also be contacted via phone/email.

The letter of offer is valid for a period of 1 month from the date it is granted and states the initial and annual operating licence fees to be paid before a licence is issued. Please note that the upfront annual operating fees in the offer letter is prorated based on the date of the Offer letter.

4. Operational period

Once you have paid the fees required in the Offer letter, you will be issued with a licence. You will then be required to put the licence into operation within period stipulated in the specific licence.

5. Resources for rolling out the licensed systems or services

After you are issued with a licence, you will be required to apply for type approval of your equipment/s as applicable and utilize resources related to the rollout of your licence as required in the licence.

THE AUTHORITY DOES NOT GUARANTEE AVAILABILITY OF TYPE APPROVAL OF EQUIPMENT

Application Form for Commercial Broadcasting Service Licence



ANNEX 5: APPLICATION FOR FREQUENCY ASSIGNMENT IN THE SOUND BROADCASTING RADIO COMMUNICATION SERVICE CA/F/FSM/04

			Serial No
Adm	<u>inistrativ</u>	e Details:	
a)	Name	of the organisation (or individual)	
/		nalityID / PP No	
	Postal	address	
	Busine		
		cal location: Road/streetBuildingLR. N	
b)		and postal address of the local supplier (if any)	
0)	Postal	address	
	Busine		
c)		rised broadcasting area	
c) d)		of person / organisation responsible for payment of bills	
u)	Name	of person / organisation responsible for payment of onis	
Tran	smitter S	ite Details:	
	i)	Name	
	ii)	LR. No	
	iii)	Road/Area	
	iv)	Geographical co-ordinates:	
	,	Latitude: deg min sec(N/S)	
		Longitude: degsec(E).	
	v)	Altitude above sea level (in metres)	
	vi)	Relative height around 15 kilometre radius.	
		•	
Tran	smitter E	quipment Details:	
۵)	Eavie	ment and performance characteristics.	
a)	Equip	ment and performance characteristics.	
	i)	Name of Manufacturer	
	,	Make	
		Model	
	ii)	Carrier output power	
	iii)	Effective Radiated Power (dB W)	
	iv)	RF bandwidth kHz	
	,	RF Filter Loss	
	v)	KF FIREI LOSS	
b)	Transı	mit Antenna Details:	
	i)	Type of antenna	
	ii)	Antenna height above ground level	
	iii)	Relative antenna height around a 15 kilometre radius	
	iv)	Polarization.	
	v)	Radiation pattern:	
		a) Omnidirectional: (YES or NO)	
		b) If not omnidirectional provide the following details:	
		1. Azimuth of the main lobe	
	<u>.</u> .	2. Angular beam width of the main lobe at the 3 dB point	
	vi)	Antenna gain in dBi	
	vii)	Estimated Antenna losses (splitter, harnesses, null fill losses) in dB	



	a)	Feeder:				
		i)	Feeder type			
		ii)	Feeder length m			
		iii)	Attenuation per metredB			
		iv)	Total feeder lossdB			
2.	Band Pass Filter Details:					
		i)	Name of Manufacturer			
		ii)	Return loss over the frequency range $f_c \pm 100 \text{ KHz}$.			
		iii)	Return loss over the frequency range $f_c \pm 100 \text{ KHz}$. Return loss outside the frequency range $f_c \pm 1 \text{ MHz}$.			
		,	Where f_c = Centre Frequency			
3.	8. <u>Miscellaneous</u>					
		i)	Proposed date of commencement of service			
		laration: e above in	formation is true to the best of my knowledge			
Contact	t person.					
			adio Vendor/Local Supplier: Information is true to the best of my knowledge			
Radio V	Vendor		Technical Personnel's Name			
P.O. Bo	OX					
Date			Signature			
Official	l Stamp					
	_					