



**Communications
Commission
of Kenya**

**APPLICATION
FOR AN
ELECTRONIC
COMMUNICATIONS
LICENCE
UNDER THE
UNIFIED LICENSING FRAMEWORK**

FORM AF 2 (September 2008 version)

NOT FOR SALE

1. MANDATORY REQUIREMENTS FOR AN APPLICANT

A: Application should be completed in English and the following attached:

I. Originals of the following documents:

1. A covering letter to the Director/Licensing, Compliance and Standards (see *address below*) on applicant's letterhead.
2. If Applicant is registered under the Companies Act (Cap 486):
 - 2.1. an original letter from the Registrar of Companies listing the directors and shareholders of the company and details of their shareholding – Original Form CR/12
 - 2.2. Attach original CR/12 for other companies which are shareholder of the Applicant until all shares are attributed to individuals.

Note that companies wishing to be considered for a licence in the communications sector must allot a minimum of 20% of their total shares to individual Kenyan citizens.

II. Clear photocopies of the following documents of the Applicant:

Note that all photocopies must be certified by a Commissioner for Oaths (based in Kenya) or a Notary Public.

1. Registration status:
 - 1.1. Certificate of Incorporation,
 - 1.2. Business Name, or
 - 1.3. Registration Certificate etc.
2. Certificate from Capital Markets Authority (CMA), if the company is listed in a stock exchange in Kenya.
3. For any foreign company which is a shareholder of the Applicant attach **(certified by a Notary Public)**:
 - 3.1. Certificate of Incorporation and
 - 3.2. Share Certificate.
4. Kenyan National Identity Cards (ID) or Kenyan/Foreign passports for all Directors and Shareholders of the Applicant:
 - 4.1. Both sides of the ID should be copied onto the same side of an A4 size paper, and
 - 4.2. Passport copies should include pages showing the nationality, date of issue and expiry, name and photograph of holder.
5. The following documents from Kenya Revenue Authority:
 - 5.1. Personal Identification Number (PIN) card,
 - 5.2. Value Added Tax (VAT) Registration Certificate, and
 - 5.3. Valid Tax Compliance Certificate.

III. Other documents to be attached include:

1. A business plan showing the system configuration, details of the services/network proposed, market to be served and system expansion for at least the initial five years of operation. A guideline to the business plan is attached as Annex 1.
2. A copy of one of the document listed below:
(for voluminous documents, certification may be done at the cover page provided that the Commissioner for Oaths indicates the number of pages in the document).

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

B: Application Fee:

The table below shows fees payable for the various licences:

ULF Licence		Application Fee (Kshs.)	Initial Licence Fee (Kshs.)	Annual Operating Fee (Kshs.)
when fees are payable (fees are non-refundable)		when submitting application form AF2	after approval and before issuance of licence	on/or before 1 st July of each year
Network Facilities Provider	Tier 2	10,000/=	15,000,000/=	0.5% of annual turnover or 1,000,000/= whichever is high
	Tier 3	10,000/=	200,000/-	0.5% of annual turnover or 200,000/= whichever is high
Application Service Provider		10,000/=	100,000/=	0.5% of annual turnover or 100,000/= whichever is high
Content Service Provider		10,000/=	100,000/=	0.5% of annual turnover or 100,000/= whichever is high
Business Processes Outsourcing		Onetime Registration Fee 10,000/=		

Please present a completed application form at our offices on Waiyaki Way, CCK Centre at the Front Desk on 1st floor where you will be issued with a 'Payment Instruction Form'. Attach a copy of the receipt for the payment of the application fee of Kenya shillings ten thousand (Kshs. 10,000) only to the application form.

Payments fees can be made in 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 between **0900** and **1200** hours and in the afternoon from **1400** to **1600** hours on weekdays (and closed on public holidays).

2. APPLICATION ACCEPTANCE SECTION - FOR OFFICIAL USE ONLY

No	Application Requirements	Receiving Officer	Checking Officer
1.	Is a covering letter on applicant letterhead included?		
2.	Is the application duly completed?		
3.	Is the application signed, giving applicant's name and designation?		
4.	Is the licence applied for within the Unified licensing framework Market Structure?		
5.	Is business plan for applied licence (s) enclosed?		
6.	Is/are original CR/12(s) provided and are 20% total shares allotted to Kenyans?		
7.	Is application fee paid?		
Are the following copies provided and certified by at least a Commissioner for Oaths?			
8.	Certificate of Incorporation/Registration Certificates or others (specify)		
9.	Certificate from CMA for listed companies		
10.	Notarised Certificate of Incorporation for foreign company		
11.	Notarised Share Certificate for foreign company		
12.	Personal Identification Number (PIN) card		
13.	VAT Registration Certificate		
14.	Valid Tax Compliance Certificate		
15.	ID/passport copies of directors and shareholders		
16.	Is a copy of the relevant document as listed below provided? <i>(Indicate which document is provided).</i>		
	• Memorandum and Articles of Association of the Company; or		
	• Constitution of the NGO; or		
	• Cooperative Society's By-Laws; or		
	• Partnership Deed; or		
	• Constitution of the Society etc.		

The Receiving Officer MUST tick ALL the boxes above before accepting and logging an application.
Receiving Officer's Comments:
Receiving Officer's Name:
Signature: **Date:**

The Checking Officer MUST tick ALL the boxes above before recommending the application for further consideration.
Checking Officer's Comments:
Checking Officer's Name:
Signature: **Date:**

3. NAME OF APPLICANT

(in bold capital letters in the order the names appear on Registration Certificate etc)

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4. APPLICANT'S CONTACTS

1. Physical Address:

Town Street/Road

LR No. Floor Room

Name of Building

2. Postal Address:

P. O. Box Postal Code

Post Office Town

3. Phone and Fax Contact:

Tel. No. Fax. No.

Mobile Other Tel. Nos.

4. Email Address:

5. LICENCE(S) APPLIED FOR

Please tick the category(ies) of licence(s) you wish to be considered for in line with the Commission's Unified licensing Framework (ULF) Market Structure. More information on ULF is available on the CCK Website: www.cck.go.ke.

1. Network Facilities Provider:**Tier 2****Tier 3**

(Tick only one category)

2. Application Service Provider **3. Content Service Provider** **4. Business Processes Outsourcing** **5. International Gateway Operator**

6. OTHER INFORMATION ABOUT THE APPLICANT

1. State whether any of the partners/ directors/ shareholders is undischarged bankrupt.
(If so indicate the names)

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2. State whether any of the partners/ directors/ shareholders have a beneficial interest
in any other business licensed to provide or operate telecommunication services.

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3. Has any previous application by you been rejected under the Act? (If so give
details)

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4. Has any previous license granted to you under the Act been cancelled, suspended or
modified? (If so give details)

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7. SYSTEM CONFIGURATION

Provide information about the System Configuration in the Business Plan.

8. TERMINAL EQUIPMENT(S)

*In the Business Plan, provide information about terminal equipment(s) and/or customer premise
equipment (CPE) to be connected to the network and the standards they conform to.*

9. REFEREES

The following details should be completed by two different and independent referees who have known you for at least three (3) years.

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 _____

2. Second 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 _____

10. DECLARATION

I/We hereby certify the information we have provided in this application is true and correct to the best of my/ our knowledge. I/We also understand that it is an offence under the Penal Code to give false information in support of any application.

Name.....

Designation.....

Signature.....

Date.....

11. COMPLETED APPLICATION FORMS SHOULD BE RETURNED TO: -

**Director/ Licensing, Compliance and Standards
Communications Commission of Kenya
CCK Centre, Waiyaki Way
P. O. Box 14448
NAIROBI - 00800
Tel: 254-20- 4242000
Fax: 254-20- 4242430**

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The applicant **MEETS/ DOES NOT MEET** the Commission's requirements and is hereby **RECOMMENDED/NOT RECOMMENDED** for:

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The reasons for not recommending the applicant are as follows:-

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Name.....

Designation..... Signature.....

CLC No..... Date.....

Official stamp

ANNEX 1: BUSINESS PLAN GUIDELINE

Please provide a separate Business Plan and ensure the following details are included:

1. Executive Summary:

Briefly describe your organization and the business concept:

2. Financial Information

Provide at least three-year financial projections in terms of cash flows.

3. Technical Information

Provide the proposed system configuration with block diagrams, proposed technology interface with other licensees, network and terminal equipments and/or customer premise equipment (CPE) and the standards they conform to etc.

4. Frequency Spectrum

In case you require frequency resource to rollout your business, please indicate the preferred frequency band.

Note that application for the use of frequency resource is done separately and the success of this application does not guarantee assignment of the frequency resource.

5. Market Information

5.1. Indicate envisioned rollout plan for the first five year:

Year	Locations	Number of Subscribers/Users
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

5.2. Provide a description of each proposed service and how the service is to be accessed by the public.

6. Billing and Quality Control

Describe the billing software/hardware you intend to deploy and how customers will be billed indicating whether billing shall be in volumes, itemised, per unit/second/minute etc.

7. Please provide any other additional information related to the proposed business.