REPUBLIC OF VANUATU

TELECOMMUNICATIONS, RADIOCOMMUNICATIONS AND BROADCASTING REGULATION ACT NO. 30 OF 2009

Telecommunication Licence Regulation Order No. 224 of 2023

Arrangement of Sections

PART 1 PRELIMINARY MATTERS

1 Definitions 3

PART 2 INDIVIDUAL GENERAL LICENCE

2 Application 5
3 Issuing of an individual general licence 5
4 Renewal of an individual general licence 5

PART 3 INDIVIDUAL NETWORK OPERATOR LICENCE

6 Application 7
7 Issuing of an individual network operator licence 7
8 Renewal of an individual network operator licence 9

PART 4 INDIVIDUAL SERVICE PROVIDER LICENCE

10 Application 10
11 Issuing of an individual service provider licence 10
12 Renewal of an individual service provider licence 11
13 Revocation of an Individual service provider licence 11

PART 5 INDIVIDUAL CONTENT PROVIDER LICENCE

14 Application 12
15 Issuing of an individual content provider licence 12
16 Renewal of an individual content provider licence 13
17 Revocation of an individual content provider licence 14

PART 6 CLASS LICENCE

18 Establishment of class licence 15
19 Application to register a class licence 15

20 Obligations to provide accurate information 16
21 De-registration of a class licence 16

PART 7 ANNUAL RETURNS

22 Annual returns 17
23 Commencement 18

SCHEDULE 1 - FORM 1 INDIVIDUAL GENERAL LICENCE APPLICATION FORM

SCHEDULE 2 RENEWAL APPLICATION FORM

SCHEDULE 3 FEES

SCHEUL E 4 SERVICES TO BE PROVIDED UNDER A LICENCE

SCHEDULE 5 REGISTRATION FORM – CLASS LICENCE

REPUBLIC OF VANUATU

TELECOMMUNICATIONS, RADIOCOMMUNICATIONS AND BROADCASTING REGULATION ACT NO. 30 OF 2009

Telecommunication Licence Regulation Order No. 224 of 2023

In exercise of the powers conferred on me by paragraph 7(4)(b) and subsections 13(3) and (4) and section 14 of the Telecommunications, Radiocommunications and Broadcasting Regulation Act No. 30 of 2009, I, BRIAN WINJI MOLITAVITI, Telecommunications, Radiocommunications and Broadcasting Regulator, with the approval of the Prime Minister, make the following Order.

PART 1 PRELIMINARY MATTERS

1 Definitions

In this Regulation, unless the context otherwise requires:

Act means the Telecommunications, Radiocommunications and Broadcasting Regulation Act No. 30 of 2009;

class licence means a licence that provides for all services including satellite services, that do not have both-way connectivity with public networks, and reselling of service. The class licence category excludes Radio Paging and Public Mobile Radio Trunking Systems (PMRTS) Services but includes Niche Operators;

financial year means a 12 month period that is:

(a) nominated for the purpose of this Regulation by a licensee and advised to the Regulator; or

(b) the 12 month commencing on 1 January and ending on 31 December of the following year;

individual content provider licence means a licence that provides for the supply of television or radio broadcast services, or the supply of narrow-cast services that supplies content intended for a restricted number of viewers or listeners;

individual general licence means a licence that provides for all public networks including switched networks irrespective of media and technology capable of offering voice or non-voice (data services) including Internet Telephony, Cable Television (TV), Direct To Home (DTH), TV & Radio Broadcasting;

individual network operator license means a network licence that:

(a) is required to construct, maintain, own, and operate facilities for a communications network such as VSATs, towers, lines, antenna, and earth stations; and

(b) allows for, among others, services for carrying electronic communications such as public cellular mobile services and broadcasting distribution services;

individual service provider license means a licence that provides for the supply of certain communication services using a network service such as PSTN telephony services, IP telephony services, internet access services, messaging services, and audio text services;

licensee means a person who is issued with a licence under this Regulation.

PART 2 INDIVIDUAL GENERAL LICENCE

2 Application

(1) A person must apply to the Regulator for an individual general licence.

(2) The application for an individual general licence must:

(a) be in the approved form set out under Schedule 1; and

(b) be accompanied with the fee set out under table 1 of Schedule 3.

3 Issuing of an individual general licence

(1) The Regulator upon receiving an application under clause 2 may:

(a) issue an individual general licence with or without conditions; or

(b) refuse to issue an individual general licence.

(2) The Regulator may issue an individual general licence to an applicant if the Regulator is satisfied that the applicant complies with the requirements under this Regulation and the Act and any other Act for issuing an individual general licence.

(3) The Regulator may, in writing, require the applicant to provide additional information or documents within a specific time.

(4) The Regulator must notify the applicant, in writing, of his or her decision within 30 working days after receiving the application or additional information.

(5) If the Regulator refuses to issue a licence, the notification given under subclause (4), must include the reasons for the decision.

(6) The term of licence is to be set out in the licence.

4 Renewal of an individual general licence

(1) The licensee must apply to the Regulator to have his or her general individual licence renewed.

(2) The application under subclause (1) must:

(a) be made 3 months prior to the expiry of the licence; and

(b) be in the approved form set out under Schedule 2; and

(c) be accompanied with the fee set out under table 2 of Schedule 3.

(3) Subject to subsection 15(7) of the Act, the Regulator in deciding whether to:

(a) renew the licence, must ensure that the conditions under subclause (2) are being met; or

(b) deny the renewal of the licence, must ensure that the grounds under paragraphs (7)(a) and (b) of the Act are being met.

(4) If a licensee fails to apply for the renewal of the individual general licence within the period set out under paragraph 2(a), the licensee may apply 21 days after the expiry of the licence and accompanied with the late renewal fee set out under table 5 of Schedule 3.

5 Revocation of an individual general licence

The Regulator may revoke an individual general licence in accordance to section 15 of the Act.

PART 3 INDIVIDUAL NETWORK OPERATOR LICENCE

6 Application

(1) A person must apply to the Regulator for an individual network operator licence.

(2) The application for an individual network operator licence must:

(a) be in the approved form set out under Schedule 1; and

(b) be accompanied with the fee set out under table 1 of Schedule 3.

7 Issuing of an individual network operator licence

(1) Subject to subclause (2), the Regulator when receiving an application under clause 6 may:

(a) issue an individual network operator licence with or without conditions or restrictions to a licensee; or

(b) refuse to issue an individual network operator licence to a licensee.

(2) The Regulator may issue an individual network operator licence to the applicant if the Regulator is satisfied that the applicant intends to provide telecommunications services or content services using telecommunications network facilities.

(3) The Regulator may impose all or any of the following conditions in an individual network operator licence:

(a) the licensee must pay all applicable licence fees and levees in a quarterly basis;

(b) the licensee must not obtain an individual service provider licence and an individual content provider licence unless an approval to obtain the licences is given by the Regulator;

(c) the licensee must comply with the Act and any other relevant Act, Regulations, Orders or directions;

(d) the licensee must take all reasonable steps to ensure that the charging mechanism used in connection with any of its facilities

and services are accurate and reliable in all material aspects and remains accurate and reliable;

(e) the licensee must indemnify the Regulator against any claims or proceedings arising from any breaches or failures caused by the licensee;

(f) any other conditions that the Regulator considers necessary.

(4) An individual network operator licensee may:

(a) control and operate telecommunications network facilities in Vanuatu, for the purpose of providing telecommunications services; and

(b) provide services under an individual service provider licence and publish content under an individual content provider licence.

(5) The Regulator may issue an individual network operator licence as a unified licence.

(6) The unified licence issued under subclause (5) authorizes the licensee to provide any telecommunications services or content other than broadcasting service content.

(7) To avoid doubt,

(a) an individual network operator licensee is not required to apply for or to have:

(i) a separate individual service provider licence; or

(ii) an individual content provider licence, and

(b) the applicant under this Part is limited only to the services proposed within the scope of the individual network operator licence.

(8) The services eligible to be issued licence under this Part is provided under tables 1, 2 and 4 of Schedule 4.

8 Renewal of an individual network operator licence

(1) The licensee must apply to the Regulator to have his or her individual network operator licence renewed.

(2) The application under subclause (1) must:

(a) be made 3 months prior to the expiry of the licence; and

(b) be in the approved form set out under Schedule 2; and

(b) be accompanied with a fee set out under table 2 of Schedule 3.

(3) Subject to subsection 15(7) of the Act, the Regulator in deciding whether to:

(a) renew the licence, must ensure that the conditions under subclause (2) are being met; or

(b) deny the renewal of the licence, must ensure that the grounds under paragraphs 7(a) and (b) of the Act are being met.

(4) If a licensee fails to apply for the renewal of the individual network operator licence within the period set out under paragraph 2(a), the licensee may apply 21 days after the expiry of the licence and accompanied with the late renewal fee set out under table 5 of Schedule 3.

9 Revocation of an individual general licence

The Regulator may revoke an individual network operator licence in accordance to section 15 of the Act.

PART 4 INDIVIDUAL SERVICE PROVIDER LICENCE

10 Application

(1) A service provider who intends to apply for an individual service provider licence, must apply to the Regulator.

(2) The application must:

(a) be in the approved form set out under Schedule 1; and

(b) be accompanied with the fee set out under table 1 of Schedule 3.

11 Issuing of an individual service provider licence

(1) Subject to subclause (2), the Regulator when receiving an application under clause 10 may:

(a) issue an individual service provider licence with or without conditions; or

(b) refuse to issue an individual service provider licence.

(2) The Regulator must not issue an individual service provider licence to a service provider unless the Regulator is satisfied that the service provider intends:

(a) to provide telecommunications services; or

(b) to use telecommunications network facilities and detailed rollout plan controlled and operated by a network operator licensee.

(3) The Regulator may impose all or any of the following conditions on an individual service provider licence:

(a) the licensee must get an approval from the Regulator to operate the supply of content service;

(b) the conditions set out under paragraphs 7(3)(a), (c), (d), (e) and (f) of this Regulation.

(4) The conditions under subclause 15(4) may apply:

(a) to all individual service provider licence; or

(b) to individual service provider licence in the nominated categories set out under Schedule 4.

(5) The services that are eligible to be issued with the licence under this Part is provided under table 1 of Schedule 4.

12 Renewal of an individual service provider licence

(1) The licensee must apply to the Regulator to have his or individual service provider licence renewed.

(2) The application under subclause (1) must:

(a) be made 3 months prior to the expiry of the licence; and

(b) be in the approved form set out under Schedule 2; and

(b) be accompanied with a fee set out under table 2 of Schedule 3.

(3) Subject to subsection 15(7) of the Act, the Regulator in deciding whether to:

(a) renew the licence, must ensure that the conditions under subclause (2) are being met; or

(b) deny the renewal of the licence, must ensure that the grounds under paragraphs 7(a) and (b) of the Act are being met.

(4) If a licensee fails to apply for the renewal of the individual service provider licence within the period set out under paragraph 2(a), the licensee may apply 21 days after the expiry of the licence and accompanied with the late renewal fee set out under table 5 of Schedule 3.

13 Revocation of an Individual service provider licence

The Regulator may revoke an individual network operator licence in accordance to section 15 of the Act.

PART 5 INDIVIDUAL CONTENT PROVIDER LICENCE

14 Application

(1) A service provider who intends to apply for an individual content provider licence, must apply to the Regulator.

(2) The application must:

(a) be in the approved form set out under Schedule 1; and

(b) be accompanied with the fee set out under table 1 of Schedule 3; and

(c) specify the type of services under subclause (3).

(3) A licensee under this Part may provide services on:

(i) a community service basis; or

(ii) a commercial basis.

15 Issuing of an individual content provider licence

(1) Subject to subclause (2), the Regulator when receiving an application may:

(a) issue an individual content provider licence with or without conditions; or

(b) refuse to issue an individual content provider licence.

(2) The Regulator must issue an individual content provider licence to a service provider if the Regulator is satisfied that the service provider intends to provide content in any of the following mode:

(a) an audio mode; or

(b) a video mode; or

(c) a text mode.

(3) A mode under subclause (2) must be provided as a separate service associated with:

(a) a telecommunications network services provided by a network operator licensee; or

(b) a telecommunications service provided by a service provider.

(4) The Regulator may impose all or any of the following conditions in an individual content provider licence:

(a) the licensee must seek approval from the Regulator to provide content services and must provide such information on the business plans and other detail of the content as the Regulator may require;

(b) the conditions set out under paragraphs 7(3)(a), (c), (d), (e) and (f) of this Regulation.

16 Renewal of an individual content provider licence

(1) The licensee must apply to the Regulator to have his or individual content provider licence renewed.

(2) The application under subclause (1) must:

(a) be made 3 months prior to the expiry of the licence; and

(b) be in the approved form set out under Schedule 2; and

(b) be accompanied with a fee set out under table 2 of Schedule 3.

(3) Subject to subsection 15(7) of the Act, the Regulator in deciding whether to:

(a) renew the licence, must ensure that the conditions under subclause (2) are being met; or

(b) deny the renewal of the licence, must ensure that the grounds under paragraphs 7(a) and (b) of the Act are being met.

(4) If a licensee fails to apply for the renewal of the individual content provider licence within the period set out under paragraph 2(a), the licensee may apply 21 days after the expiry of the licence and accompanied with the late renewal fee set out under table 5 of Schedule 3.

17 Revocation of an individual content provider licence

The Regulator may revoke an individual network operator licence in accordance to section 15 of the Act.

PART 6 CLASS LICENCE

18 Establishment of class licence

(1) The Regulator may establish class licensing arrangement for the control and operation of telecommunications network facilities for the purposes of telecommunication services and content services.

(2) Without limiting subclause (1), the Regulator may also establish class licensing arrangement for the control and operation of telecommunications network facilities for the purposes of another service if:

(a) the service is provided as a complete service for resale to retail customers by the service provider; or

(b) the service is an incidental part of a non-telecommunications services provided by the service provider such as access to telecommunications services to hotel guests; or

(c) the eligible criteria and conditions associated with licensing to provide the service are simple and clear and does not require the intercession of the Regulator through an individual application process.

19 Application to register a class licence

(1) A person must apply to the Regulator to be registered for a class licence.

(2) The application under subclause (1) must:

(a) be in the approved form set out under Schedule 14; and

(b) be accompanied with:

(i) a fee set out under table 1 of Schedule 3; and

(ii) a complete Registration form set out under Schedule 5.

(3) The Registrar must in writing, within 30 days after receiving the applications:

(a) inform the applicant on whether his or her application is accepted; and

(b) clarify to the applicant any matters that arises from his or her application.

20 Obligations to provide accurate information

A class licensee must notify the Regulator in writing of any changes or inaccuracy in:

(a) its corporate details; or

(b) its description; or

(c) the scope of its telecommunication systems and services; or

(d) any other information submitted to the Regulator.

21 De-registration of a class licence

The Regulator may de-register a class licence if the licensee:

(a) is in breach of any of the conditions attached to the licence; or

(b) fails to rectify the breach within 14 days after the Regulator has notified the licensee of the breach; or

(c) requests the Regulator in writing to de-register his or her licence; or

(d) ceases to carry on with the activity for which the licence is issued; or

(e) is unable to pay its debts; or

(f) is in liquidation; or

(g) is declared insolvent; or

(h) is convicted of any fraudulent activity by a Court of a competent jurisdiction.

PART 7 ANNUAL RETURNS

22 Annual returns

(1) A licensee must, within 3 months before the end of his or her financial year, produce the following documents to the Regulator:

(a) a return of the financial year reporting:

(i) the amount of the annual gross revenue; and

(ii) the amount of settlement charges payable to or receivable from another licensee; and

(iii) the method by which amount under subparagraph (ii) is to be calculated; and

(b) a statement showing a calculation of the charges for the licence fee that would be payable in respect of the annual gross revenue net of the settlements as set out in the return.

(2) The return must include a certificate stating that it is true and correct and signed by the licensee.

(3) If a licensee fails to provide the final return within 3 months after the end of the licensee's financial year, the licensee may lodge a provisional return to cover the same 3 months applicable to that licensee to:

(a) clearly identifies its return as a provisional return; and

(b) submit a final return within 6 months of the licensee's financial year.

(4) A licensee who:

(a) provides a false report for the purpose of his or her annual return; or

(b) fails to comply with the submission of the annual returns,

commits an offence and is liable on conviction to a fine not exceeding VT1,000,000.

23 Commencement

This Regulation commences on the day on which it is made.

Made at Port Vila this 5 **day of** December **, 2023.**



BRIAN WINJI MOLITAVITI
Regulator

SCHEDULE 1 - FORM 1 INDIVIDUAL GENERAL LICENCE APPLICATION FORM

TRBR
Telecommunications, Radiocommunications & Broadcasting Regulator

Application for Telecommunications Licence – Individual General Licence

Made in pursuant to Part 3 of the Telecommunications, Radiocommunications and Broadcasting Regulation Act as amended

Instructions for Completion

- Print Clearly – illegible, unclear or incomplete application forms may delay processing.
- Administration fee will be charge for this application. Refer to schedule XXXX
- Queries concerning the completion of this form should be directed to the Telecommunications, Radiocommunications and Broadcasting Regulator (the TRBR)

Disclosure of Personal Details

Information provided by the applicant in the field of this form that is marked with an asterisk (*) will be disclosed to the public by the TRBR

+678 27621
enquiries@trbr.vu
PO Box 3547, Port Vila, Vanuatu
www.trbr.vu

Part I – Applicant's Detail

1. Client Number (if known)

2. Name of Organization*

3. Trading Name* (Please attached a copy from FIPA Vanuatu)

4. Company Registration Number (Please attached copy from VFSC)

5. Company Business Licence Number (Please attached copy from Customs)

6. General Inquiry Email address

7. Website address*

8. Postal Address*

9. Physical Address*

10. Contact Name*

Surname:
Given Name:

11. Telephone

Work
Home
Mobile
Fax

Company Directors and Management	
The following information should be provided as an attachment to this application	
8. Attach details of all directors and officers of the country 9. Have any directors or officers of the company ever declared personal bankruptcy or been a director or officer a company which has gone liquidated, official receivership, administration, or become insolvent	a. Full Name b. Appointment c. Date appointed d. Private address e. Nationality f. Age g. Occupation h. other directorships i. Are you Vanuatu residence j. Summary background and any experience relevant to running the networks and services applied for. ☐ No ☐ Yes, please attached details
10. Have any directors of the company been a director of a company whose telecommunications licence has been revoked by any regulatory authority due to breach of licence obligations	☐ No ☐ Yes, please attached details
11. Attach names and addresses of all shareholders of the company (unless a publicly traded company). Include nationality and place of residence	☐ List of shareholders attached ☐ We are a publicly traded company. Attached company registrars.
12. 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 proceeding in any court in any jurisdiction involving non-payment of debt, dishonesty, fraud, theft, restitution, or violence?	☐ No ☐ Yes, please attach details
13. Provide diagrammatic representation of the applicant's major shareholders including the percentage of shares held. The TRBR may request further information from the applicant concerning shareholding and corporate ownership structure. 14. 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.	
Part II – Type(s) of Network(s) and/or Service(s)	

A. Individual General Licence

15. Please indicate the type of service and network that you intend to provide under the Individual Licence

Facility		Service		Application Service
☐	Earth Station	☐ Bandwidth	☐	International Connectivity Service
☐	VSATS	☐ Cellular Service	☐	PSTN Telephony Service
☐	Point to Point Link	☐ Switching Service	☐	Public Cellular Service
☐	Point to Multipoint Link	☐ International Gateway Service	☐	Internet Access Service
☐	Switching Centre	☐ Facilities access service	☐	IP Telephony Service
☐	Exchange Node	☐ Broadcasting Distribution Service	☐	Directory Service
☐	Tower Mast	☐ Space Service	☐	Messaging Service
			☐	Audio Text Messaging Service
			☐	Public Payphone Service

Networks & Services to be Supplied

16. Provide a general description of the network
    a. Licence Type
    b. Narrative Description
    c. Geographical coverage
    d. Number and categories of customers expected to be served
    e. Arrangement for interconnection and infrastructure sharing, where appropriate
    f. Expected launched date
    g. Anticipated development over the next 3 years
    h. If wholesale services will be offered to other licensees.

17. Explain fully the technical and operational configuration including
    a. Description of the equipment to be used.
    b. technical specifications
    c. Conformance with Type Approval standards
    d. Source and Available
    e. Network security and resilience
    f. Environmental Impact

Business and Marketing

18. Attached a detailed business plan covering a period of atleast 5 years. Business must include
    a. Customer Base Projection
    b. Cash Flow and Income Statement
    c. Projected Capital and Source of funds
    d. An indication of when the applicant anticipated to become profitable.

19. Provide details of proposed rates or tariffs for services to be offered.

20. Attached a market strategy – Main target markets (wholesale or retail, business or residential) etc. 21. Provide copies of terms and conditions for the provision of the proposed networks and services
22. How many staffs are you planning to employ outside Vanuatu and for how long?
23. How many staffs will be employed within Vanuatu? 24. Please explain how customer service and complaint resolution will be provided
Part III – Declaration

1. The Applicant by submitting this form and any attachments thereto represents, warrants and undertakes to and with the TRBR 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. 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 the TRBR 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.

Signed on behalf of the Applicant

_____

_____

_____

Full Name(s) of Signatories Position

_____

_____

_____ _____

_____

Date: _____

FORM 2 INDIVIDUAL NETWORK OPERATOR LICENCE APPLICATION FORM





Application for Telecommunications Licence – Individual Network Operator Licence

Made in pursuant to Part 3 of the Telecommunications, Radiocommunications and Broadcasting Regulation Act as amended

Instructions for Completion

- Print Clearly – illegible, unclear or incomplete application forms may delay processing.
- Administration fee will be charge for this application. Refer to schedule XXXX
- Queries concerning the completion of this form should be directed to the Telecommunications, Radiocommunications and Broadcasting Regulator (the TRBR)

Disclosure of Personal Details

Information provided by the applicant in the field of this form that is marked with an asterisk (*) will be disclosed to the public by the TRBR

+678 27621
enquiries@trbr.vu
PO Box 3547, Port Vila, Vanuatu
www.trbr.vu

Part I – Applicant's Detail

1. **Client Number * (if known)**

2. **Name of Organization***

3. **Trading Name* (Please attached a copy from FIPA Vanuatu)**

4. **Company Registration Number (Please attached copy from VFSC)**

5. **Company Business Licence Number (Please attached copy from Customs)**

6. **General Inquiry Email address**

7. **Website address***

8. **Postal Address***

9. **Physical Address***

10. **Contact Name***

Surname:
Given Name:

11. **Telephone**

Work
Home
Mobile
Fax

Company Directors and Management	
The following information should be provided as an attachment to this application	
8. Attach details of all directors and officers of the country	a. Full Name b. Appointment c. Date appointed d. Private address e. Nationality f. Age g. Occupation h. other directorships i. Are you Vanuatu residence j. Summary background and any experience relevant to running the networks and services applied for.
9. Have any directors or officers of the company ever declared personal bankruptcy or been a director or officer a company which has gone liquidated, official receivership, administration, or become insolvent	☐ No ☐ Yes, please attached details
10. Have any directors of the company been a director of a company whose telecommunications licence has been revoked by any regulatory authority due to breach of licence obligations	☐ No ☐ Yes, please attached details
11. Attach names and addresses of all shareholders of the company (unless a publicly traded company). Include nationality and place of residence	☐ List of shareholders attached ☐ We are a publicly traded company. Attached company registrars.
12. 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 proceeding in any court in any jurisdiction involving non-payment of debt, dishonesty, fraud, theft, restitution, or violence?	☐ No ☐ Yes, please attach details
13. Provide diagrammatic representation of the applicant's major shareholders including the percentage of shares held. The TRBR may request further information from the applicant concerning shareholding and corporate ownership structure. 14. 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.	
Part II – Type(s) of Network(s) and/or Service(s)	

Part II – Type(s) of Network(s) and/or Service(s)

A. Individual Network Operators Licence

15. Please indicate the type of service and network that you intend to provide under the Individual Licence

	Facility
☐	Earth Station
☐	VSATS
☐	Point to Point link
☐	Point to Multipoint Link
☐	Switching Centre
☐	Exchange Node
☐	Tower Mast
☐	Submarine Cable

Networks & Services to be Supplied

16. Provide a general description of the network
    a. Licence Type
    b. Narrative Description
    c. Geographical coverage
    d. Number and categories of customers expected to be served
    e. Arrangement for interconnection and infrastructure sharing, where appropriate
    f. Expected launched date
    g. Anticipated development over the next 3 years
    h. If wholesale services will be offered to other licensees.

17. Explain fuly the technical and operational configuration including
    a. Description of the equipment to be used.
    b. technical specifications
    c. Conformance with Type Approval standards
    d. Source and Available
    e. Network security and resilience
    f. Environmental Impact

Business and Marketing

18. Attached a detailed business plan covering a period of at least 5 years. Business must include
    a. Customer Base Projection
    b. Cash Flow and Income Statement
    c. Projected Capital and Source of funds
    d. An indication of when the applicant anticipated to become profitable.

19. Provide details of proposed rates or tariffs for services to be offered.

20. Attached a market strategy – Main target markets (wholesale or retail, business or residential) etc.

21. Provide copies of terms and conditions for the provision of the proposed networks and services

23. How many staffs will be employed within Vanuatu?
24. Please explain how customer service and complaint resolution will be provided

Part III – Declaration

1. The Applicant by submitting this form and any attachments thereto represents, warrants and undertakes to and with the TRBR 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. 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 the TRBR 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.

Signed on behalf of the Applicant

_____

_____

_____

Full Name(s) of Signatories Position

_____
_____
_____
_____
_____
_____

Date: _____

FORM 3 INDIVIDUAL SERVICE PROVIDER LICENCE APPLICATION FORM





Application for Telecommunications Licence – Individual Service Provider Licence

Made in pursuant to Part 3 of the Telecommunications, Radiocommunications and Broadcasting Regulation Act as amended

Instructions for Completion

- Print Clearly– illegible, unclear or incomplete application forms may delay processing.
- Administration fee will be charge for this application. Refer to schedule XXXX
- Queries concerning the completion of this form should be directed to the Telecommunications, Radiocommunications and Broadcasting Regulator (the TRBR)

Disclosure of Personal Details

Information provided by the applicant in the field of this form that is marked with an asterisk (*) will be disclosed to the public by the TRBR

+678 27621
enquiries@trbr.vu
PO Box 3547, Port Vila, Vanuatu
www.trbr.vu

1. Client Number (if known)	**8. Postal Address***
2. Name of Organization*	**9. Physical Address***
3. Trading Name* (Please attached a copy from FIPA Vanuatu)	
4. Company Registration Number (Please attached copy from VFSC)	**10. Contact Name*** Surname: Given Name:
5. Company Business Licence Number (Please attached copy from Customs)	
6. General Inquiry Email address	**11. Telephone** Work Home Mobile

1. Website address*	

Company Directors and Management The following information should be provided as an attachment to this application	
8. Attach details of all directors and officers of the country	a. Full Name b. Appointment c. Date appointed d. Private address e. Nationality f. Age g. Occupation h. other directorships i. Are you Vanuatu residence j. Summary background and any experience relevant to running the networks and services applied for.
9. Have any directors or officers of the company ever declared personal bankruptcy or been a director or officer a company which has gone liquidated, official receivership, administration, or become insolvent	☐ No ☐ Yes, please attached details
10. Have any directors of the company been a director of a company whose telecommunications licence has been revoked by any regulatory authority due to breach of licence obligations	☐ No ☐ Yes, please attached details
11. Attach names and addresses of all shareholders of the company (unless a publicly traded company). Include nationality and place of residence	☐ List of shareholders attached ☐ We are a publicly traded company. Attached company registrars.
12. 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 proceeding in any court in any jurisdiction involving non-payment of debt, dishonesty, fraud, theft, restitution, or violence?	☐ No ☐ Yes, please attach details

13. Provide diagrammatic representation of the applicant's major shareholders including the percentage of shares held. The TRBR may request further information from the applicant concerning shareholding and corporate ownership structure.

14. 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.

Part II – Type(s) of Network(s) and/or Service(s)

A. Individual Service Provider Licence

15. Please indicate the type of service and network that you intend to provide under the Individual Licence

Service		Application Service	
☐	Bandwidth	☐	International Connectivity Service
☐	Cellular Service	☐	PSTN Telephony Service
☐	Switching Service	☐	Public Cellular Service
☐	International Gateway Service	☐	Internet Access Service
☐	Facilities access service	☐	IP Telephony Service
☐	Broadcasting Distribution Service	☐	Directory Service
☐	Space Service	☐	Messaging Service
☐	Satellite Earth Station	☐	Audio Text Messaging Service
		☐	Public Payphone Service

Networks & Services to be Supplied

16. Provide a general description of the network
    a. Licence Type
    b. Narrative Description
    c. Geographical coverage
    d. Number and categories of customers expected to be served
    e. Arrangement for interconnection and infrastructure sharing, where appropriate
    f. Expected launched date
    g. Anticipated development over the next 3 years
    h. If wholesale services will be offered to other licensees.

17. Explain fully the technical and operational configuration including
    a. Description of the equipment to be used.
    b. technical specifications
    c. Conformance with Type Approval standards
    d. Source and Available
    e. Network security and resilience
    f. Environmental Impact

Business and Marketing

18. Attached a detailed business plan covering a period of at least 5 years. Business must include **a. Customer Base Projection** **b. Cash Flow and Income Statement** **c. Projected Capital and Source of funds** **d. An indication of when the applicant anticipated to become profitable.**
19. Provide details of proposed rates or tariffs for services to be offered. **20. Attached a market strategy – Main target markets (wholesale or retail, business or residential) etc.**
21. Provide copies of terms and conditions for the provision of the proposed networks and services
22. How many staffs are you planning to employ outside Vanuatu and for how long? **23. How many staffs will be employed within Vanuatu?**
24. Please explain how customer service and complaint resolution will be provided

Part III Declaration

1. The Applicant by submitting this form and any attachments thereto represents, warrants and undertakes to and with the TRBR 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. 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 the TRBR 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.

Signed on behalf of the Applicant

_____

_____

_____

Full Name(s) of Signatories Position

_____

_____

_____

_____

_____

_____
_____
_____

Date: _____

FORM 4 INDIVIDUAL CONTENT PROVIDER LICENCE APPLICATION FORM



TRBR
Telecommunications, Radiocommunications & Broadcasting Regulator

Application for Telecommunications Licence – Individual Content Provider Licence

Made in pursuant to Part 3 of the Telecommunications, Radiocommunications and Broadcasting Regulation Act as amended

Instructions for Completion

- Print Clearly– illegible, unclear or incomplete application forms may delay processing.
- Administration fee will be charge for this application. Refer to schedule XXXX
- Queries concerning the completion of this form should be directed to the Telecommunications, Radiocommunications and Broadcasting Regulator (the TRBR)

Disclosure of Personal Details

Information provided by the applicant in the field of this form that is marked with an asterisk (*) will be disclosed to the public by the TRBR

+678 27621
enquiries@trbr.vu
PO Box 3547, Port Vila, Vanuatu
www.trbr.vu

TRBR
Telecommunications, Radiocommunications & Broadcasting Regulator

Application for Telecommunications Licence – Individual Content Provider Licence

Made in pursuant to Part 3 of the Telecommunications, Radiocommunications and Broadcasting Regulation Act as amended

Instructions for Completion

- Print Clearly – illegible, unclear or incomplete application forms may delay processing.
- Administration fee will be charge for this application. Refer to schedule XXXX
- Queries concerning the completion of this form should be directed to the Telecommunications, Radiocommunications and Broadcasting Regulator (the TRBR)

Disclosure of Personal Details

Information provided by the applicant in the field of this form that is marked with an asterisk (*) will be disclosed to the public by the TRBR

+678 27621
enquiries@trbr.vu
PO Box 3547, Port Vila, Vanuatu
www.trbr.vu

FORM 4 INDIVIDUAL CONTENT PROVIDER LICENCE APPLICATION FORM

1. Client Number (if known)	**8. Postal Address***
2. Name of Organization*	**9. Physical Address***
3. Trading Name* (Please attached a copy from FIPA Vanuatu)	
4. Company Registration Number (Please attached copy from VFSC)	**10. Contact Name*** Surname: Given Name:
5. Company Business Licence Number (Please attached copy from Customs)	
6. General Inquiry Email address	**11. Telephone** Work Home Mobile Fax
7. Website address*	

Company Directors and Management

The following information should be provided as an attachment to this application

8. Attach details of all directors and officers of the country	a. Full Name b. Appointment c. Date appointed d. Private address e. Nationality f. Age g. Occupation h. other directorships i. Are you Vanuatu residence j. Summary background and any experience relevant to running the networks and services applied for.
9. Have any directors or officers of the company ever declared personal bankruptcy or been a director or officer a company which has gone liquidated, official receivership, administration, or become insolvent	☐ No ☐ Yes, please attached details
10. Have any directors of the company been a director of a company whose telecommunications licence has been revoked by any regulatory authority due to breach of licence obligations	☐ No ☐ Yes, please attached details
11. Attach names and addresses of all shareholders of the company (unless a publicly traded company). Include nationality and place of residence	☐ List of shareholders attached ☐ We are a publicly traded company. Attached company registrars.
12. 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 proceeding in any court in any jurisdiction involving non-payment of debt, dishonesty, fraud, theft, restitution, or violence?	☐ No ☐ Yes, please attach details
13. Provide diagrammatic representation of the applicant's major shareholders including the percentage of shares held. The TRBR may request further information from the applicant concerning shareholding and corporate ownership structure.	
14. 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.	
Part II – Type(s) of Network(s) and/or Service(s)	

A. Individual Content Service Provider Licence

15. Please indicate the type of service and network that you intend to provide under the Individual Licence

	Content Services
☐	Commercial Television Broadcasting (Subscription Television)
☐	Commercial Radio and Television Broadcasting
☐	Commercial Radio Broadcasting
☐	Community Television Broadcasting
☐	Community Radio Broadcasting

Networks & Services to be Supplied

16. Provide a general description of the network
    a. Licence Type
    b. Narrative Description
    c. Geographical coverage
    d. Number and categories of customers expected to be served
    e. Arrangement for interconnection and infrastructure sharing, where appropriate
    f. Expected launched date
    g. Anticipated development over the next 3 years
    h. If wholesale services will be offered to other licensees.

17. Explain fully the technical and operational configuration including
    a. Description of the equipment to be used.
    b. technical specifications
    c. Conformance with Type Approval standards
    d. Source and Available
    e. Network security and resilience
    f. Environmental Impact

Business and Marketing

18. Attached a detailed business plan covering a period of atleast 5 years. Business must include
    a. Customer Base Projection
    b. Cash Flow and Income Statement
    c. Projected Capital and Source of funds
    d. An indication of when the applicant anticipated to become profitable.

19. Provide details of proposed rates or tariffs for services to be offered.

20. Attached a market strategy – Main target markets (wholesale or retail, business or residential) etc.

21. Provide copies of terms and conditions for the provision of the proposed networks and services

22. How many staffs are you planning to employ outside Vanuatu and for how long?

23. How many staffs will be employed within Vanuatu?
24. Please explain how customer service and complaint resolution will be provided
Part III – Declaration

1. The Applicant by submitting this form and any attachments thereto represents, warrants and undertakes to and with the TRBR 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. 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 the TRBR 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.

Signed on behalf of the Applicant

_____

_____

_____

Full Name(s) of Signatories Position

_____

_____

_____

_____

_____

_____

Date: _____

FORM 5 CLASS LICENCE APPLICATION FORM

TRBR
Telecommunications, Radiocommunications & Broadcasting Regulator

Application for Telecommunications Licence – Class Licence

Made in pursuant to Part 3 of the Telecommunications, Radiocommunications and Broadcasting Regulation Act as amended

Instructions for Completion

- Print Clearly– illegible, unclear or incomplete application forms may delay processing.
- Administration fee will be charge for this application. Refer to schedule XXXX
- Queries concerning the completion of this form should be directed to the Telecommunications, Radiocommunications and Broadcasting Regulator (the TRBR)

Disclosure of Personal Details

Information provided by the applicant in the field of this form that is marked with an asterisk (*) will be disclosed to the public by the TRBR

+678 27621
enquiries@trbr.vu
PO Box 3547, Port Vila, Vanuatu
www.trbr.vu

FORM 5 CLASS LICENCE
APPLICATION FORM

Part I – Applicant's Detail	
1. Client Number (if known)	8. Postal Address*
2. Name of Organization*	9. Physical Address*
3. Trading Name* (Please attached a copy from FIPA Vanuatu)	
4. Company Registration Number (Please attached copy from VFSC)	10. Contact Name* Surname: Given Name:
5. Company Business Licence Number (Please attached copy from Customs)	
6. General Inquiry Email address	11. Telephone Work Home Mobile Fax
7. Website address*	

Company Directors and Management

The following information should be provided as an attachment to this application

a. Full Name
b. Appointment
c. Date appointed
d. Private address
e. Nationality
f. Age
g. Occupation
h. other directorships
i. Are you Vanuatu residence
j. Summary background and any experience relevant to running the networks and services applied for.

☐ No

☐ Yes, please attached details

☐ No

☐ Yes, please attached details

☐ List of shareholders attached

☐ We are a publicly traded company. Attached company registrars.

☐ No

☐ Yes, please attach details

13. Provide diagrammatic representation of the applicant's major shareholders including the percentage of shares held. The TRBR may request further information from the applicant concerning shareholding and corporate ownership structure.

14. 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.

Part II – Type(s) of Network(s) and/or Service(s)

A. Class Licence

15. Please indicate the type of class services and networks that you intend to provide under the Individual Licence

	Class Services
☐	Reseller of Networks
☐	Reseller of Services
☐	Reseller of Content

Networks & Services to be Supplied

16. Provide a general description of the network
    a. Licence Type
    b. Narrative Description
    c. Geographical coverage
    d. Number and categories of customers expected to be served
    e. Arrangement for interconnection and infrastructure sharing, where appropriate
    f. Expected launched date
    g. Anticipated development over the next 3 years
    h. If wholesale services will be offered to other licensees.

17. Explain fully the technical and operational configuration including
    a. Description of the equipment to be used.
    b. technical specifications
    c. Conformance with Type Approval standards
    d. Source and Available
    e. Network security and resilience
    f. Environmental Impact

Business and Marketing

18. Attached a detailed business plan covering a period of at least 5 years. Business must include
    a. Customer Base Projection
    b. Cash Flow and Income Statement
    c. Projected Capital and Source of funds
    d. An indication of when the applicant anticipated to become profitable.

19. Provide details of proposed rates or tariffs for services to be offered.

20. Attached a market strategy – Main target markets (wholesale or retail, business or residential) etc.

21. Provide copies of terms and conditions for the provision of the proposed networks and services

22. How many staffs are you planning to employ outside Vanuatu and for how long?

23. How many staffs will be employed within Vanuatu?

24. Please explain how customer service and complaint resolution will be provide

Part III – Declaration

1. The Applicant by submitting this form and any attachments thereto represents, warrants and undertakes to and with the TRBR 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. 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 the TRBR 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.

Signed on behalf of the Applicant

_____

_____

_____

Full Name(s) of Signatories Position

_____
_____
_____
_____
_____
_____

Date: _____

SCHEDULE 2 RENEWAL APPLICATION FORM

Company Name.....

Name of authorize person applying for renewal

.....

I hereby apply for the renewal
of the Telecommunication
License which is attached and
particulars of which are as
follows:

a) Date of Issue.....
b) Type of the license was issued.....
c) Date of expiry of License.....

My Present Address is: .....

.....

If the license was not renewed within thirty-days of the date of expiry, reason for delay:

.....

.....

.....

..... The renewal of license has not
been refused by any Licensing Authority
including the line agencies

a) Vanuatu financial service commission
b) Customs and inland revenue
c) Vanuatu foreign investment authority (necessary for foreign investors)

I have not been disqualified for
holding or obtaining a
telecommunication license has not
been revoked
I have no record of commit criminal
offence (provide proof of police
clearance certificate)

I have declared that to the best of my
knowledge and belief the particulars
given are true. Date .....
Signature or Thumb impression of Applicant.

Name
.....

Regulators' approval: Name.....

Signature .....

SCHEDULE 3 FEES

Table 1 – Prescribed fees for each licence

Type of licence	Fees (VT)
Individual general licence	10,000
Individual network operator licence	10,000
Individual service provider licence	10,000
Individual content provider licence	10,000
Class licence	10,000

Table 2 – Prescribed fees for renewal of licence

Type of licence	Fees (VT)
Individual general licence	10,000
Individual network operator licence	10,000
Individual service provider licence	10,000
Individual content provider licence	10,000
Class licence	10,000

Table 3 – Fees for other task

Description of task	Fess(VT)
Receive and process application for individual licence or exception	5,000
Issue of individual licence or grant of individual exception	10,000
Receive and process request from licensee to revoke or amend an individual licence or exception	10,000
Confirm registration of class licence	10,000

Table 4 – Licence fee

Fixed annual fee (VT)	Eligible annual net revenue threshold (VT)	Percentage charges (%)

40,000	2,000,000	2.25

Table 5 – Prescribed fees for late renewal of licence

Type of licence	Fees (VT)
Individual general licence	20,000
Individual network operator licence	20,000
Individual service provider licence	20,000
Individual content provider licence	20,000
Class licence	20,000

SCHEULE 4 SERVICES TO BE PROVIDED UNDER A LICENCE

Table 1 – Individual general licence

Categories	Authorized services	Duration
Individual general licence	All the services listed under table 1 including content services other than broadcasting content	15 years

Table 2 – Individual service operator licence

Activities	Authorized services	Duration
Application service	International connectivity service PSTN telephony service Public cellular service Internet access service IP telephony service Directory service Messaging service Audio text messaging service Public payphone service	15 years

Table 3 – Individual network operator licence

Activities	Authorized services	Duration
Facility	Earth station VSATS Line Link Radiocommunication Link Switching center Exchange node Tower mast	15 years
Service	Bandwith Public cellular service Switching service International gateway service Facilities access service Broadcasting distribution service Space service	15 years

Table 4 – Individual content service provider licence

Categories	Authorized services	Duration
Content service	Television broadcast commercial subscription	10 years
	Television broadcasting commercial	10 years
	Radio broadcasting commercial	10 years
	Television broadcast community	5 years
	Radio broadcasting community	5 years

Table 5 – Class licence

Categories	Authorized services	Duration
Class licence	Reseller of network	10 years
	Reseller of service	10 years
	Reseller of content	10 years

SCHEDULE 5 REGISTRATION FORM – CLASS LICENCE

Please fill out the form and submit it to the Regulator

If any information changes on the form such as the name of the company, address, etc., The service provider must inform the Regulator of such changes

1. FULL NAME OF CARRIER PROVIDING SERVICE IN VANUATU:

_____

2. CARRIER MAILING ADDRESS

_____

_____

3. NAME, TITLE, TELEPHONE NUMBER, E-MAIL ADDRESS, AND FAX NUMBER OF CONTACT PERSON:

_____

_____

—

5. NAME, MAILING ADDRESS, AND TELEPHONE NUMBER OF AGENT IN VANUATU AUTHORIZED TO ACCEPT SERVICE OF PROCESS ON BEHALF OF CARRIER:

_____

_____

6. TYPES OF CLASS SERVICES PROVIDED

_____

7. ATTESTATION. I, , certify that I am the company officer responsible for this registration, that I have examined the foregoing registration, and that to the best of my knowledge, information, and belief the information is accurate and will be updated as required.

Dated____/____/____

ELECTRONIC SIGNATURE/s/