



Communication Department – MEIDECC  
GOVERNMENT OF TONGA

P.O. Box 1380, Level 2 Sanft Building, Nuku'alofa, Telephone (676) 28170 Fax (676) 24861 www.mic.gov.to

| <b>Application for Network Operator Licence</b>   |  |
|---|--|
| Date of application   |  |
| Full legal name of applicant  |  |
| If the applicant is not a natural person, full name of the person signing the confirmation below under the authority of the applicant |  |
| <b>Contact details</b>  |  |
| Postal address  |  |
| Telephone number  |  |
| Email address (if any)  |  |
| Website (if any)  |  |
| <b>Eligibility requirements</b>   |  |
| Please tick the appropriate box (select one only):  | The applicant is a:<br><input type="checkbox"/> company as defined under the Companies Act 1995 <b><u>OR</u></b><br><input type="checkbox"/> natural person who is a citizen of the Kingdom and of at least 18 years of age <b><u>OR</u></b><br><input type="checkbox"/> partnership, one of the members of which is a citizen of the Kingdom and of at least 18 years of age <b><u>OR</u></b><br><input type="checkbox"/> charitable trust, incorporated society, or other body organised under a law of the Kingdom that has capacity to contract <b><u>OR</u></b><br><input type="checkbox"/> government school, recognised school or registered school under the Education Act <b><u>OR</u></b><br><input type="checkbox"/> entity listed in Schedule 1 of the Public Service Act 2002 |



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|  |   |
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| <p>Details of prior infringements and non-compliance with the conditions of a communications licence in country by the applicant</p>   |   |
| <p>Details of prior convictions for unlawful conduct relating to dishonesty in the provision of communications services in any country by:</p> <p>(a) the applicant;</p> <p>(b) if the applicant is a partnership, any of the partners; and</p> <p>(c) if the applicant is a company, any of the directors of the applicant.</p> |   |
| <p>If the applicant is a natural person, has the applicant ever been declared bankrupt in any country? If yes, please provide details.</p>   |   |
| <p>If the applicant is a partnership, have any of the partners ever been declared bankrupt in any country? If yes, please provide details.</p>   |   |
| <p>If the applicant is a company, have any of the directors of the applicant ever been declared bankrupt in any country? If yes, please provide details.</p>   |   |
| <b>Confirmation</b>  |   |
| <p>I confirm that:</p> <ul style="list-style-type: none"> <li>• I am the applicant or am acting under the applicant's authority; and</li> <li>• the information provided in this application is complete and correct.</li> </ul>   | <p align="center">.....<br/>Signature of applicant or person acting under the applicant's authority</p> |



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### **Attachments**

Applicants are required to attach the following information and copies of any supporting documentation to an application for a network operator licence:

1. Details of any licence under the Communications Act 2015 held by:
  - (a) the applicant;
  - (b) if the applicant is a partnership, any of the partners; and
  - (c) if the applicant is a company, any of the directors of the applicant.
2. The applicant's proposed technical and service roll-out.
3. A description of the nature of the communications facilities and communications services, area of coverage and the types of technology to be used by the applicant.
4. If the applicant is a company:
  - (a) a copy of the applicant's:
    - (i) certificate of incorporation;
    - (ii) company constitution;
    - (iii) current company extract from the Companies Office;
    - (iv) latest annual financial statements audited by a qualified auditor or in such other form as approved by the Regulator; and
    - (v) latest annual report;
  - (b) details (including name, birthdate and contact details) about each director of the applicant;
  - (c) details (including name, birthdate and contact details) about each direct or indirect shareholder of the applicant with an direct or indirect interest in the applicant of over 5%; and
  - (d) for each natural person referred to in (b) or (c), copies of proof of their identity (including name, birthdate and contact details).
5. If the applicant is a natural person:
  - (a) proof of their identity (including name, birthdate and contact details); and
  - (b) evidence of their citizenship of the Kingdom.
6. If the applicant is a partnership:
  - (a) a copy of:
    - (i) any written partnership agreement; and



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- (ii) the partnership's latest financial statements audited by a qualified auditor or in such other form as approved by the Regulator;
  - (iii) evidence of that a member of the partnership is a citizen of the Kingdom;
  - (b) for each partner proof of identity (including name, birthdate and contact details).
7. If the applicant is a charitable trust, an incorporated society, or other body organised under a law of the Kingdom that has capacity to contract, evidence of that status.
  8. If the applicant is a government school, evidence of its establishment under section 17 of the Education Act.
  9. If the applicant is a recognised school, a copy of the applicant's certificate of recognition under the provisions of the Education Act.
  10. If the applicant is a registered school, a copy of the applicant's certificate of registration under the provisions of the Education Act.