

**THE HASHEMITE KINGDOM OF JORDAN**  
**TELECOMMUNICATIONS REGULATORY COMMISSION**



**Instructions Regarding the Application Procedures and Criteria  
for the Award of Public Telecommunications Individual and Class  
Licenses**

**TRC Board Decision No.(1-59/2004) Date(2/12/2004)**

# THE HASHEMITE KINGDOM OF JORDAN

## TELECOMMUNICATIONS REGULATORY COMMISSION

### **Instructions Regarding the Application Procedures and Criteria for the Award of Public Telecommunications Individual and Class Licenses, Issued Pursuant to Articles 12(A)(2) and 6(H) of the Telecommunications Law**

**Amman, December 2, 2004**

#### **1. AUTHORITY**

- 1.1 Under Article 20 of the Telecommunications Law, the establishment, operation and administration of public telecommunications networks as well as the provision of public telecommunications services is not permitted unless a license has been obtained pursuant to the provisions of the Telecommunications Law.
- 1.2 Article 25 of the Telecommunications Law establishes that the Board of the TRC may decide to license the establishment, operation and management of public telecommunications networks, or the provision of public telecommunications services, whether throughout or in part of the Kingdom of Jordan and that the TRC shall publish using such means as it sees fit its decision regarding the licensing and instructions and the criteria for the selection of the Licensee in accordance with the nature of the service.
- 1.3 Article 12(a)(2) of the Telecommunications Law establishes that the TRC may prepare programs and issue instructions and decisions, and to take the necessary actions in this regard
- 1.4 Article 12(a)(3) of the Telecommunications Law establishes that the TRC may grant the necessary licenses to:
  - build, operate and manage public telecommunications networks and offer telecommunications services to users,
  - build, operate and manage public telecommunications networks or
  - offer telecommunications services to users.
- 1.5 Article 12(a)(5) of the Telecommunications Law establishes that the TRC may grant the necessary licenses for the use of the allocated and assigned radio frequencies.
- 1.6 These Instructions establish the procedures and criteria, under which Applicants may be licensed to build, operate and manage a public telecommunications network and/or provide public telecommunications services in Jordan.

## 2. DEFINITIONS

- 2.1. **Applicant** means the Person that is applying for a License.
- 2.2. **Application** means the Application Form and related attachments that are submitted to the TRC.
- 2.3. **Application Form** means the application forms for Individual and Class Licenses as approved by the TRC and amended from time to time.
- 2.4. **Class License** means a License to provide public telecommunications services and/or operate public telecommunications networks (i) not requiring the use of Scarce Resources, or (ii) requiring the use of Scarce Resources that have been specifically exempted by the TRC from an Individual License requirement as specified under Section 3.7.
- 2.5. **Companies Law** means the Companies Law (No. 22 of 1997) of Jordan, and its amendments.
- 2.6. **Individual License** means a License to provide public telecommunications services and/or operate public telecommunications networks that use in the provision of some or all services or operation of networks Scarce Resources that have not been specifically exempted by the TRC from an Individual License requirement as specified under Section 3.7.
- 2.7. **Instructions** means these Instructions Regarding the Application Procedures and Criteria for the Award of Public Telecommunications Individual and Class Licenses, Issued Pursuant to Articles 12(A)(2) and 6(H) of the Telecommunications Law.
- 2.8. **Initial License Fee** means the fee paid by the Applicant pursuant to Section 3.14 of these Instructions.
- 2.9. **Initial License Fee Bond** means the bond obtained by an Applicant in an amount equal to the Initial License Fee and submitted to the TRC together with their Application to guarantee payment of their Initial License Fee.
- 2.10. **License** means an Individual License or a Class License.
- 2.11. **Licensee** means the holder of an Individual License or a Class License.
- 2.12. **Person** means any individual, company, corporation, partnership, joint venture, consortium, government or governmental entity.
- 2.13. **Public Mobile Wireless Services** means public telecommunications services, as defined by the Telecommunications Law, that (i) permit two-way communications between users' terminals (radio stations) and other similar radio stations, as well as with any apparatus, station or service connected to the public switched telephone network in Jordan, and (ii) are supplied by means of multiple cells of radio communication transceivers, configured so as to permit full mobility of customer radio stations, with hand-off between adjacent cells and frequency re-use throughout the various cells.
- 2.14. **Regulations** mean any instructions, rules, decisions, directions, guidelines or other determination issued by the TRC.
- 2.15. **Scarce Resources** mean radio frequency spectrum, public rights of way and numbering resources that have not been exempted from an Individual License requirement by the TRC pursuant to Section 3.7.

- 2.16. **Significant Shareholders** means holders of 10% or more of the voting shares or issued capital or management control of the relevant Person.
- 2.17. **Spectrum License** means a separate license granted by the TRC to use certain radio frequencies associated with the Licensed Activities undertaken pursuant to the License Agreement.
- 2.18. **Telecommunications Law** means the Telecommunications Law (No. 13 of 1995) of Jordan, and its amendments.
- 2.19. **TRC** means Telecommunications Regulatory Commission.
- 2.20. Any terms not defined herein shall have the same meaning defined in the Telecommunications Law.

### **3. GENERAL LICENSING FRAMEWORK AND REGULATORY REGIME**

#### **LICENSING FRAMEWORK**

- 3.1 The Application submission requirements and evaluation criteria set forth in these Instructions will be used to award Individual and Class Licenses.
- 3.2 The TRC will not impose an undue limit on the number of Licenses that it will issue to future public telecommunications service providers or public telecommunications networks operators or on the types of networks and services authorized, provided that an Applicant is properly qualified and meets the requirements under these Instructions. Licenses will therefore be granted to all qualified Applicants that satisfy criteria that are, from time to time, published by TRC, unless there are objectively justifiable reasons not to do so. Objectively justifiable reasons not to grant Licenses may include, but are not limited to, constraints related to National security, safety, Scarce Resources, technical limitations and when, in accordance with Article 28 of the Telecommunications Law, award of the License to an Applicant would “lead to an anti-competitive environment in the market” for public telecommunications services in Jordan, together with normal network safeguards.
- 3.3 The use of Scarce Resources, as defined under Section 2, will trigger an Individual License requirement unless otherwise specified under Section 3.7.
- 3.4 Public rights of way resources involve the use by a Licensee of cables or wires buried under or along public streets, highways, publicly-owned railways, electric installations or other government-owned land and/or wires or cables suspended from utility poles and towers to provide telecommunications service. This definition includes any Licensee that utilizes public land to string its wires, cables or other physical facility.
- 3.5 Radio frequency spectrum resources involve the need to be allocated certain radio frequencies for use in the provision of the public telecommunications service and/or operation of the public telecommunications network. Except as set forth in Section 3.7, any use of radio frequency spectrum to provide a public telecommunications service and/or operate a public telecommunications network

will require an Individual License, in addition to a separate Radio Spectrum License.

3.6 Numbering resources involve the need for blocks of telephone numbers to be allocated to Customers. As set forth under Section 3.7, public telecommunications service providers merely seeking a dialing code for carrier selection and carrier pre-selection will not require an Individual License. For purposes of clarity, only Licensees that provide specific telephone numbers to Customers, such as the existing Public Mobile Wireless Operators and fixed telecommunications operator, require the use of such Scarce Resources. Licensees that merely provide outbound calling capability via resale or other means do not require such numbering resources. The use of dialing codes for routing to enable carrier selection and carrier pre-selection functions as well as International Signaling Point Codes (“ISPC”) is not included in the definition.

### 3.7 Exempt Scarce Resources

3.7.1 The TRC has determined that the following uses of Scarce Resources are exempt from the Individual License requirement:

- radio frequency spectrum used by providers of public VSAT based services, to the extent that the only scarce resource used is radio spectrum directly related to VSAT operation. Such use of radio frequency spectrum will remain subject to TRC radio spectrum licensing procedures;
- radio frequency spectrum used on a secondary or non-interference basis, *e.g.*, internationally unlicensed spectrum typically used for WiFi;
- use of dialing codes for routing to enable carrier pre-selection functions;
- dialing codes for carrier selection
- the use of ISPC; and
- any further exemptions as determined by the TRC in relevant Regulations.

3.7.2 The TRC has sole discretion in amending the number and nature of resources exempted and the extent and conditionality of such exemption.

3.8 Applications for the use of Scarce Resources associated with a License must be made separately under the relevant procedures.

3.9 An Applicant for a License that separately applies for the use of Scarce Resources to the relevant Government authority may be issued a License prior to receiving its authorization for the use of the Scarce Resources; in such event, however, the Licensee will not be permitted to offer the public telecommunications services or operate the public telecommunications network using such Scarce Resources until the Licensee obtains a spectrum license or an authorization for the use of numbering resources and/or public rights of way.

3.10 There will be no undue limitation upon the types of networks and technologies used by the Licensee. The Licensee may use any technology that is feasible for its Licensed Activities provided that it is in accordance with the License, Regulations and its application does not cause damage to public telecommunications networks or public telecommunications services or to public health, safety or the environment. The TRC may issue specific Regulations

related to forms of services or technologies, following public consultation. The Licensee shall abide by such Regulations when issued.

- 3.11 Individual and Class Licenses (excluding amended Licenses) will be issued for a term of 15 years. Such Licenses will be eligible for renewal in accordance with instructions adopted pursuant to Article 38 of the Telecommunications Law. The License renewal instructions will include objective requirements and a transparent process whereby the TRC will verify, amongst other criteria that the Licensee has operated successfully and complied with its obligations under the License and is in compliance with all Regulations.
- 3.12 In order to apply for a License, the Applicant must be a Jordanian company established under the Companies Law and registered at the Ministry of Industry and Trade.
- 3.13 Parties interested in applying for a License must submit their Applications to the TRC in accordance with the required procedures as outlined in Section 4 of these Instructions.
- 3.14 Applicants are required to pay an initial License fee of JD 100,000 (One Hundred Thousand Jordanian Dinars) for an Individual License and JD 30,000 (Thirty Thousand Jordanian Dinars) for a Class License, payable by bank draft or wire transfer to the TRC on or before the date of signing of the license agreement.
- 3.15 With the submission of the Application, Applicants must post an Initial License Fee Bond with the TRC in the same amount as the Initial License Fee. The Initial License Fee Bond will be exercised by the TRC if the Applicant fails to pay the Initial License Fee and fails to acquire the License. The Initial License Fee Bond will be returned to the Applicant upon payment of the Initial License Fee or if the Application is rejected by the TRC,

## **REGULATORY REGIME**

- 3.16 All Licensees will be regulated in accordance with the regulatory regime established by the TRC.
- 3.17 All Licensees shall have a basic set of rights and obligations under the Telecommunications Law and the applicable Regulations. Such rights and obligations shall be applicable to Licensees regardless of whether they are Class Licensees or Individual Licensees. Additional regulatory obligations or safeguards may apply if a specific determination or finding is made by the TRC regarding the classification of the Licensee. For example, certain Regulations may apply to a Licensee if such Licensee is found to be dominant or possess significant market power in a relevant market. Other specific Regulation may apply as legacy obligations on existing operators, such as revenue sharing obligations and the universal service obligations that apply to existing mobile wireless and fixed operators, respectively.

- 3.18 Where the Applicant applies for Scarce Resources as defined under Section 2, the TRC reserves the right to adopt additional Regulations linked to the use of these Scarce Resources, including (but not limited to) the requirement to participate in specific application procedures or competitive selection processes. In addition, the Regulations that relate to Scarce Resources will apply when a public telecommunications service provider or public telecommunications network operator gains access to such resources. The TRC plans during 2005 to issue Regulations on the criteria for award of and subsequent Regulation of spectrum licenses.
- 3.19 The TRC will regularly review and refine its general regime for the regulation of the telecommunications sector to ensure its sufficiency and completeness, taking into consideration market trends and developments. Licensees are subject to such a regime to the same extent that it applies to its Licensed Activities, though specific Regulations may apply to certain classes of licenses as addressed above.
- 3.20 Interested parties may refer to the TRC web-site for copies of the Telecommunications Law, as well as for copies of license forms, applicable Regulations as developed, and other documents.

#### **EXISTING LICENSEES**

- 3.21 If JT or any of the Existing Holders of Licenses that relate to the provision of Public Mobile Wireless Services wishes to provide telecommunications services, other than services already permitted under their existing licenses, they may apply for a license pursuant to these Instructions. Such a license would only be granted to a subsidiary or affiliate entity of JT or the existing holders of licenses that relate to the provision of various forms of Public Mobile Wireless Services. The subsidiary or affiliate entity must not be undertaking business activities at the time of the grant of a license and activities under the new license must both, be conducted by the entity, and, kept separate from activities that continue to be conducted under existing licenses. The grant of a new license would, for example, permit the independent provision of international services by subsidiaries or affiliates of the Existing Holders of Licenses that relate to the provision of various forms of Public Mobile Wireless Services, in a manner that ends the monopoly of JT in that area. In the event that JT or any Existing Holders of Licenses that relate to the provision of various forms of Public Mobile Wireless Services choose to transition its existing licensed activities to the integrated licensing regime in 2005, it will remain a requirement that activities beyond those that are currently licensed be conducted through subsidiary or affiliate corporate entities.

#### **4. APPLICATION PROCEDURES**

- 4.1 Applicants are required to submit one original and six (6) copies of the appropriate (for an Individual or a Class License) completed Application Form (as attached in Annex A and B and as published on the TRC web-site<sup>1</sup>) in an

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<sup>1</sup> See: [http:// www.trc.gov.jo](http://www.trc.gov.jo)

envelope clearly marked “Individual Telecommunications License Application” or “Class Telecommunications License Application” addressed to:

CEO  
Telecommunications Regulatory Commission  
P.O. Box 850967  
Amman, 11185  
Jordan

- 4.2 The original Application Form and attachments shall be signed and submitted by a person or persons duly authorized to act on behalf of the Applicant.
- 4.3 If an Applicant requires additional space to answer a question in the Application Form, the response to the question should be included on a separate piece of paper (“supplemental attachment”). Applicants must indicate on the supplemental attachment(s) what question number is being answered, and note accordingly on the Application Form that the response to such question is being submitted as a supplemental attachment.
- 4.4 Once an Individual or Class License is granted, the Licensee may offer additional services that are permitted under such licenses. However, if a Licensee seeks to provide additional services not originally identified in the original Application Form it must file a prior notification with the TRC not less than thirty (30) days before initiating the new service. It may prove necessary and appropriate for TRC to publish specific Regulations or terms related to particular types or forms of service or technologies. Licensees will be required to abide by such Regulations when issued.
- 4.5 The TRC shall have the right to reject an Application if the information provided in the Application is incomplete, inaccurate or false or if it is not submitted in strict compliance with the requirements set out in these Instructions.
- 4.6 The TRC shall have the right to suspend or revoke any License that was issued by the TRC based on information contained in a License Application that is found by the TRC to be fraudulent or intentionally falsified.
- 4.7 Applicants are required to indicate any information provided in the Application for which confidential treatment is being sought and the justification for such treatment.

## **5. QUALIFICATION REQUIREMENTS AND LICENSE AWARD PROCEDURES FOR INDIVIDUAL LICENSES**

### **QUALIFICATION REQUIREMENTS**

- 5.1 Qualification requirements for Individual Licenses are focused on ensuring that Applicants present an appropriate level of financial, managerial and technical means, experience and capabilities that demonstrate that in conducting the proposed business and providing services they will use the relevant Scarce Resources in a manner that benefits the public and that no impediments exist relating to the use of Scarce Resources in granting the License.



5.2 To qualify for an Individual License, Applicants must demonstrate that they can meet the qualification criteria specified in Section 5.3 and provide the documents as specified in the Application Form. Detailed supporting documentation, as specified in the Application Form, must be submitted by Applicants.

5.3 Applicants for Individual Licenses must meet the following qualification criteria:

a) Business information and contact details: Applicant must provide the names, nationality and addresses of each company officer and Significant Shareholders of the company as required by the Application Form.

b) Legal standing: Applicant must provide (i) proof that it is a Jordanian company and such company is in good standing under the Companies Law of Jordan as required by the Application Form and (ii) the relevant documentation as required by the Application Form. The TRC will verify that the Application Forms and attachments are signed and submitted by a person or persons duly authorized to act on behalf of the Applicant.

c) History of the Applicant:

i. TRC requires confirmation, as described in the Application Form, in the form of a sworn and notarized statement from the Applicant that the Applicant, or any of its Significant Shareholders or any of its subsidiaries have never had a telecommunications operating license revoked as a result of any inability to meet pre-established license terms

ii. TRC requires confirmation, as described in the Application Form, in the form of a sworn and notarized statement from the Applicant that it, or any of its Significant Shareholders or any of its subsidiaries have never been sanctioned by a regulatory authority for non-performance of license terms and that they are not subject to any pending legal action by a regulatory body regarding non-compliance.

iii. Where Applicants have been sanctioned, they will have the opportunity to provide proof of remedial action as described in the Application Form so that the TRC can make a determination on their Application.

iv. No Application will be considered by the TRC if, following appropriate notification any outstanding license fees or any other fees are owed by the Applicant to the TRC.

d) Financial Information: TRC requires confirmation from the information required by the Application Form that the Applicant has the necessary creditworthiness and financial resources to execute the proposed business as detailed in the business plan required to be submitted as provided in the Application Form.

The aim of the evaluation is not to conduct an evaluation of the investment, nor is it to determine the optimum investment or to suggest an alternative investment plan, but rather to determine whether the information provided by the Applicant is accurate, complete and consistent with its proposed approach. TRC will determine whether:

- i. The Application demonstrates that the level of funding is sufficient to support the proposed licensable activities identified in the Application;
  - ii. The Application demonstrates that the sources of funding are reliable and the creditworthiness of the Applicant and all Significant Shareholders are acceptable; and
  - iii. Sufficient evidence has been provided of the financial capabilities of the Applicant pursuant to the information specified in the Application Form.
- e) Management and Technical Resources and Experience: TRC will analyze the information submitted in accordance with the Application Form to determine whether the Applicant has demonstrated that the proposed management and staff is sufficient to carry out the proposed activities and whether the proposed staff and management as well as the proposed technical resources and experience are consistent with the approach to the activities. Applicants will be evaluated on the accuracy and completeness of the Application as well as consistency of the information submitted with the proposed approach.

Applicants will specifically need to demonstrate:

- i. that the corporate structure is consistent with the proposed approach by providing information on the detailed corporate organizational charts and identifying the relationship between the Applicant, the Applicant's Significant Shareholders and the Applicant's subsidiaries;
  - ii. the organizational structure and how this will support the proposed activities;
  - iii. the management structure as well as the required experience of key management and of the board of directors;
  - iv. experience in the sector of the Applicant and its Significant Shareholders or any entities owned by the Applicant's Significant Shareholders in Jordan and elsewhere in the world and how such experience will enable them to carry out the proposed activities;
  - v. technical plans, technology, resources and experience and how such resources will contribute to the proposed activities;
  - vi. how the Scarce Resources will be used in an efficient manner (including information on start-date, coverage and roll-out plans and quality of service targets);
  - vii. how Applicants intend to provide access to emergency services and directory information services (where applicable).
- f) Business Plan: The aim of the evaluation is not to determine the optimum forecast or to suggest an alternative business plan. Applicants will be evaluated on the accuracy and completeness of the Application, as well as the consistency of the information submitted with the proposed approach.

Applicants will be required to demonstrate how the technical, managerial and financial capabilities can support the proposed plan and market forecasts.

Details of the Applicant's proposed activities in relation to the use of Scarce Resources and telecommunications infrastructure that the Applicant is planning to put in place within the next three years, as required by the Application Form

will also be analyzed in terms of consistency, completeness of information and accuracy.

g) Judicial, Administrative And National Security Requirements:

The Applicant shall demonstrate that it has the capability to meet relevant technical requirements to make its telecommunications facilities reasonably capable and available for the implementation of judicial, administrative and national security requirements and to co-operate with the TRC and its authorized representatives in the exercise of the functions assigned to the TRC under the Telecommunications Law for carrying out such requirements.

## **EVALUATION OF APPLICATION AND INDIVIDUAL LICENSE AWARD PROCEDURES**

- 5.4 The TRC will conduct a thorough examination of the Application to ensure that (i) the Applicant has demonstrated the requisite financial and technical strength and capability to provide the public telecommunications services and operate and manage the underlying networks for which the Individual License is being sought and (ii) the Applicant is in compliance with the requirements specified in Section 5.3 of these Instructions.
- 5.5 The TRC will endeavor to evaluate the Application Form within 60 working days from submission, depending on the completeness and accuracy of documents and required information and the number of other Applications that may be pending before the TRC. The above target assumes a normal pattern of Application. The TRC will evaluate Applications on a first-come first-served basis from the moment the Application is deemed to be complete. In the event of an abnormal number of Applications, the speed of evaluation may become extended. In such circumstances, Applicants will be informed as to the number of Applications to be processed and will be informed of the order of evaluation.
- 5.6 If technical details or clarifications are requested by the TRC, the Applicant must be ready to provide them promptly. The Application will be rejected or deemed to have been rejected by the TRC if the Applicant fails to respond within one month of the date of the TRC's request except in the case of special circumstances as determined by the TRC.
- 5.7 The TRC will publish the name of the Applicant and the type of license (Individual License) the Applicant is seeking and allow for a public comment period of fifteen (15) days. Interested parties will have an opportunity to inform the TRC of any reason why the Applicant would not meet the relevant licensing criteria. The TRC will review and assess such information prior to issuing a license to that particular Applicant.
- 5.8 After completion of evaluation of the Application by the TRC, the Applicant will be informed in writing of the TRC decision. If the Application is approved by the TRC, the Applicant will be required to pay the Initial License Fee and any other applicable fees to the TRC and subsequently to sign the License Agreement within three (3) months. Failure to comply with this obligation

within the specified timeframe will result in cancellation of the approved Application and exercise of the Initial License Fee Bond by the TRC.

## **REJECTION OF APPLICATIONS**

5.9 Applicants will not qualify for an award of an Individual License for any of the following reasons:

- a) When the particular services for which the Applicant has applied is dependent on use of Scarce Resources and such Scarce Resources are not available;
- b) When the Applicant does not provide the required information in the Application Form as detailed in Annex A, clarification and/or documentation to TRC according to the Instructions;
- c) When the Applicant holds or has held a telecommunications license in Jordan or other markets, or any of its Significant Shareholders have held such licenses, and have been found to be materially or repeatedly non-compliant with the legal and regulatory system in which they were operating;
- d) Where the Applicant includes entities that either directly or indirectly participate, control, or are controlled by Persons that are in the situation referred in paragraph c above;
- e) Where the Applicant or any of their Significant Shareholders is prohibited under the Telecommunications Law or any other law of Jordan from holding a public telecommunications service license in Jordan or otherwise carrying on business in Jordan;
- f) Where, following appropriate notification, an outstanding license fee or any other fees are owed by the Applicant or a Significant Shareholder to the TRC;
- g) When facts presented to the TRC as a part of the Application demonstrate that the Applicant does not possess the minimum required capital, the financial competence for the required investment or the experience or relevant know-how which guarantees the correct Application of the terms for the award of the Individual License;
- h) When facts demonstrate that the Individual License cannot be granted for reasons of national security, safety, and/or technical limitations;
- i) Where the TRC decides that participation of a particular Applicant would lead to an anticompetitive environment in the market; or
- j) Where the Applicant has otherwise failed to meet the legal, financial, or technical criteria set forth under these Instructions.

## **6. QUALIFICATION REQUIREMENTS AND LICENSE AWARD PROCEDURES FOR CLASS LICENSES**

### **QUALIFICATION REQUIREMENTS**

6.1 A Class License Application together with its accompanying information will be evaluated only to ensure that the Applicant meets applicable legal and administrative criteria, that the technical and financial information submitted are

consistent with the proposed approach and that no impediments exist relating to national security, safety, and/or technical limitations.

- 6.2 To qualify for a Class License, Applicants are required to demonstrate that they can meet the qualification criteria specified in Section 6.3 of these Instructions and provide the documents as specified in the Application Form. Supporting documentation, as specified in the Application Form, must be submitted by Applicants.
- 6.3 Applicants for Class Licenses must meet the following qualification criteria:
- a) Business information and contact details: Applicant must provide the names, nationality and addresses of each company officer and Significant Shareholders of the company as required by the Application Form.
  - b) Legal standing: Applicant must provide (i) proof that it has established a Jordanian company and such company is in good standing under the Companies Law of Jordan as required by the Application and (ii) the relevant documentation as required by the Application Form. The TRC will verify that Application Forms and attachments are signed and submitted by a person or persons duly authorized to act on behalf of the Applicant.
  - c) History of the Applicant:
    - i. TRC requires confirmation, as described in the Application Form, in the form of a sworn and notarized statement from the Applicant that the Applicant, or any of its Significant Shareholders or any of its subsidiaries have never had a telecommunications operating license revoked as a result of any inability to meet pre-established license terms
    - ii. TRC requires confirmation, as described in the Application Form, in the form of a sworn and notarized statement from the Applicant that they, or any of their Significant Shareholders or any of its subsidiaries have never been sanctioned by a regulatory authority for non-performance of license terms and that they are not subject to any pending legal action by a regulatory body regarding non-compliance.
    - iii. Where Applicants have been sanctioned, they will have the opportunity to provide proof of remedial action as described in the Application Form so that the TRC can make a determination on their Application.
    - iv. No Application will be considered by the TRC if, following appropriate notification, there is any outstanding license fee or any other fees owed by the Applicant to the TRC.
  - d) Financial Resources: TRC will determine whether the Applicant demonstrates that the financial resources are sufficient and consistent with the proposed approach. The TRC will base its determination on proof of: sources of funding, availability of funding, and pro-forma financial statements for three (3) years that must include balance sheets, cash flow and income statements.
  - e) The TRC will examine the details of the proposed activities, including a description of each proposed service and any proposed supply relationships and determine whether this is consistent with the proposed resource and approach.

- f) The TRC will also examine details of any Applicant's current activities in relation to the proposed new activities, as well as those of the Applicant's Significant Shareholders or of any entities owned by the Applicant's Significant Shareholders in Jordan and elsewhere in the world, as required by the Application Form.
- g) Judicial, Administrative And National Security Requirements: The Applicant shall demonstrate that it has the capability to meet relevant technical requirements to make its telecommunications facilities reasonably capable and available for the implementation of judicial, administrative and national security requirements and to co-operate with the TRC and its authorized representatives in the exercise of the functions assigned to the TRC under the Telecommunications Law for carrying out such requirements.

## **EVALUATION OF APPLICATION AND CLASS LICENSE AWARD PROCEDURES**

- 6.4 The TRC will conduct an analysis of the Application in order to determine that the Applicant has demonstrated the requisite financial and technical strength and capability to conduct the activities and provide the telecommunications services for which the Class License is being granted and in order to confirm that the Applicant is in compliance with the legal requirements specified in the Application Form and in Section 6.3 of these Instructions.
- 6.5 The TRC will endeavor to evaluate the Application Form within 30 working days from submission, depending on the completeness and accuracy of documents and required information and the number of other Applications that may be pending before the TRC. The above target assumes a normal pattern of Application. The TRC will evaluate Applications on a first-come first-served basis from the moment the Application is deemed to be complete. In the event of an abnormal number of Applications for licenses, the speed of evaluation may become extended. In such circumstances, Applicants will be informed as to the number of Applications to be processed and will be informed of the order of evaluation.
- 6.6 If technical details or clarifications are requested by TRC, the Applicant must be ready to provide them promptly. The Application will be rejected or deemed to have been rejected by the TRC if the Applicant fails to respond within one month of the date of the TRC's request except in the case of special circumstances as determined by the TRC.
- 6.7 The TRC will publish the name of the Applicant and the type of License (Class License) the Applicant is seeking for a public comment period of fifteen (15) days prior to issuing a License. Interested parties will have an opportunity to inform the TRC of any reason why the Applicant would not meet the relevant licensing criteria. The TRC will review and assess such information prior to issuing a License to that particular Applicant.

- 6.8 After completion of evaluation of the Application by the TRC, the Applicant will be informed in writing of the TRC decision. If the Application is denied, the TRC will inform the Applicant of the reasons for denial. If the Application is approved by the TRC and becomes ready to be licensed, the Applicant must pay relevant licensing fees to the TRC and subsequently to sign the License Agreement within three months. Failure to comply with this obligation within this specified timeframe will result in cancellation of the Application approval and exercise of the Initial License Fee Bond by the TRC.

## **REJECTION OF APPLICATIONS**

- 6.9 Applicants will not qualify for an award of a Class License for any of the following reasons:
- a) When the Applicant does not provide the required information, clarification and/or documentation to the TRC according to the Instructions and the Application Form as detailed in Annex B;
  - b) Where Applicants or any of their Significant Shareholders are prohibited under the Telecommunications Law or any other law of Jordan from holding a public or private telecommunications service License in Jordan or otherwise carrying on business in Jordan;
  - c) Where the TRC determines that there are inconsistencies between the proposed approach and the financial and technical resources;
  - d) Where, following appropriate notification, an outstanding license fee or any other fee is owed by the Applicant or any of their Significant Shareholders to the TRC;
  - e) When the Applicant holds or has held a telecommunications license in Jordan or other markets, or any of its Significant Shareholders have held such licenses, and have been found to be materially or repeatedly non-compliant with the legal and regulatory system in which they were operating;
  - f) Where the Applicant includes entities that either directly or indirectly participate, control, or are controlled by Persons that are in the situation referred in paragraph c above;
  - g) Where the TRC decides that acquisition by a particular Applicant of a new License would lead to an anticompetitive environment in the market;
  - h) When facts demonstrate that the Class License cannot be granted for reasons of national security, safety, and/or technical limitations; or
  - i) Where the Applicant has otherwise failed to meet the legal, financial, or technical criteria set forth under these Instructions and the Class License Application Form.

# **ANNEX A: APPLICATION FORM FOR INDIVIDUAL LICENSE**

## **THE HASHEMITE KINGDOM OF JORDAN** **TELECOMMUNICATIONS REGULATORY COMMISSION**

### **Guidance Notes**

- One original and six (6) copies of the completed Application Form should be submitted in an envelope clearly marked “Individual Telecommunications License Application” addressed to:  
CEO  
Telecommunications Regulatory Commission (TRC)  
P.O. Box 850967  
Amman, 11185 Jordan
- Applicants are required to pay an Initial License Fee by bank draft or wire transfer of JD 100,000 to the TRC prior to the grant of the License.
- Applicants are required to submit to the TRC an Initial License Fee Bond, drawn on a Jordanian or internationally-recognized bank in the amount of JD 100,000 with the Application to guarantee payment of the Initial License Fee.
- The original Application Form and attachments shall be signed and submitted by a person or persons duly authorized to act on behalf of the Applicant.
- Applications must be completed fully in type or block letters.
- The TRC shall be under no obligation to evaluate an Application if the information submitted is incomplete, inaccurate or false or if it is not submitted in strict compliance with the requirements set out in the Application Form.
- Applicants are required to indicate any information provided in the Application Form for which confidential treatment is being sought and the justification for such treatment.
- If the Applicant requires additional space to answer the questions in the Application Form in a separate document, then it must clearly indicate the question number being answered, and note accordingly on the Application Form that the response to the question is being submitted as an attachment.
- Any word, phrase or expression used herein shall have the same meaning as under the Telecommunications Law or as defined in these Instructions.



## PART I –LEGAL AND ADMINISTRATIVE INFORMATION

### 1.1 Contact Details

<b>Full Name of Applicant</b>	
<b>Principal Business Address</b>	
<b>Registered Office</b>	
<b>Designated Contact Person and Contact details (include telephone, fax and email where available)</b>	
<b>Telephone Number</b>	
<b>Fax Number</b>	
<b>E-mail address and Website</b>	

### 1.2 Business Details

1.2.1 Name under which Applicant proposes to trade, and registered office address if different from “Full Name of Applicant” above:


1.2.2 In the case of a company or other body corporate, please supply the company's registered number and the date on which the Applicant was incorporated.

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1.2.3 Address in Jordan for service of process or other notices.


1.2.4 Please give the name(s), private address(es) and nationality of each of the current company officers and Significant Shareholders of the Applicant:

**Name & Nationality****Address**


**1.3 Evidence of Legal Standing**

1.3.1 State the legal form of the Applicant (*e.g.*, corporation, partnership, joint venture or other form)

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1.3.2 Please provide certified copies of the registration certificate, company's memorandum and articles of association and organization by-laws.

1.3.3 Please provide an official statement of the authorized signatory from the Ministry of Industry and Trade, or of the relevant authority.

1.3.4 Please provide an official statement from the relevant authority evidencing the authority of the signatories of the mother company where applicable for the purposes of evidencing authorization to utilize intellectual property, share technology or other purposes.

**1.4 History of the Applicant**

1.4.1 Has the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' engaged in any type of business in Jordan?

YES  NO

If YES, indicate the type of business.

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1.4.2 Has the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' ever applied for a telecommunications license in Jordan?

YES  NO

If NO, proceed to question 1.4.4.

If YES, was the license granted or refused?

YES, granted  NO, refused

If NO, on what grounds was/were the license(s) refused?

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1.4.3 If the answer to question 1.4.1 is YES, has any such license been revoked?

YES  NO

If YES, on what grounds was the license revoked?

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1.4.4 Has the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' previously been granted a license under the Telecommunications Law, which was revoked?

YES  NO

If YES, state reasons.

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1.4.5 Is the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' the holder of a telecommunications license in any other country?

YES  NO

If YES, state which other countries.

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1.4.6 Has the Applicant or any Significant Shareholder of the Applicant or any subsidiary of the Applicant been refused a telecommunications license in any country, or had a license revoked?

YES  NO

If YES, state the grounds for refusal or revocation.

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If NO, then please attach a notarized statement from the Applicant that the Applicant, or any of their Significant Shareholders or any of their subsidiaries have never had a telecommunications operating license revoked as a result of any inability to meet pre-established license terms and conditions.

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1.4.7 Has the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' been found to be non-compliant with telecommunications license terms and conditions in any country?

YES  NO

If YES, state the grounds for such finding and whether and how any remedial action was taken.

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If NO, then please attach a notarized statement from the Applicant that the Applicant, or any of their Significant Shareholders or any of their subsidiaries have not been found to be non-compliant with telecommunications license terms and conditions in any country

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1.4.8 Has the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' operated under or carried on business under any name other than the name in this Application?

YES  NO

If YES, state the name of the business.

1.4.9 Has the Applicant or any member of the Applicant's officers ever been the defendant or respondent in any criminal proceedings in any court in any jurisdiction, or is the Applicant or any member of the Applicant's officers currently the subject of a criminal charge or indictment under the law of any country?

YES  NO

If YES, provide details.

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**PART II - APPLICANT'S BUSINESS AND PROPOSED NETWORK AND/OR SERVICE(S)**

**2.1 Financial Information and Business Plan**

2.1.1 Please provide a comprehensive business plan and detailed financial information to illustrate that the Applicant, any of the Applicant's Significant Shareholders or any of Applicant's subsidiaries have been or are able to provide funds or obtain financing to support capital contributions needed to support the business ventures identified as well as the consistency of financial means with proposed business and technical plan. Please include the following information:

- Sources of funding (with declaration of source of funds, supported by affidavit)
- Availability of funding (e.g., comfort letters);
- Pro-forma financial statements for three (3) years to include balance sheets, cash flow and income statements; and
- Market forecasts and market share.

2.1.2 For an ongoing concern, please provide audited financial reports including certified income statements and balance sheets for the last three (3) years in respect of the company, partnership, joint venture or other body, on whose behalf the Application is being submitted.

In the case of a new entity, please provide a certified financial statement for each Significant Shareholder.

2.1.3 Please provide a diagrammatic representation of the Applicant's corporate structure (including parent company, where applicable, subsidiaries and affiliates of the Applicant in Jordan and abroad, details of Significant Shareholders, and the percentage of shares held). Please also identify the relationship between the Applicant, the Applicant's Significant Shareholders and the Applicant's subsidiaries. Please indicate which affiliates have, or intend to apply for, other telecommunications licenses.

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2.1.4 Does the Applicant have any shareholdings of over 10% in any other licensed telecommunications provider in Jordan?

YES                       NO

If YES, give the name(s) of provider(s) and percentage shareholding.

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2.1.5 Does the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' have any other trading activities in or outside the telecommunications market?

YES                       NO

If YES, please provide details

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2.1.6 Please provide a diagrammatic representation of the Applicant's organizational structure (including proposed number of staff, job descriptions for key management, technical and financial personnel and management structure). Please indicate relevant prior experience, qualifications and other sources of expertise as appropriate, and also explain what technical resources exist to help complete plans.

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2.1.7 Does the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' have any experience in providing telecommunications services?

YES  NO

If YES, indicate the nature, type of service and nature of the experience.

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If NO, indicate experience of personnel providing the telecommunications service.

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## **2.2 Applicant's Current Activities**

2.2.1 List any authorization the Applicant, the Applicant's Significant Shareholders or any entity owned by the Applicant's Significant Shareholders in Jordan and elsewhere in the world has obtained to provide international service in other countries.

Please provide answers to the following questions in relation to:

- (a) the activities of the Applicant in Jordan; and
- (b) the telecommunications activities elsewhere in the world of the Applicant and its Significant Shareholders.

### ***Networks***

2.2.2 Please provide a summary of any infrastructure such entities have in place, including radio-based infrastructure.

2.2.3 If the Applicant is using radio frequency spectrum in Jordan, please provide details of the frequency authorizations held, including the number of frequency authorization and the reference number of each frequency authorization.

### ***Services***

2.2.4 Please provide details of the products and services being provided by the Applicant, if any. In particular, please provide details on the number of customers and lines installed.

## 2.3 Applicant's Proposed Activities

### *Scarce Resources Requested*

Please check as appropriate:

- Radio Frequencies
- Public Rights of Way
- Numbering Resources

Note: Applications for scarce resources must be made separately under the relevant procedures.

### *Networks*

Please submit technical plans, including a description of all equipment and technology to be employed and network coverage plans for the first three (3) years of operation period. The Applicant shall give full particulars of its proposed network and its technology.

- 2.3.1 Please provide a description of the telecommunications infrastructure (technology, system configuration and operation) the Applicant is planning to put in place within the next three (3) years, including radio-based infrastructure.
- 2.3.2 Please provide a construction plan presenting the location and type of the Applicant's network elements.
- 2.3.3 Please provide a construction plan presenting the location and type of the network elements to be required from other operators.
- 2.3.4 Please include details of any other technical or operational support facilities for the operation and maintenance of the networks/systems and the services. Where the use of radio spectrum is foreseen, then please indicate whether an Application has been submitted for a frequency authorization.

YES                       NO

If YES, please provide details (copies may be enclosed).

- 2.3.5 Please provide details of access to emergency services and directory information services (where applicable).
- 2.3.6 Please provide details of proposed quality of service targets.
- 2.3.7 Please indicate whether you intend to seek an allocation of numbers from the National Numbering Plan:

YES                       NO

If YES, please indicate whether you have applied for such use and provide details (copies may be enclosed). Please also state the type of numbers for which you will be seeking an allocation, *i.e.*, carrier access codes, carrier selection codes, geographic, non-geographic or other numbers.

2.3.8 Please indicate whether you intend to apply to use rights of way.

YES  NO

If YES, please indicate whether an Application has been submitted for such use and provide details (copies may be enclosed).

2.3.9 Please provide detail on the steps you are taking to ensure the orderly and efficient use of the Scarce Resources requested.

### ***Services***

In this Section, Applicants are required to submit a detailed description of the proposed services.

2.3.10 Please provide a description of each proposed service, including details on the following:

- all technical aspects of the services (including equipment, technology and network coverage);
- how access to the service is to be provided (*e.g.*, indirect access, direct access, and leased lines);
- targeted customer base, including number of customers targeted; and
- projected start date.

2.3.11 Please provide details of any proposed commercial and/or supply relationships (in Jordan or abroad) in respect of the proposed network and/or services.



**PART III – DECLARATION<sup>2</sup>**

On behalf of the Applicant, I declare that the information provided by me on behalf of the Applicant is accurate and complete in all respects. I understand that the approval of the TRC for this Application is based on information as declared in this Application Form. Should any of the information declared found to be inaccurate or incorrect after a License has been granted to the Applicant, the TRC reserves the right to suspend or revoke such license without compensation.

**Signed:**

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**Full name of signatory:**

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**Position held:**

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**Date:**

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<sup>2</sup> This declaration must be signed:

- in the case of an **individual**, by the person in whose name the application is made;
- in the case of a **partnership**, by a partner; or
- in the case of a **company or other body corporate**, by a director, or other authorised officer.

## CHECKLIST OF SUPPORTING DOCUMENTS FOR INDIVIDUAL LICENSES

*Please attach the following Supporting Documents with your Application Form*

<b>Document Description</b>	<b>Classification</b>
Application Forms and Attachments are signed and submitted by a person or persons duly authorized to act on behalf of the Applicant.	●
Company Registration Certificate.	●
Applicant Company Articles of Association and organizational by – laws.	●
A copy of an official statement from the Ministry of Industry and Trade, or relevant authority, of the authorized signatory.	●
A copy of an official statement from the relevant authority evidencing the authority of the signatories of the mother company (where applicable).	●
A sworn and notarized statement from the Applicant that they, or any of their Significant Shareholders or any of their subsidiaries have never had a telecommunications operating license revoked as a result of any inability to meet pre-established license terms	●
A written a sworn and notarized statement from the Applicant that they, or any of their Significant Shareholders or any of their subsidiaries have not been sanctioned by a regulatory authority for non-performance of license terms and that they are not subject to any pending legal action by a regulatory body regarding non-compliance.	●
Where Applicants have been sanctioned, provide proof of remedial action.	●
Applicant’s business plan and financial information demonstrating sources and availability of funding, including pro forma financial statement for years one (1) through three (3) comprised of an income statement, balance sheet, cash flow and income statements, and market forecast and market share.	●
Chart showing the ownership structure of the Applicant’s Significant Shareholders.	●
For an ongoing concern, audited financial reports including certified income statements and balance sheets for the last three (3) years in respect of the company, partnership, joint venture or other body on whose behalf the Application is being submitted.	●
A diagrammatic representation of the Applicant’s corporate structure (including parent company, where applicable, subsidiaries and affiliates of the Applicant in Jordan and abroad, details of Significant Shareholders, and the percentage of shares held).	●
An organizational plan for operations and management of the Applicant, including number of personnel employed, details of Significant Shareholders and key personnel, and number of shares held.	●
Details of Applicant’s relevant prior experience, qualifications and technical resources to implement proposed plan.	●
Summary of Applicant’s current infrastructure, including radio-based infrastructure.	●
If the Applicant is using radio frequency spectrum, details of frequency authorizations held. If Applying for radio frequency spectrum, copies of application for frequency authorization.	

Details of products and services being provided by the Applicant and the terms (including prices). Also provide details on the number of customers and lines installed.	●
Summary of Applicant's proposed infrastructure, including radio-based infrastructure.	●
A construction plan presenting the location and type of the network elements and telecommunications infrastructure.	●
A construction plan presenting the location and type of the network elements and telecommunications infrastructure to be required from other operators.	●
Technical plans, including a description of all equipment and technology to be employed and network coverage plans for the first three (3) years of operation period. The Applicant shall give full particulars of its proposed network.	●
Description of the steps the Applicant is taking to ensure the orderly and efficient use of Scarce Resources.	●
Details of access to emergency services and directory information services (where applicable).	●
Details of proposed quality of service target.	●
Description of technical and operational support facilities for the operation and maintenance of the proposed networks/systems and services.	●
Detailed description of Applicant's proposed service.	●
Other Supporting Documents <i>*Note: Should the Applicant need additional space to answer the questions in the Application Form, please answer the question in a separate document, clearly indicating the question number being answered, and note accordingly on the Application Form that the question is being submitted as an attachment.</i>	○
<b>Legend      ● Mandatory      ● Later stage      ○ Optional</b>	

## **ANNEX B– APPLICATION FORM FOR A CLASS LICENSE**

### **THE HASHEMITE KINGDOM OF JORDAN**

### **TELECOMMUNICATIONS REGULATORY COMMISSION**

#### **Guidance Notes**

- One original and six (6) copies of the completed Application Form should be submitted in an envelope clearly marked “Telecommunications Class License Application” addressed to:

CEO  
Telecommunications Regulatory Commission (TRC)  
P.O. Box 850967  
Amman, 11185 Jordan

- Applicants are required to pay an Initial License Fee for a Class License by bank draft or wire transfer of JD 30,000 payable to the TRC prior to the grant of the license.
- Applicants are required to submit to the TRC an Initial License Fee Bond, drawn on a Jordanian or internationally-recognized bank in the amount of JD 30,000 with the Application to guarantee payment of the Initial License Fee.
- The original Application Form and attachments shall be signed and submitted by a person or persons duly authorized to act on behalf of the Applicant.
- Applications must be completed fully in type or block letters.
- The TRC shall be under no obligation to review and evaluate an Application Form if the information submitted is incomplete, inaccurate or false or if it is not submitted in strict compliance with the requirements set out in the Application Form.
- Applicants are required to indicate any information provided in the Application Form for which confidential treatment is being sought and the justification for such treatment.
- If the Applicant requires additional pages to answer the questions in the Application Form, then it must clearly indicate the question number being answered, and note accordingly on the Application Form that the response to the question is being submitted as an attachment.
- Any word, phrase or expression used herein shall have the same meaning as under the Telecommunications Law in these Instructions.

## PART I -LEGAL AND ADMINSTRATIVE INFORMATION

### 1.1 Contact Details

<b>Full Name of Applicant</b>	
<b>Principal Business Address</b>	
<b>Registered Office</b>	
<b>Designated Contact Person and Contact details (include telephone, fax and email where available)</b>	
<b>Telephone Number</b>	
<b>Fax Number</b>	
<b>E-mail address and Website</b>	

### 1.2 Business Details

1.2.1 Name under which Applicant proposes to trade, and registered office address if different from "Full Name of Applicant" above:


1.2.2 Please give the name(s), private address(es) and nationality of each of the current company officers and Significant Shareholders:

**Name & Nationality**

**Address**

<b>Name &amp; Nationality</b>	<b>Address</b>

1.2.3 In the case of a company or other body corporate, please supply the company's registered number and the date on which the Applicant was incorporated.

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1.2.4 Address in Jordan for service of process or other notices.


**1.3 Evidence of Legal Standing**

- 1.3.1 State the legal form of the Applicant (*e.g.*, corporation, partnership, joint venture or other form).
- 1.3.2 Please provide certified copies of the registration certificate, company’s memorandum and articles of association and organization by-laws.
- 1.3.3 Please provide an official statement of the authorized signatory from the Ministry of Industry and Trade, or of the relevant authority.
- 1.3.4 Please provide an official statement from the relevant authority evidencing the authority of the signatories of the mother company where applicable for the purposes of evidencing authorization to utilize intellectual property, share technology or other purposes.

**1.4 History of the Applicant**

1.4.1 Has the Applicant, any of the Applicant’s Significant Shareholders and any of the Applicant’s subsidiaries’ engaged in any type of business in Jordan?

YES                       NO

If YES, indicate the type of business.

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1.4.2 Has the Applicant, any of the Applicant’s Significant Shareholders and any of the Applicant’s subsidiaries’ ever applied for a license or registration under any Law in Jordan?

YES                       NO

If NO, proceed to question 1.4.4.

If YES, was the license granted or refused?

YES, granted                       NO, refused

If NO, on what grounds was/were the license(s) refused?

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1.4.3 If the answer to question 1.4.2 is YES, has any such license been revoked?

YES  NO

If YES, on what grounds was the license revoked?

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1.4.4 Is the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' the holder of a telecommunications license in any other country?

YES  NO

If YES, state which other countries.

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1.4.5 Has the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' or any Significant Shareholder of the Applicant, or any subsidiary of the Applicant been refused a telecommunications license in any country, or had a license revoked?

YES  NO

If YES, state the grounds for refusal or revocation.

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If NO, then please attach a written sworn and notarized statement from the Applicant that the Applicant, or any of its Significant Shareholders or any of their subsidiaries have never had a telecommunications operating license revoked as a result of any inability to meet pre-established license terms and conditions.

1.4.6 Has the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' been found to be non-compliant with telecommunications license terms and conditions in any country?

YES  NO

If YES, state the grounds for such finding and whether any remedial action was taken.

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If NO, then please attach a written sworn and notarized statement from the Applicant that the Applicant, or any of their Significant Shareholders or any of their subsidiaries have found to be non-compliant with telecommunications license terms and conditions.

1.4.7 Has the Applicant, any of the Applicant's Significant Shareholders and any of the Applicant's subsidiaries' operated under or carried on business under any name other than the name in this Application?

YES  NO

If YES, state the name of the business.

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**PART II - APPLICANT'S ACTIVITIES AND PROPOSED SERVICE(S)**

**2.1 Financial and Business Information**

2.1.1 Please provide comprehensive financial and business information to illustrate consistency of financial means with proposed offer of services. The information provided must include (with independent confirmation as appropriate):

- Sources of funding (with declaration of source funds)
- Availability of funding (*e.g.*, comfort letters); and
- Pro-forma financial statements for three (3) years to include balance sheets, cash flow and income statements.

2.1.2 For an ongoing concern, please provide Audited Financial Reports including certified Income Statements and Balance Sheets for the last three (3) years in respect of the company, partnership, joint venture or other body, on whose behalf the Application is being submitted.

In the case of a new entity, please provide certified financial statements of each Significant Shareholder.

2.1.3 Does the Applicant have any experience in providing telecommunications services?

YES                       NO

If YES, indicate the nature, type of service and nature of the experience.

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---

If NO, indicate experience of personnel providing the telecommunications service or what other technical resources exist to help complete plans

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2.1.4 Please provide a diagrammatic representation of the Applicant's corporate organizational structure (including parent company, where applicable, subsidiaries and affiliates of the Applicant in Jordan and abroad, details of Significant Shareholders, board of directors, and the percentage of shares held). Please indicate which affiliates have, or intend to apply for, other telecommunications licenses.

2.1.5 Please provide the names of Significant Shareholders.

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2.1.6 Does the Applicant have any shareholdings of over 10% in any other licensed telecommunications provider in Jordan?

YES  NO

If YES, give the name(s) of provider(s) and percentage shareholding.

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2.1.7 Please provide a diagrammatic representation of the Applicant's corporate organizational structure (including number of personnel employed, management structure and brief resumes of key personnel, indicating relevant prior experience, qualifications, and other sources of expertise as appropriate). Please indicate which affiliates have, or intend to apply for, other telecommunications licenses.

## **2.2 Applicant's Current Activities**

2.2.1 Please provide answers to the following questions in relation to:

- (a) the activities of the Applicant in Jordan; and
- (b) the telecommunications activities of the Applicant or its Significant Shareholders elsewhere in the world, if any.

2.2.2 Please provide details of the products and services being provided by such entities and the terms on which they are available. In particular, please provide details on the number of customers for each service provided.

## **2.3 Applicant's Proposed Services**

2.3.1 Please provide a list of each proposed service

2.3.2 Please provide a description of each proposed service, including details on the following:

- (a) all technical aspects of the services (including equipment, technology and network coverage);
- (b) how access to the service is to be provided (*e.g.*, indirect access, direct access, and leased lines); and
- (c) targeted customer base.
- (d) any scarce resources required that are exempted from the Individual Licensing requirement under Section 3.7 of the Instructions.

2.3.3 Please provide details of any proposed supply relationships in respect of the proposed services.

2.3.4 Please provide details of proposed quality of service targets.

### **PART III – DECLARATION<sup>3</sup>**

On behalf of the Applicant, I declare that the information provided by me on behalf of the Applicant is accurate and complete in all respects. I understand that the approval of the TRC for this Application is based on information as declared in this Application Form. Should any of the information declared found to be inaccurate or incorrect after a License has been granted to the Applicant, the TRC reserves the right to suspend or revoke such license without compensation.

**Signed:**

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**Full name of signatory:**

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**Position held:**

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**Date:**

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3. This declaration must be signed:

in the case of an **individual**, by the person in whose name the application is made;

in the case of a **partnership**, by a partner; or

in the case of a **company or other body corporate**, by a director, or other authorised officer.

## SUPPORTING DOCUMENTS FOR CLASS LICENSES

**Please attach the following Supporting Documents with your Application Form**

Document Description	Classification
Application Forms and Attachments which are signed and submitted by a person or persons duly authorized to act on behalf of the Applicant.	●
Company Registration Certificate.	●
Applicant Company Articles of Association and organizational by – laws.	●
A copy of an official Statement from the Ministry of Industry and Trade, or relevant authority, of the authorized signatory.	●
A copy of an official statement from the relevant authority evidencing the authority of the signatories of the mother company (where applicable).	●
A written sworn and notarized statement from the Applicant that they, or any of their Significant Shareholders or any of their subsidiaries have never had a telecommunications operating license revoked as a result of any inability to meet pre-established license terms	●
A written sworn and notarized statement from the Applicant that they, or any of their Significant Shareholders or any of their subsidiaries have never been sanctioned by a regulatory authority for non-performance of license terms and that they are not subject to any pending legal action by a regulatory body regarding non-compliance.	●
Where Applicants have been sanctioned, provide proof of remedial action.	●
Chart showing the ownership structure of the Applicant’s Significant Shareholders.	●
An organizational plan for operations and management of the Applicant, including number of personnel employed, details of Significant Shareholders and key personnel, and number of shares held.	●
Details of products and services being provided by the Applicant and the terms (including prices). Also provide details on the number of customers.	●
Pro forma financial statement for years one (1) through three (3) comprised of an income statement and balance sheet.	●
Details of the financial resources of the Applicant to clearly evidence the ability of the Applicant to operate the service(s).	●
Comprehensive financial and business information to illustrate consistency of financial means with proposed technical plan and offer of services.	●
Details of proposed quality of service targets.	●
Detailed description of Applicant’s proposed service.	●
Technical plans, including a description of all equipment and technology to be employed	●
Other Supporting Documents <i>*Note: Should the Applicant need additional space to answer the questions in the Application Form, please answer the question in a separate document, clearly indicating the question number being answered, and note accordingly on the Application Form that the question is being submitted as an attachment.</i>	○
<b>Legend      ● Mandatory      ● Later stage      ○ Optional</b>	