



GUIDE TO APPLICANTS FOR TEMPORARY SOUND

BROADCASTING CONTRACTS

Section 68(1) of the Broadcasting Act 2009



Process Overview

APPLICATION

The application consists of 2 parts as follows:

- (a) The Application Form;
- (b) The Mandatory documentation.

There is no application fee charged. However should an application prove successful please note a **broadcasting levy** is payable upon signing a contract. Please note:

- Once a contract is signed the new Contractor will be invoiced for this levy.
- Contractors must pay the broadcasting levy, on a calendar year basis, as detailed in the guidelines.
- All contractors are required to complete and submit a *Statement of Qualifying Income* on a template supplied by the BAI at the start of the calendar year following the first date of broadcasting.

One copy of the Application Form and Mandatory Documentation must be emailed to:

contracts@bai.ie

Do **NOT** post a hard copy of your application or mandatory documentation. Hard copy applications will **NOT** be accepted.

Please submit your application **at least 3 months** in advance of the 1st proposed broadcast date

ASSESSMENT STAGE ONE – PRELIMINARY ASSESSMENT

Stage One will commence on receipt of the application.

- The application is checked by the BAI to ensure that all parts, i.e. Application Form and Mandatory Documentation have been received.

Repeat Applicants must confirm whether the required broadcasting levy fees from any earlier contracts have been paid.

- If the application does not pass Stage One, it is disqualified and returned to the Applicant.
- If the application does pass Stage One, the BAI will confirm receipt and the application will progress to Stage Two.

An Applicant may not make any changes to its application after five weeks have lapsed from the date of confirmation of receipt by the BAI.



ASSESSMENT STAGE TWO – QUALITATIVE ASSESSMENT

Qualifying Applications are assessed with regard to the following criteria:

- a) The information provided;
- b) Confirmation of compliance with the policy of the Authority, and of Section 68(2) of the Broadcasting Act 2009 in relation to submissions from former unlicensed operators;
- c) Confirmation of payment of levy in respect of any previous contract if applicable.
- d) Ability to provide the necessary resources and expertise to run the service successfully;
- e) Extent to which the service proposed is in accordance with the time limit outlined in Section 68(1) of the *Broadcasting Act, 2009*;
- f) Extent to which the service proposed is in accordance with Section 25 of the *Broadcasting Act, 2009*; and the BAI Broadcasting Services Strategy (2012).
- g) If applicable, the Authority's Policy on Community Radio Broadcasting; and,
- h) That spectrum is available for the proposed service.

Arising from this Qualitative Assessment, the BAI may request an Applicant to provide additional information in relation to certain aspects of its application. A timeframe will be set during within which a response to this request must be received.

DECISION

Following satisfactory completion of Stage Two, the BAI may:-

- Recommend to the Contract Awards Committee and subsequently the Authority that a contract in principle be awarded to the applicant, subject to the successful conclusion of contract negotiations and the availability of spectrum; or
- Decide not to recommend a contract be entered into with the Applicant..



IF A CONTRACT IS RECOMMENDED IN PRINCIPLE

- a) The Applicant is informed of the offer in principle subject to the conclusion of contract negotiations and any other conditions the BAI may wish to attach to the award.
- b) The Applicant will also be informed of the *proposed* frequency for which the BAI will apply to Comreg for use by the service.
- c) The BAI will apply to Comreg for a licence for the service.
- d) A contract will be negotiated with the Applicant.
- e) Comreg will issue the technical licence.
- f) If contract negotiations are successfully concluded, a contract will be issued to the Applicant to be signed, sealed and returned to the BAI.
- g) On receipt and final review, the contracts are signed, sealed and dated by the BAI and one copy plus the technical broadcast licence/s will be sent to the contractor.

IF A CONTRACT IS NOT RECOMMENDED IN PRINCIPLE

The BAI will notify the applicant of its decision and the reasons for that decision in writing.



TABLE OF CONTENTS

SECTION ONE – INTRODUCTION	1
SECTION TWO - MAKING AN APPLICATION	2
1. <i>Application Details</i>	
(a) <i>Official Application Form</i>	<i>2</i>
(b) <i>Mandatory Documentation</i>	<i>2</i>
2. <i>Submitting an Application</i>	<i>4</i>
3. <i>Queries</i>	<i>5</i>
SECTION THREE – THE ASSESSMENT PROCESS.....	5
SECTION FOUR – THE CONTRACT AWARDS COMMITTEE.....	7
<i>Contract is awarded in principle.....</i>	<i>7</i>
<i>Broadcasting Levy.....</i>	<i>7</i>
SECTION FIVE - CONTRACTUAL TERMS	8
SECTION SIX - PUBLIC ACCESS & FREEDOM OF INFORMATION	10
SECTION SEVEN - GENERAL DISCLAIMER	10
APPENDIX ONE – APPLICATION FORM	
APPENDIX TWO – TEMPLATE SECRETARY’S CERTIFICATES	
1. <i>Company</i>	
2. <i>Company Limited by Guarantee without a Share Capital</i>	
3. <i>Co-Operative Society</i>	
4. <i>Educational Institution</i>	



SECTION ONE: INTRODUCTION

Section 68(1) of the *Broadcasting Act 2009*, provides that the Broadcasting Authority of Ireland (“the BAI”), on the recommendation of the Contract Awards Committee, may enter into a sound broadcasting contract with an applicant for the provision of a sound broadcasting service in a specified area for a period of not more than 30 days in any 12-month period or, if the application is for a community sound broadcasting contract, not more than 100 days in such a 12-month period.

This guide is provided to applicants for sound broadcasting contracts further to the provisions of this section. All applications are subject to the Commission for Communications Regulation (ComReg) being in a position to provide a suitable frequency assignment for the proposed service.

Please note that applications for pilot community sound broadcasting contracts will be assessed with reference to the BAI’s Policy on Community Radio Broadcasting. Applicants for a pilot community sound broadcasting contract may request up to a maximum of 100 days in a 12-month period. Decisions in respect of the licence period will be based on an assessment of the capacity of the applicant to operate the service successfully and on spectrum availability.

Applicants should also note that under Section 68(2) of the *Broadcasting Act 2009*, the BAI may enter into a sound broadcasting contract with an applicant for the provision of a low-power sound broadcasting service which is intended to serve only such single educational institution, hospital, or other similar establishment as may be specified in the contract. The term of these contracts is normally five years. The BAI encourages regular applicants for contracts under Section 68(1) to consider their options under Section 68(2).

Applicants should note that due to spectrum constraints, it may not be possible to cater for the proposed number of days, sites and ERP (Effective Radiated Power).

Applicants are encouraged to contact the BAI to discuss any queries in relation to the application process, including queries in relation to the most suitable sound broadcasting contract.

SECTION TWO: MAKING AN APPLICATION



1. APPLICATION DETAILS

A complete application consists of three parts:

- (a) The Official Application Form attached at Appendix One;
- (b) The Mandatory Documentation.

(a) **The Official Application Form attached at Appendix One**

Applicants should complete the Official Application Form attached at Appendix One.

This application form consists of four sections.

- (i) Applicant Information;
- (ii) Proposed Service Information;
- (iii) Financial Information; and,
- (iv) Studios and Technical Information.

Applicants should add rows to the form where required.

(b) **Mandatory Documentation**

The following mandatory documentation **MUST** be submitted to the BAI **with the application**. The application will be considered incomplete and will not be assessed unless these documents are provided.

(i) – **Secretary's Certificate or Equivalent**

To enter into a contract with the BAI an applicant must be a legally constituted organisation or group, e.g. a company, co-operative society, educational institution etc. The applicant must confirm its legal status and submit a Secretary's Certificate or equivalent setting out certain details of the company such as:-

- The registered office;
- The names and addresses of the company directors;
- The name and address of each person who is the legal and/or beneficial owner of shares in the Contractor which together confer on their holder the right to cast votes at a general meeting of the Contractor which represent 5% or more of the votes which may be cast at such a meeting; and
- The Designated Officer.

Template Secretary's Certificates are set out for information at Appendix Two.



If the applicant is not a company, a society, or an educational institution, it **MUST** contact the BAI in advance of submitting its application to confirm the appropriate documentation to be submitted under this heading.

(ii) – Memorandum and Articles of Association or Equivalent

An applicant must submit an initialled and dated copy of its Memorandum and Articles of Association or Society's Rules.

If the applicant is an Educational Institution, established and governed under Irish legislation, the Applicant should identify the appropriate legislation.

If the applicant is not a company, a society, or an educational institution, it **MUST** contact the BAI in advance of submitting its application to confirm the appropriate documentation to be submitted under this heading.

(iii) Proof of payment of the Broadcasting Levy if applicable.

Please note the proof of payment of the Broadcasting Levy should be provided by any applicant who has previously held a contract with the BAI. Proof of payment is only required in relation to the most recent contract held by the applicant but the BAI reserves the right to request further documentation if it deems this necessary. A failure to provide such documentation will impact the processing of an application.

(iv) Programme Policy Statement (PPS)

A Programme Policy Statement sets out the ethos, aims and specific programming commitments for the proposed service. If an applicant is successful the PPS would form part of a contract and so should be measurable. A template PPS can be found at the end of this document.

(v) Programme Schedule

An indicative Programme Policy Statement and Programme Schedule should be included with the application.

(vi) Map of franchise Area

Please provide an accurate Discovery series map, with a scale of 1:50,000 outlining the proposed service area. The map should be labelled to clearly show the location of the proposed transmitter site.



(vii) Quote for Libel Insurance

An applicant must have an appropriate insurance policy in place for the operation of the service. This policy must include libel insurance cover and the BAI must specifically be indemnified under this policy. A copy of a proposed quote must be included with the application. Proof of the final policy for the on-air dates must be provided in advance of concluding contract negotiations.

(viii) Floor Plan

Where the application is for a Pilot Community Sound Broadcasting Contract the studio must comply with Part M of the Building Regulations which specifies the requirements on disability access and use.

The applicant must provide details on building access, circulation space within the building, and facilities such as the disabled toilet. These details should include a floor plan with all relevant dimensions. A summary of the requirements is available on the BAI website (www.bai.ie).

(ix) Confirmation of Controlled Access and Soundproofing

The on-air studios of Pilot Community stations must have controlled access and must meet industry standards on soundproofing. The applicant must provide information on how access to on-air studios is controlled and provide confirmation that soundproofing to industry standards has been implemented.

(x) Confirmation of Certified Transmission Installer

The transmission networks of Pilot Community stations must be approved by a Certified Transmission Installer. Details of the proposed Certified Transmission Installer to be employed for this purpose must be submitted with the application.

2. SUBMITTING AN APPLICATION

The application, including the Form and the Mandatory Documentation must be sent electronically to the following email address: contracts@bai.ie. Processing of the application will not commence until all the application documentation has been received. Hard copy applications **should not** be sent by post and **will not** be accepted. An application will be deemed incomplete unless all of the documentation listed above has been provided.

It normally takes the BAI a minimum of three months to process an application.



As such, applicants should ensure that their applications are submitted at least 3 months in advance of their first proposed on air date. The BAI cannot guarantee that an application will be processed within this 3 month timeframe.

The BAI may seek additional clarification in relation to an applicant's proposals. This may extend the timeframe required especially if there is any delay in the submission of responses.

3. QUERIES

Queries regarding the application process in general should be directed to contracts@bai.ie

Alternatively people can telephone 01 6441200

Broadcasting Levy queries should be directed to Mr. Mark O'Neill, PWC

Email: mark.x.oneill@ie.pwc.com

Tel: 01 17928939

SECTION THREE: THE ASSESSMENT PROCESS

The assessment process is divided into two phases as set out below.

Stage One – Preliminary Assessment

Once received, an application will be checked by the BAI to ensure that it is complete, i.e. that the Application Form and Mandatory Documentation have been provided.

If the application does not pass Stage One, it will be disqualified and returned to the applicant.

- If the application does pass Stage One, the BAI will acknowledge receipt of the application. The application will then progress to Stage Two – Qualitative Assessment.

Stage Two – Qualitative Assessment

Qualifying applications will be assessed with reference to the following criteria:

- a) The information provided by the applicant;
- b) The Applicant has confirmed they are compliant with the policy of the Authority¹ and Section 62 of the *Broadcasting Act 2009* in relation to submissions from former unlicensed operators²;
- c) Confirmation of payment of previous levy if applicable.

¹ The policy of the Authority is to consider applications once none of an applicants Directors, Secretary, Management team or any on-air staff have been involved in unlicensed activity for at least three months prior to the submission of the application.

² This includes, but is not limited to, a transmitter being activated on unlicensed days.



- d) The applicant's ability to provide all of the necessary resources and expertise to run the service successfully;
- e) The extent to which the service proposed is in accordance with the time limit outlined in Section 68(1) of the *Broadcasting Act, 2009*;
- f) The extent to which the service proposed is in accordance with Section 25 of the *Broadcasting Act, 2009*;
- g) If applicable, the Authority's Policy on Community Radio Broadcasting; and,
- h) That spectrum is available for the proposed service. Approval of all applications is subject to the Commission for Communications Regulation (ComReg) being in a position to provide a suitable frequency assignment for the proposed service.

Arising from the Qualitative Assessment, the BAI may request an applicant to provide additional information in relation to certain aspects of its application. The BAI will set a timeframe within which a response to this request must be received. If a response is not provided within the requested timeframe, the assessment process will be delayed. The BAI will review the applicant's response on receipt.

Once the Qualitative Assessment is complete, generally within five weeks of acknowledgement of receipt of the application by the BAI, the applicant may not make any further changes to its application.

On completion of the Qualitative Assessment phase, the BAI Executive will decide whether:

- To recommend to the Contract Awards Committee and subsequently the Authority that it enter into a contract with the applicant; or
- To not recommend that a contract be entered into with the Applicant based on the application. If an application is not recommended at this stage, the BAI will write to the applicant and outline the reasons for its decision.

A report on the outcomes of the Qualitative Assessment will be presented to the Contract Awards Committee for consideration and decision.



SECTION FOUR: THE CONTRACT AWARDS COMMITTEE

The Contract Awards Committee will consider the Executive's report in relation to the Qualitative Assessment of each application received. It will then decide, based on this report:

- To recommend to the Authority that it enter into a sound broadcasting contract with an applicant in principle, subject to any terms the Committee deems relevant, the successful conclusion of contract negotiations with the Authority, and Comreg being in a position to provide a suitable frequency assignment for the proposed service; or
- Not to make a recommendation to the Authority in respect of an application.

If a contract is awarded to the applicant in principle:

- The BAI will inform the applicant of the decision to award a contract in principle and any relevant conditions;
- A draft contract will be forwarded to the applicant for review;
- The applicant will be informed of the *proposed* frequency for which the BAI will apply to Comreg for use by the service;
- The BAI will apply to Comreg for the required technical licence;
- If contract negotiations are successfully concluded, and a technical licence is approved by Comreg, a final approved contract will be issued to the applicant to be signed, sealed and returned to the BAI.
- Once returned to the BAI, the contracts will be countersigned and sealed by the BAI following a final review.
- **At this stage the applicant will also be invoiced the appropriate broadcasting levy.**

Broadcasting Levy

If an applicant enters into a contract with the BAI, the applicant is required to pay a Broadcasting Levy.

Under Section 33 of the Broadcasting Act 2009 the BAI is required to make an order imposing a levy on broadcasting contractors for the purpose of "meeting expenses properly incurred by the Authority, the Contract Awards Committee and the Compliance Committee in the performance of their functions."

The levy payment required from contractors is based on the qualifying income of the contractor as described in the BAI Levy Order. <http://www.bai.ie/wordpress/wp-content/uploads/SI-07-20101.pdf>

In general should the Qualifying Income of a contractor not exceed €250,000, the levy is €750 plus VAT at the appropriate rate, currently 23%. The levy is calculated on a calendar year basis. Therefore, contractors need to pay the levy for each year they are broadcasting.



All contractors will be required to complete and submit a **Statement of Qualifying Income** on a template supplied by the BAI at the start of the calendar year following the first date of broadcast. Where broadcast dates cover more than one calendar year, levy will be payable for each year and a statement of qualifying income will be required for each year.

Please note the broadcasting levy may be paid by cheque or bank transfer to;

Account Name:	<i>The Broadcasting Authority of Ireland</i>
Account Number:	<i>03603097</i>
Sort Code:	<i>98-50-20</i>
BIC:	<i>ULSB IE 2D</i>
IBAN:	<i>IE85 ULSB 9850 2003 6030 97</i>
REF:	<i>S68(2)[Initials of Applicant Name]</i>

If the levy is being paid by bank transfer, confirmation of the transfer should be submitted to the BAI.

- Applicants are requested to submit the levy payment upon receipt of the invoice.³

If a contract is not awarded to the applicant:

- The BAI will notify the applicant of its decision and the reasons for that decision in writing.

SECTION FIVE: CONTRACTUAL TERMS

The contractual terms reflect the provisions of the 2009 Act and any relevant policy decisions of the Authority. All signed contracts are public documents and can be inspected at the Authority's offices. The following is an indicative list of the obligations that fall upon an applicant. It does not purport to be an exhaustive list of the contractual or statutory obligations.

Ownership and Control

Under the terms of a temporary sound broadcasting contract no changes may be made to the Second Schedule of the contract without the prior written approval of the BAI. The second schedule contains the Secretary's Certificate and the names and addresses of the directors of the company or key personnel involved in the service.

³ If the levy is being paid by bank transfer, confirmation of the transfer should be submitted to the BAI.



Programming

Under the terms of a temporary sound broadcasting contract no changes may be made to the Programme Policy Statement or Programme Schedule without the prior written approval of the Authority.

Programming must comply with the Broadcasting Act 2009 and the relevant BAI codes and rules, including, but not limited to the following:

The Code of Programme Standards (available at: http://www.bai.ie/?page_id=1939)

Sponsorship announcements must comply with the Broadcasting Act 2009 and the relevant BAI codes and rules, including but not limited to the following:

The BAI General Commercial Communications Code (available at:

http://www.bai.ie/?page_id=1924)

Recordings

All contractors are required to make recordings of all material broadcast in a format specified by the Authority and to keep such classes of recordings, as specified by the Authority for the term of the contract and for a period of 6 years thereafter. Currently the Authority requires that recordings of all material are made and retained for 90 days.

Transmission

- Contractors must ensure that the transmitter station is only in operation on the contracted dates. On completion of the contract period, or on any date not included in the contract, the transmission system must be switched off and disconnected in such a manner as to ensure that it is not possible to inadvertently reactivate the transmission system.
- Contractors must ensure that access to the transmitter and associated equipment is limited to those with experience of radio frequency engineering. In this regard, a log book must be maintained at the transmitter station that includes details of those authorised to carry out work on the transmitter and the dates on which such works were carried out; in particular, the dates and by whom the transmitter station was commissioned and subsequently removed from operation. The logbook shall be available for inspection by the Authority.
- Contractors must advise the Authority, in writing, of any complaints it receives in relation to interference to other wired or wireless systems. Applicants will take all reasonable measures to prevent such interference and will undertake any remedial work required by the Authority or ComReg in this regard.



- Contractors operating under a sound broadcasting contract for in excess of 30 days (i.e. Pilot Community Radio Services) must have their transmission network approved by a Certified Transmission Installer.
- Contractors operating a Pilot Community Radio Service must ensure that the premises from which they are operating provides access to disabled people, in line with Part M of the Building Regulations.

SECTION SIX: PUBLIC ACCESS AND FREEDOM OF INFORMATION

- The Authority will make applications available for inspection at its offices.
- If an applicant wishes the Authority to treat any part of the application as confidential, it should be presented in an annexe to the application and be appropriately marked. The applicant should outline in a covering letter the reasons for believing that the public should not have access to the material in such annexe.
- Where the Authority believes that material which an applicant has placed in a confidential annexe should be made available for inspection, it will enter into discussions with the applicant in the hope of reaching agreement as to the extent of disclosure. If agreement cannot be reached, the Authority will treat the application as having been withdrawn.
- Each applicant shall be responsible for providing the Authority with such authorisations, waivers and/or indemnities as it may reasonably require in connection with the disclosure to members of the public of material contained in the application.

In addition please note that the BAI is subject to the provisions of the Freedom of Information Act, 1997 and the Freedom of Information (Amendment) Act 2003.

SECTION SEVEN: GENERAL DISCLAIMER

The information supplied in this document is not an exhaustive account of the statutory requirements and legal obligations on applicants. It should not be regarded as a complete or authoritative statement of the law. Persons to whom the present document is made available must make their own independent assessment after taking their own professional advice and making such further investigations, as they deem necessary on all relevant matters. The BAI makes no representation or warranty, express or implied, with respect to the information contained in the present document or with respect to any oral or written information made or to be made available to any potential applicant or its professional advisers. Any liability therefore is expressly disclaimed. The BAI reserves the right to correct or alter any part of the present document. In the event that this document is corrected or altered, an updated version will be made available on the BAI's website at www.bai.ie.



Jan 2015 version

APPENDIX ONE



OFFICIAL APPLICATION FORM

SECTION ONE – APPLICANT INFORMATION	
Name of Applicant	
Address of Applicant	
Legal Status of Applicant (eg: company / co-operative / VEC)	
Registered Number of the Applicant	
Are you a repeat Applicant?	
If you are a repeat Applicant please confirm any outstanding levy fees have been paid to the BAI?	
Name of Designated Officer (The Designated Officer is authorised by the Applicant to represent it and liaise with the BAI)	
Designated Officer's Phone Number (including Mobile Phone Number)	



Designated Officer's Email Address	
Name and address of management	
Qualifications and relevant experience of management.	
<p>If applying for a pilot community service, further to the Authority's Policy on Community Radio Broadcasting please comment on the ownership and control structure of the Applicant with respect to the community to be served For example please provide details on the following;</p> <ul style="list-style-type: none">• No. of members of the organisation• No. of current volunteers• Community group involvement.• The reporting structure in place between volunteers, management and / or the Board of Directors.	
<p>Name of the Authorised Signatories (and their capacity within the group) who will sign the contract of behalf of applicant. These signatories must be authorised in accordance with the Applicant's Memorandum and Articles of Association or equivalent governing rules.</p> <p>(Please note two authorised signatories are usually required)</p>	



<p>Please confirm the company / organisation has a Seal in order to seal a contract on behalf of the company / organisation.</p> <p>(please note a stamp will not be accepted)</p>	
<p>Further to Section 62 of the Broadcasting Act 2009⁴, and the BAI's policy in this regard, the BAI will accept applications once none of the Applicant's Directors, Secretary, Management team or any on-air staff have been convicted of an offence under Section 3 (3) of the Act of 1926 or under Section 3, 4 or 5 of the Act of 1988 or involved in any unlicensed activity for 12 months before the application is submitted.</p> <p>Please confirm the Applicant's compliance with the BAI's Policy and Section 62 of the Broadcasting Act 2009 in this regard.</p>	

⁴ Section 62 states "The Contract Awards Committee shall not recommend to the Authority the grant of a sound broadcasting contract to a person who has been convicted under Section 3(3) (inserted by section 181(2)) of the Act of 1926 or under section 3, 4 and 5 of the Act of 1988 if the conviction occurred less than 12 months before the first day on which the person proposes to engage in the sound broadcasting activities to which the application for the sound broadcasting contract relates.



Proposed Service Information	
Proposed Station Name	
Does the applicant intend to provide a pilot community sound broadcasting service? ⁵	
List Each Proposed Broadcast Date. Please note applications will take at least 3 months to process.	
Are you willing to accept fewer broadcast dates than requested if it is not possible to cater for all the dates requested?	
What type of speech programming is proposed?	
Have you completed the template Programme Policy Statement provided at the end of this document?	
Please make a case for the proposed service with respect to diversity.	
If applying for a pilot community service, further to the Authority's Policy on Community radio Broadcasting, please comment on how the proposed programming caters for the community to be served.	

⁵ Where an applicant wishes to apply for a temporary pilot community sound broadcasting contract the application will be assessed under the BCI Policy on Community Radio Broadcasting, available on the Authority's website, www.bai.ie.



Financial & Funding Information	
List the main sources of Income for the proposed service and relevant financial figures ⁶ .	
List the main expected expenditure for the proposed service and relevant financial figures ⁷	
If applying for a pilot community service, please confirm that not more than 50% of the Applicant's income is/will come from any one source. (Policy on Community Radio Broadcasting, available at www.bai.ie .)	
Do you intend to use Sponsorship?	

⁶ Temporary services are not allowed to carry advertising, however, in most instances, sponsorship is permitted. On-air sponsorship must comply with the Rules Pertaining to Sponsorship as set out in the General Advertising Code, available on the Authority's website at http://www.bai.ie/?page_id=1924.

⁷ The Authority recommends that all applicants investigate in advance other costs that may arise as a result of operating a temporary sound broadcasting service including transmission costs, PPI, IMRO, MCPS fees, etc.



Studio and Transmission Information	
Name of Proposed Studio Location ⁸	
Address of Proposed Studio Location ⁹	
List of studio equipment to be used for the service.	
The name and address of the proposed transmitter site. ¹⁰	
If more than one transmitter site is proposed, are you willing to accept fewer transmission sites than requested if it is not possible to cater for all of the sites requested?	
Please provide a brief statement outlining the suitability of the site(s).	
If applicable, outline the method proposed for linking the studio and transmission site.	
If applying for a pilot community service, please confirm, with reference to your attached Floor Plan, that the proposed studios are accessible for people with disabilities.	
If applying for a pilot community service, please confirm that access to the proposed studios will be controlled and that the studios will be appropriately sound proofed.	

⁸ Where more than one studio location is proposed, please provide details for each studio location and the reason/s for the additional studios. BAI approval to co-locate studios and transmission facilities will be considered separately under transmission.

⁹ Studios for a pilot community service must be accessible for people with disabilities. A pilot community service will be required to demonstrate compliance with guidelines available from the BAI's engineering division outlining the additional access requirements.

¹⁰ Where more than one transmission site is proposed, please provide details for each site and the reason/s for the additional sites. A plan should be given describing how all of the transmission sites will operate together and the main site should be indicated. Please note that a technical broadcast licence is required for each transmitter site proposed. A single technical broadcast licence can be issued for a transmitter site that will permit its use over a number of specified dates.



Please provide the National Grid Reference to describe the exact location of the site in the form E: xxx, N: yyy, where E is the easting or x map co-ordinate and N is the northing or Y map co-ordinate. An accuracy of three digits for E & N is required.	
Please provide an accurate written description of the proposed service area / anticipated coverage from the proposed transmitted site.	
There may be constraints on the ERP which can be licensed. Are you willing to accept lower ERP if it is not possible to cater for all that requested?	
The height of the antenna above ground level (AGL).	
The height of the proposed site(s) above sea level (ASL).	
Proposed antenna design and effective operating power.	
The name of a suitably qualified person or transmission company responsible for the transmitter installation.	
The name of the owner of the transmitter, or if rented, then the name of the rental company.	
Does the transmission site require planning permission? If so, has a planning application been made and/or approved?	



<p>Please state if you require an RDS licence. If yes, what eight, non-scrolling characters will be used to identify the station using the RDS technology?</p>	
<p>A list of all the other occupants</p>	
<p>The proximity of the other antennas or masts at the site in relation to the proposed antenna and mast.</p>	
<p>The type of radio equipment being used by the other occupants including their receiving and transmitting frequencies.</p>	
<p>Describe the type of area surrounding the transmitter station: urban dwelling, urban industrial, dense urban or rural.</p>	



Please indicate if each of the documents listed below have been attached:	
1. Completed Programme Policy Statement	
2. Programme Schedule	
3. Secretary's Certificate	
4. Memorandum & Articles of Association	
5. Map of Franchise Area	
6. Quote for Insurance	
For Pilot Community Radio Applicants Only	
1. Studio Floor Plan with dimensions	
2. Confirmation of Controlled Access & Soundproofing	
3. Confirmation of Certified Transmitter Installer	
Details of the information required for each of the above is set out in the guidelines provided at the start of this document.	

Email applications, including Application Form, Mandatory Documentation to: contracts@bai.ie



**APPENDIX TWO
PROGRAMME POLICY STATEMENT**

Programming commitment should be written in a measureable way, for example;

- The service will broadcast 1 news & current affairs / sports / arts / Irish language programme a week of at least X minutes duration.

Aim / Ethos of the proposed service
Target Audience
Broadcast Hours per 24 hour day. <ul style="list-style-type: none">○ The service will broadcast from X am to X pm/am each day.○ X number of hours will be live per day.○ X number of hours will be pre-recorded / automated.
Speech / Music Ratio
Music Policy
News & Current Affairs – please provide details of news and current affairs programming set out the number of programmes and / or duration of programmes to be broadcast each day / week.
Sports Programming
Irish Language and / or Special Interest Speech programming if applicable





Jan 2015 version

APPENDIX THREE
TEMPLATE SECRETARY'S CERTIFICATES

(PLEASE ONLY CHOOSE THE TEMPLATE APPLICABLE TO YOUR APPLICANT ORGANISATION)



1. COMPANY
CERTIFICATE OF THE SECRETARY

I, *[Enter Name]*, of *[Address]*, Secretary of *[Enter name of company]* ("the Company") HEREBY CERTIFY as follows:-

- A. The Company, which is registered in Dublin under CRO NO. *[Registration Number]*, has its registered office at *[Enter registered office]*

- B. The Directors of the Company are as follows:
 - i. *[name and address]*

 - ii. *[name and address]*...

- C. No Director of the Company is:
 - i. an undischarged bankrupt;
 - ii. a person who is subject to restriction pursuant to Section 150, Companies Act 1990, as the same has been or may be amended or extended; or
 - iii. a person who has been disqualified from acting as a Director pursuant to Section 160, Companies Act 1990, as the same has been or may be amended or extended.

- D. *[Name and Address]* is the Secretary of the Company.

- E. *[Name and Address]* is the Designated Officer of the Company.

- F. The Company has made all returns to the Companies Registration Office which it is legally required to make.

- G. Paragraphs I sets out details as to Significant Shareholders in the company. The table sets out the name and address of each such shareholder and, in the third column, the voting rights attaching to each such shareholder's shares in the company as a percentage of all the votes which may be cast by shareholders of the Company at general meetings.

- H. A Significant Shareholder, for the purposes of this Certificate is a shareholder to whose shares are attached voting rights which represent more than 5% of all the votes which may be cast by shareholders in the company at general meetings.



I. The following table sets out details as to Significant Shareholders in the Company:-

<i>Registered Owner</i>	<i>Address</i>	Beneficial Owner	Percentage

J. The Company has not granted any options over shares.

K. The Company has no employee share option scheme in place.

L. The Company has not issued loan stock / has issued loan stock as follows:

M. No resolution to wind up the Company has been passed and no notice of a meeting at which it is proposed to wind up the company has been issued or published. No petition has been presented or is pending to wind up the company, and no steps have been taken to place the company in receivership, or to have a receiver or examiner appointed.

Dated the of 2014

SECRETARY



**2. COMPANY LIMITED BY GUARANTEE WITHOUT A SHARE CAPITAL
CERTIFICATE OF THE SECRETARY**

I, *[Enter Name]*, of *[Address]*, Secretary of *[Enter name of company]* ("the Company") HEREBY CERTIFY as follows:-

- A. The Company, which is registered in Dublin under CRO NO. *[Registration Number]*, has its registered office at *[Enter registered office]*

- B. The Directors of the Company are as follows:
 - i. *[name, address and category of membership]*
 - ii. *[name, address and category of membership].....*

- C. No Director of the Company is:
 - i. an undischarged bankrupt;
 - ii. a person who is subject to restriction pursuant to Section 150, Companies Act 1990, as the same has been or may be amended or extended; or
 - iii. a person who has been disqualified from acting as a Director pursuant to Section 160, Companies Act 1990, as the same has been or may be amended or extended.

- D. *[Name and Address]* is the Secretary of the Company.

- E. *[Name and Address]* is the Designated Officer of the Company.

- F. Membership of the Company is open to the following:
 - i. *[List Category of Membership, Fee and Entitlement to Appoint Directors]*
 - ii. *[List Category of Membership, Fee and Entitlement to Appoint Directors]*
 - iii. *[List Category of Membership, Fee and Entitlement to Appoint Directors].....*

- G. The Company has made all returns to the Companies Registration Office which it is legally required to make.

- H. The Company is limited by guarantee and does not have a share capital.

- I. No resolution to wind up the Company has been passed and no notice of a meeting at which it is proposed to wind up the company has been issued or published. No petition has been



presented or is pending to wind up the company, and no steps have been taken to place the company in receivership, or to have a receiver or examiner appointed.

Dated the of 2014

SECRETARY



**3. CO-OPERATIVE SOCIETY
SECRETARY'S CERTIFICATE**

I, *[Enter Name]*, of *[Address]*, Secretary of *[Insert name of Society]* ("the Company") HEREBY CERTIFY as follows:-

- A. The Company, which is registered in Dublin under Irish Co-operative Organisation Society Limited NO. *[Insert Number]* has its registered office at *[Insert Address of Registered Office]*
- B. The Directors of the Company are as follows:
 - i. *[name, address and category of membership]*
 - ii. *[name, address and category of membership].....*
- C. No Director of the Company is:
 - i. an undischarged bankrupt;
 - ii. a person who is subject to restriction pursuant to Section 150, Companies Act 1990, as the same has been or may be amended or extended; or
 - iii. a person who has been disqualified from acting as a Director pursuant to Section 160, Companies Act 1990, as the same has been or may be amended or extended.
- D. *[Name and Address]* is the Secretary of the Company.
- E. *[Name and Address]* is the Designated Officer of the Company
- F. The Company has made all returns to the Irish Co-operative Organisation Society Limited which it is legally required to make.
- G. Membership of the Company is open to the following:
 - i. *[List Category of Membership, Fee and Entitlement to Appoint Directors]*
 - ii. *[List Category of Membership, Fee and Entitlement to Appoint Directors]*
 - iii. *[List Category of Membership, Fee and Entitlement to Appoint Directors].....*
- H. A Significant Shareholder, for the purposes of this Certificate is a shareholder to whose shares are attached voting rights which represent more than 5% of all the votes which may be cast by shareholders in the company at general meetings.
- I. The following table sets out details as to Significant Shareholders in the Company:-

<i>Registered Owner</i>	<i>Address</i>	Beneficial Owner	Percentage

- J. The Company has not granted any options over shares.
- K. The Company has no employee share option scheme in place.



- L. The Company has not issued loan stock / has issued loan stock as follows:

- M. No resolution to wind up the Company has been passed and no notice of a meeting at which it is proposed to wind up the company has been issued or published. No petition has been presented or is pending to wind up the company, and no steps have been taken to place the company in receivership, or to have a receiver or examiner appointed.

Dated the of 2014

SECRETARY



4. EDUCATIONAL INSTITUTION

SECRETARY'S CERTIFICATE

1. The [Insert Name of Educational Institution] is a [Insert nature of Educational Institution] that [Insert aims of Educational Institution]. The [Insert Name of Educational Institution] is established and governed in accordance with the provisions of [Insert details of relevant legislation].
2. The following are the Members of the Governing Body of [Insert Name of Educational Institution]
 - (i) Insert Name and Address of Member
 - (ii) Insert Name and Address of Member....
3. [Insert Name of Educational Institution] wishes to run a temporary sound broadcasting service for the term set out in Section 2 of this Contract.
4. The Secretary of [Insert Name of Educational Institution] is [Insert Name and Address]
5. The Governing Body has authorised [Insert Name and Address] and [Insert Name and Address] to sign this Contract on its behalf.

Dated the of 2014

SECRETARY