



Coimisiún  
na Meán

# Guide and Application for Institutional Sound Broadcasting Contracts

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# Table of Contents

<b>1. Introduction</b>	<b>3</b>
<b>2. Making an Application</b>	<b>3</b>
2.1 The Application Form	3
2.2 Mandatory Documentation	3
(i) Secretary's Certificate or Equivalent	4
(ii) Character Test	4
(iii) Company Constitution (Memorandum and Articles of Association)	4
(iv) Programme Schedule	4
(v) Map of franchise Area	4
(vi) Quote for Libel Insurance	5
(vii) Floor Plan	5
(viii) Confirmation of Controlled Access and Soundproofing	5
(ix) Confirmation of Certified Transmission Installer	5
(x) Support Letter	5
<b>3. The Assessment Process</b>	<b>5</b>
<b>4. Decision Making Process</b>	<b>7</b>
<b>5. Contractual Terms</b>	<b>8</b>
<b>6. Public Access</b>	<b>9</b>
<b>Appendix One – Application Form</b>	<b>11</b>
<b>Appendix 2 – Secretary Certificate Templates</b>	<b>19</b>
<b>Appendix Three – Character Test</b>	<b>25</b>
<b>Appendix Four – Studio Circulation requirements</b>	<b>26</b>
<b>Appendix Five – Programme Policy Statement</b>	<b>27</b>

# 1. Introduction

Section 68(2) of the Broadcasting Act 2009 (“the 2009 Act”) provides that Coimisiún na Meán (“An Coimisiún”), may enter into a sound broadcasting contract with an applicant for the provision of a low-powered sound broadcasting service which is intended to serve only single educational institution, hospital, or other similar establishment as may be specified in the contract. The term of these contracts typically ranges from one to five years.

This guide and application form is provided for applicants applying for these sound broadcasting contracts. 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.

Applicants are encouraged to contact the Licensed Broadcasters Team in An Coimisiún to discuss any queries in relation to an application for a sound broadcasting contract under section 68(2) and the application process, to ensure they are applying for the appropriate sound broadcasting contract and the most appropriate transmission coverage for the service proposed, in advance of submitting an application.

In these Guidelines “An Coimisiún” refers to the organisation Coimisiún na Meán and “the Commission” refers to the decision-making organ of Coimisiún na Meán comprising a multi-person Commission led by four Commissioners, the Broadcasting and Video-on-Demand, Media Development, Digital Services and Online Safety Commissioners and the Executive Chairperson.

## 2. Making an Application

A complete application comprises the following:

- a. The Application Form; and
- b. The Mandatory Documentation.

### 2.1 The Application Form

Applicants should complete the Application Form attached in *Appendix One*. This Form consists of five sections as follows:

1. The applicant and the institution;
2. The proposed service;
3. Resources (financial and staffing); and,
4. Studios and transmission.

### 2.2 Mandatory Documentation

The following mandatory documentation **must** be submitted to An Coimisiún **with the application**. An incomplete application will not be considered by An Coimisiún.

## (i) Secretary's Certificate or Equivalent

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

- The registered office;
- The names and addresses of the company directors;
- In the case of a company limited by shares, the name and address of each person who is the legal and/or beneficial owner of shares in the Company which together confer on their holder the right to cast votes at a general meeting of the Company which represent 10% or more of the votes which may be cast at such a meeting;
- In the case of a company limited by guarantee or co-operative society, the names and addresses of the members of the company; and
- The Designated Officer (this is the person authorised to act on the company's behalf and who will be the main point of contact for An Coimisiún).

Template Secretary's Certificates for (i) a company limited by shares; (ii) a company limited by guarantee; and (iii) a co-operative society are set out for information in *Appendix Two*.

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

## (ii) Character Test

A completed character test is required for each of the Directors and where applicable shareholders having control of or substantial interest in the applicant. The Character Test is expressed in the form of a number of questions as set out in the Template at *Appendix Three*.

## (iii) Company Constitution (Memorandum and Articles of Association)

The 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 or hospital established and governed under Irish legislation, the Applicant should identify the appropriate legislation.

## (iv) Programme Schedule

An indicative Programme Policy Statement<sup>1</sup> (PPS) and Programme Schedule should be included with the application. A template PPS is attached at *Appendix Five*.

## (v) Map of franchise Area

An application should include a map showing the location of the transmitter and the proposed service area boundary. This can be a physical map with a scale of at least 1:50,000, or an online map provided by Google, Bing or another geographic map provider.

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<sup>1</sup> The PPS sets out the commitments that the applicant is willing to make to the Authority in respect of key aspects of the programme service. It will serve as a yardstick against which the successful applicant's future performance is measured and assessed, and as such will form part, subject to further negotiations with An Coimisiún, of the contract between An Coimisiún and the successful applicant.

#### (vi) Quote for Libel Insurance

The applicant must have an appropriate insurance policy in place for the operation of the service. This policy must include libel insurance cover and An Coimisiún 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. The applicant must also have public and employer's liability insurance in the specified sums in accordance with the terms of the sound broadcasting contract to be awarded.

#### (vii) Floor Plan

The applicant must provide details on building access, circulation space within the building, studio furniture layout, and facilities such as the disabled toilet. These details should include a floor plan with all relevant dimensions. Please note the studio premises must comply with Part M of the Building Regulations and with An Coimisiún requirements on studio furniture layout which specify the requirements on disability access and use (Appendix 4).

#### (viii) Confirmation of Controlled Access and Soundproofing

The on-air studios must have controlled access and must meet industry standards on soundproofing. The applicant must provide confirmation of both.

#### (ix) Confirmation of Certified Transmission Installer

The transmission networks of the 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.

#### (x) Support Letter

Should the applicant be a third party applying on behalf of the institution or hospital, a letter of support from the relevant institution or hospital must be included.

One copy of the application, including the Form and the Mandatory Documentation, must be sent **by email** to [licensing@cnam.ie](mailto:licensing@cnam.ie).

An application will be deemed incomplete unless all the documentation listed above is provided. An Coimisiún endeavours to process applications within 60 days of the date of receipt of a **complete** application. This does not include the timeframe required to negotiate a contract if an application is successful.

As such, it is recommended, where possible, that applicants submit an application **within 90 days** of their proposed commencement date.

An Coimisiún 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. 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 An Coimisiún's staff 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 returned to the applicant. If the application meets the requirements of Stage One, An Coimisiún 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:

### **1. Applicant information**

- Ownership and control, including the character of the applicant (i.e. its directors and members)
- The institution and the target audience.
- The extent to which the service will serve the interests and needs of the institution and the target audience.

### **2. Programming**

- The applicant's proposed Programme Policy Statement and Programme Schedule.
- The range, type of quality of programming proposed.
- The commitments made with respect to developing programming over the term of the contract.

### **3. Resources (finance and staffing)**

- The applicant's proposals in relation to financial and staffing resources and its capacity to operate the service for the proposed contract term.
- The applicant's proposals in relation to human resource practices and policies applicable to employees and volunteers of the sound broadcasting service.
- The applicant's proposals for ensuring compliance with the terms of the sound broadcasting contract and statutory duties.

### **4. Studios and Transmission**

- The applicant's proposals in relation to the development of studios and transmission facilities, including the provision of full access for employees and visitors with disabilities.

**Note:** The development of fit for purpose studios and transmission facilities is essential and An Coimisiún will expect all studio premises to be compliant with Part M of the Building Regulations and access and use for people with disabilities. If an applicant believes that compliance with disability access and use requirements is not possible it is advised to contact An Coimisiún in advance of submitting an application.

### **5. Track Record**

- The track record of the applicant in respect of the provision of a broadcasting service under a broadcasting contract held by any director or shareholder of the applicant at, or before the date of making this application (where applicable).

### **6. FM Frequency**

- The availability of spectrum for the proposed service. Approval of all applications is subject to ComReg being in a position to provide a suitable frequency assignment for the proposed service.

Arising from the Qualitative Assessment, An Coimisiún may request the applicant to provide additional information in relation to certain aspects of its application. An Coimisiún will set a timeframe within which a response to this request must be received.

Once the Qualitative Assessment is complete, generally within 60 days of receipt of the complete application, the applicant may not make any further changes to its application.

On completion of the Qualitative Assessment phase, a report on the outcomes of the Qualitative Assessment (“Evaluation Report”) will be presented to the Commission for consideration and decision.

## 4. Decision Making Process

The Commission will consider the Evaluation Report prepared by An Coimisiún’s staff on the basis of the Qualitative Assessment received. It will then decide:

- To award an institutional sound broadcasting contract with an applicant in principle, subject to any terms The Commission deems relevant, the successful conclusion of contract negotiations. The award of the contract is also subject to ComReg being in a position to provide a suitable frequency assignment for the proposed service; or
- Not to award the contract.

### **If a contract is awarded to the applicant in principle:**

- An Coimisiún will inform the applicant of the decision to award a contract in principle and of any conditions attached to the contract award.
- The applicant must meet all of the specified conditions;
- A draft contract will be forwarded to the applicant for review;<sup>2</sup>
- The applicant will be informed of the FM frequency for which An Coimisiún will apply to ComReg for use by the service;
- An Coimisiún 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 An Coimisiún.
- The contract will then be countersigned, sealed and dated by the Commission and a copy will be sent to the applicant.

### **If a contract is not awarded to the applicant:**

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

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<sup>2</sup> Section 69 of the Broadcasting Act sets out the terms and conditions that must be included in a sound broadcasting contract

## 5. Contractual Terms

The contractual terms reflect the provisions of the 2009 Act and any relevant policy decisions of the Commission. All signed contracts are public documents and will be made available to the public on request. The following is an indicative list of the contractual terms and conditions. It does not purport to be an exhaustive list of the contractual or statutory obligations.

### Ownership and Control

Under the terms of an institutional sound broadcasting contract no changes may be made to the Second Schedule of the contract without the prior written approval of the Commission. The second schedule contains the Secretary's Certificate which provides specified details of the directors of the company or key personnel involved in the service.

### Programming

Under the terms of an institutional sound broadcasting contract no changes may be made to the Programme Policy Statement without the prior written approval of the Commission.

Programming must comply with the relevant provisions of the 2009 Act and the applicable Media Service Codes and Media Service Rules available at [www.cnam.ie](http://www.cnam.ie)

### Complaints handling

Licensed radio broadcasters are subject to the duties set out in Part 3B of the 2009 Act and the Commission's Media Service Code and Rules applicable to Broadcasters.

- Licensed radio broadcasters must have a nominated Compliance Officer and ensure adequate compliance arrangements (including IT and human resources) to ensure compliance with all statutory duties and the terms of a broadcasting contract.
- Licensed radio broadcasters must have a Code of Practice on Complaints to ensure complaints about programming can be received and responded to.

### Recordings

All contractors are required to make recordings of all material broadcast in a format specified by An Coimisiún and to keep such classes of recordings, for the period specified by An Coimisiún. Currently An Coimisiún requires that recordings of all material are made and retained for 90 days after the broadcast.

### Transmission

On completion of the contract period, 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 logbook 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 An Coimisiún.

Contractors must advise An Coimisiún, 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 An Coimisiún or ComReg in this regard.



Contractors operating under an institutional sound broadcasting contract must have their transmission network approved by a Certified Transmission Installer.

Contractors operating an Institutional service must ensure that the studio premises from which they are operating provides access to disabled people, in line with Part M of the Building Regulations.

## 6. Public Access

**Freedom of Information:** Information may be made available to the public further to requests under the Freedom of Information Act, 2014. An Coimisiún will consult with the interested party about the publication of any information treated as confidential at the time of submission, before making a decision on any Freedom of Information request received.

**Confidential Material:** Information which an applicant considers to be confidential must be presented in an annex to the application which is clearly marked "confidential". The applicant's reasons for believing that the public should not have access to the material in question must be outlined in a separate covering letter.

Where An Coimisiún believes that material that an applicant has placed in a confidential annex should be made available for inspection, it will enter into discussions with the applicant with a view to reaching an agreement as to the extent of disclosure. If an agreement cannot be reached, within a reasonable period having regard to An Coimisiún timeframe, An Coimisiún will treat the relevant information as having been withdrawn and consider the remainder of the application as being the submission from that applicant.

Each applicant shall be responsible for providing An Coimisiún 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 his or her application.

**Third Party Agreements:** Any agreements between An Coimisiún and interested parties regarding confidential and/or commercially sensitive information are without prejudice to the An Coimisiún's obligations under law, under the Broadcasting Act 2009 and the Freedom of Information Act. An Coimisiún therefore cannot warrant that information claimed as confidential by an interested party or treated as such might not be disclosed pursuant to law.

**Data Protection:** In order to operate this application process effectively, we will require some personal data about the composition of the applicant's Board and management structure. We do not require the personal data of volunteers and would strongly discourage applicants from including unnecessary personal data in their submission.

An Coimisiún shall comply with its obligations under the General Data Protection Regulation Directive, the Data Protection Act 2018 and any other applicable data privacy laws and regulations when handling and processing any such personal information submitted to this licensing process.

The information submitted in an application, including any personal information, will be used to process the application and to liaise with the applicant. Any personal information submitted will only be retained in the event that the application is successful. Such information could be required for a future contract, pending completion of the licensing process.

An Coimisiún is obligated and committed to protecting all personal data submitted in an application. An Coimisiún has an appointed Data Protection Officer who is registered with the Data Protection Commission.

You can find out more on how An Coimisiún processes personal information in Coimisiún na Meán's published policy at: [Coimisiún na Meán | Data Protection \(cnam.ie\)](https://www.cnam.ie/en/data-protection) and Coimisiún na Meán's terms and conditions at: [Terms and Conditions - Coimisiún na Meán \(cnam.ie\)](https://www.cnam.ie/en/terms-and-conditions) .

Please note that the application must strictly comply with format in *Appendix One* of this Guide and contain all of the information required therein.

- Applicants are strongly encouraged to only include key information relating to the application. Applicants are encouraged not to include unrequested personal data in the application.
- Applicants are strongly encouraged to include all the key information in the application and any detailed back-up information in appendices. Appendices should be clearly numbered, cross-referenced and saved in a single PDF document.
- The Commission encourages the submission of applications which are clear, concise and simple in layout and style.
- The Commission discourages the submission of unrequested graphics and insignia. Please do not include any photos, pictures and/or station identity material in the mainstay of the proposal.

## Appendix One – Application Form

Section one – Applicant Information		
1	Name of Applicant	
2	Address of Applicant	
3	Legal Status of Applicant (eg: company / co-operative / Educational Institution / Hospital)	
4	Registered Number of the Applicant	
5	Name of Designated Officer (The Designated Officer is authorised by the applicant to act on its behalf and will be the main point of contact for An Coimisiún)	
6	Designated Officer's Phone Number	
7	Designated Officer's Email Address	
8	Name and address of each of the members of the Board of Directors or equivalent.	
9	Qualifications and relevant experience of Board of Directors or equivalent.	
10	Please provide details of the institution to be served.	
11	Name of the Authorised Signatories (and their roles / titles) who will sign and seal the contract for and on behalf the applicant. These signatories must be authorised in accordance with the Applicant's Constitution or equivalent governing rules.  <b><u>(Please note two authorised signatories are required)</u></b>	
12	The Commission applies the character test to the Directors, shareholders and persons having beneficial ownership of shares where the shareholding constitutes a substantial interest in, or control, of the Applicant and to senior management positions.  Please provide a completed and signed character test for each of the following <i>Appendix three</i> : <ul style="list-style-type: none"> <li>• Directors,</li> <li>• Secretary,</li> <li>• Chief Executive Officer,</li> </ul>	

	<ul style="list-style-type: none"> <li>Shareholders whose shareholding constitutes, directly or indirectly, a substantial interest in or control of the service.</li> </ul>	
13	Have you nominated a member of the Board as the compliance officer or point of contact on compliance for An Coimisiún?	
14	<p>Are adequate procedures in place to ensure compliance with the statutory requirements and contractual obligations regarding programme content?</p> <p>Does the service have a complaints-handling process for programming-related complaints?</p>	

<b>Section two – Programming and Target Audience</b>		
15	Please describe the institution and the target audience.	
16	Please state the station name and proposed commencement date for the service.	
17	Please detail in the form of a statement the applicant's overall broadcasting philosophy and vision for the radio service and how the quality, range and type of programming will serve the needs of the institution and the target audience.	
18	<p>Please detail how the applicant proposes to implement:</p> <ul style="list-style-type: none"> <li>a. Programme production</li> <li>b. Programme research</li> <li>c. Quality control</li> <li>d. Compliance with the programming commitments set out in the contract.</li> </ul>	
19	What are the proposed hours of broadcasting each day? Provide a breakdown of live, pre-recorded and automated programming.	
20	What is the proposed speech to music ratio?	
21	What type of speech programming is proposed (news and current affairs, specialist interest, Irish language, sports etc.)?	
22	Please provide a breakdown of news and current affairs programming if proposed,	

	indicating the percentage of broadcasting hours to be devoted to news and current affairs	
23	Please describe the proposed music output (overall sound, era, genres etc.)	
24	Overall, how will the proposed service provide diverse content or add to the diversity of content available to the target audience?	
25	Please describe how the station will be developed and promoted over the contract term within the institution	
26	Where applicable, please detail the station's policy in relation to the purchase and sale of broadcast material, both from other broadcast organisations and independent producers.	
27	Please submit the proposed (typical) weekly programme schedule setting out the proposed hours of broadcasting and details on the programme content is attached to this form.	

### Section three - Resources (Financial and Staffing)

28	<p>Please provide details on the main sources of funding to meet the requirements of the service and indicate the timeframe for their availability:</p> <ul style="list-style-type: none"> <li>a. Subvention from institution</li> <li>b. Borrowing</li> <li>c. Leasing / HP facilitated (capital value)</li> <li>d. Grants and donations</li> <li>e. Other.<sup>4</sup></li> </ul>	
29	<p>Provide details of projected expenditure for the proposed service and how such expenditure will be met with regard to the following headings.<sup>5</sup></p> <ul style="list-style-type: none"> <li>a. Capital Expenditure</li> <li>b. Other pre-operational expenditure</li> <li>c. Working capital (at on air date)</li> <li>d. A Business Plan for the duration of the service to include Profit and Loss, Balance Sheet and Cashflow Statements</li> </ul>	

30	Please provide in tabular format income and expenditure projections for the first three years of operating explaining the underlying assumptions on which these projections are based.	
31	Please detail the proposed staffing structure including the number and categories of volunteers/staff in each functional area and the basis of their involvement (e.g., full-time, part-time, volunteer, contract, trainee).	
32	Please provide the salary level and source for each paid full-time, part-time and contract post identified.	
33	If the applicant plans to avail of any employment support or training schemes, full details of the scheme in question should be provided. This should include details of any arrangements entered into and / or commitments received.	
34	Please provide details of any training provided and / or planned for volunteer / staff workers.	
35	Please provide details of policies and procedures for volunteers/staff involved in the operation of the service.	

#### Section four – Studio and Transmission

##### Studios

36	Please provide the address of the Studio.	
37	Please indicate if a planning application has been made and/or approved for the studio facility.	
38	Please confirm that the proposed studio premises will be made accessible for people with disabilities.	
39	Please provide a detailed drawing that includes the dimensions of the proposed	

	<p>studios, technical facilities, office and administration areas and acoustic treatments.</p> <p><i>The drawings should demonstrate compliance with Part M of the building regulations and the NDA Buildings for Everyone guidelines.</i></p> <p><i>The studios must be designed and built to meet the studio circulation requirements set out in Appendix Four.</i></p>	
40	<p>Please also provide a dimensioned drawing of the disabled toilet to include the position of the door, toilet and wash basin. The drawing should also indicate the position of the disabled toilet in relation to the studio and office areas and the route from studio to disabled toilet if the toilet is not immediately adjacent to the studio and office areas.</p>	
41	<p>Please provide outlines of the proposed heating, ventilation and standby power plant and where such equipment is to be located:</p>	
42	<p>Please provide a list of the itemised costs for building refurbishment, studio construction, office fixtures, fittings, IT, studio equipment and broadcast related technical equipment.</p>	
43	<p>Please provide details of the security mechanisms proposed to guard against unauthorised access to the on-air studios:</p>	
44	<p>If proposing to use an existing studio, office, computer equipment or buildings, please indicate:</p> <ul style="list-style-type: none"> <li>a. The age of the equipment / facilities.</li> <li>b. The life expectancy of the equipment.</li> <li>c. Plans to to replace / refurbish such equipment / facilities during the lifetime of any new contract.</li> </ul>	
45	<p>Please set out how community access will be promoted and facilitated in the various aspects of the service, for example, the location of, and accessibility to, studios.</p>	
<b>Transmission</b>		
46	<p>Provide the name and address of the proposed transmitter site.</p>	
47	<p>Please set out the rationale for the proposed transmission plan that includes: (i) a general description of the proposed coverage area, (ii) the mechanisms by which overspill coverage is minimised into areas outside of the proposed franchise area, and (iii) identifies any areas that may receive marginal or unsatisfactory reception.</p>	

	<i>Applicants should ensure that their transmission proposals are confined to their franchise area.</i>	
48	<p>Please provide a table of the main technical characteristics of the proposed transmitter station in the following format:</p> <p>Site Name:  Site Coordinates:  Site Height:  Antenna Height AGL:</p> <p>The site coordinates must be provided in either:</p> <ul style="list-style-type: none"> <li>• Metric format, i.e., Eastings and Northings. These can be easily determined from a 1:50000 scale map.</li> <li>• Latitude/Longitude format. These must be provided in Degrees, Minutes and Seconds, e.g., 52° 14' 56" North, 7° 45' 34" West.</li> </ul> <p>A Google/Bing map with an "x" marks the spot can also be provided to clarify the location of the transmitter.</p>	
49	Describe the type of area surrounding the transmitter station, eg rural, urban, industrial.	
50	Please provide confirmation from the owner and/or operator of the transmission facility that the site can be used for this purpose.	
51	<p>Please provide the following additional information:</p> <ol style="list-style-type: none"> <li>a) The details and type of antenna system that is required to meet the radiation pattern proposed for the transmitter station.</li> <li>b) Details of the band pass filter / combiner system and directional coupler proposed to ensure compliance with the licence terms.</li> <li>c) Details of the link from the studio to the transmitter.</li> <li>d) In cases where the applicant group proposes to locate on or in close proximity to an existing mast, information regarding the owner and principal users of said mast is required.</li> <li>e) Please indicate if a planning application has been made and/or approved for the transmission facility.</li> </ol>	



52	<p>Please provide details of the proposed physical location of the transmitter equipment in terms of</p> <ul style="list-style-type: none"> <li>• Internal or external location (if located externally details of the housing cabinet, including its waterproofing, frost protection specifications are to be provided)</li> </ul> <p>Physical location in terms of:</p> <ul style="list-style-type: none"> <li>• Floor level</li> <li>• Details of stairs or lift access if not on ground floor level</li> <li>• Floor standing/wall mounted/platform mounted etc</li> </ul> <p>(Please note that all equipment must be located so that access to it can comply with H&amp;S regulations in relation to safe working at heights etc. and that there is adequate space for safe use of test equipment.)</p>	
53	Provide the name of the owner of the transmitter, or if rented, then the name of the rental company.	
54	Please provide itemised budgetary costs for all the proposed transmission equipment or, in the case where an existing transmission company is providing facilities, the annual cost and retails for the level of equipment and service required.	
<b><i>If there are other occupants on the site please detail the following;</i></b>		
55	A list of all the other occupants	
56	The proximity of the other antennas or masts at the site in relation to the proposed antenna and mast.	
57	The type of radio equipment being used by the other occupants.	

<b>Check list for documentation:</b>		
<b>1</b>	Application Form	
<b>2</b>	Secretary's Certificate or equivalent	
<b>3</b>	Completed Character Tests	
<b>4</b>	Company Constitution (Memorandum and Articles of Association) or equivalent	
<b>5</b>	Programme Policy Statement	
<b>6</b>	Programme Schedule	
<b>7</b>	Map of franchise area	
<b>8</b>	Quote for insurance	
<b>9</b>	Studio floor plan with dimensions	
<b>10</b>	Transmitter location photographs	
<b>11</b>	Confirmation of controlled access and soundproofing	
<b>12</b>	Confirmation of certified transmission installer	
<b>13</b>	Letter of approval from the institution if required	

**Signed by the Designated Officer:**

\_\_\_\_\_

**Date of Signing:**

\_\_\_\_\_

## Appendix 2 – Secretary Certificate Templates

### a) Educational Institution / Hospital Secretary Certificate

1. The [Insert Name of Educational Institution / Hospital] is a [Insert nature of Educational Institution / Hospital] that [Insert aims of Educational Institution /Hospital]. The [Insert Name of Educational Institution / Hospital] 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 / Hospital]
  - (i) Insert Name and Address of Member
  - (ii) Insert Name and Address of Member....
3. [Insert Name of Educational Institution / Hospital] wishes to run an Institutional sound broadcasting service for the term set out in Section 2 of this Contract.
4. The Secretary of [Insert Name of Educational Institution/ Hospital] 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 [Month] [Year]

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SECRETARY

**b) Limited 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 set 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:-

Registered Owner	Address	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 [Month] [Year]

\_\_\_\_\_

**SECRETARY**

## c) Company limited by guarantee

### 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 *[Month]* *[Year]*

SECRETARY

## d) Co-Operative Society

### Secretary 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:-

Registered Owner	Address	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 [Month] [Year]

\_\_\_\_\_  
SECRETARY





## Appendix Three – Character Test

7. Has the applicant ever been convicted of an offence (excluding 'spent convictions') relating to any of the following: - fraud or dishonesty; membership of a criminal organisation; corruption; terrorist offences; money laundering; terrorist financing; child labour; human trafficking?
8. Has the applicant ever been restricted or disqualified as a Company Director, or convicted of any offence under the Companies Act 2014 in this jurisdiction or under equivalent legislation in any other jurisdiction?
9. Has the applicant ever been adjudicated a bankrupt, become insolvent or entered into a voluntary arrangement with creditors, or had a receiver appointed to any of its assets, in this or any other jurisdiction?
10. Has the applicant ever been a director of a company to which a receiver was appointed, which went into compulsory liquidation, creditors' voluntary liquidation, examinership or which made any arrangement with its creditors or class of creditors?
11. Has the applicant ever been convicted of an offence under any legislation by which Broadcasting and/or Wireless Telegraphy is regulated in this or any other jurisdiction?
12. Has the applicant ever had a licence or contract issued by a broadcasting licensing body or any other statutory body suspended or revoked in this or any other jurisdiction?
13. Has the applicant ever been the subject of any of the following: - adverse findings by a tax authority, adverse findings by a regulatory body in relation to gross professional misconduct, adverse findings by a competition authority in relation to anti-competitive conduct?
14. Is the applicant aware of any reason why it may not be a fit and proper person to be awarded a contract?

## Appendix Four – Studio Circulation requirements

**Figure 1** shows the important dimensions for accessibility purposes in a typical studio. The minimum and recommended values of A, B & C are as follows:

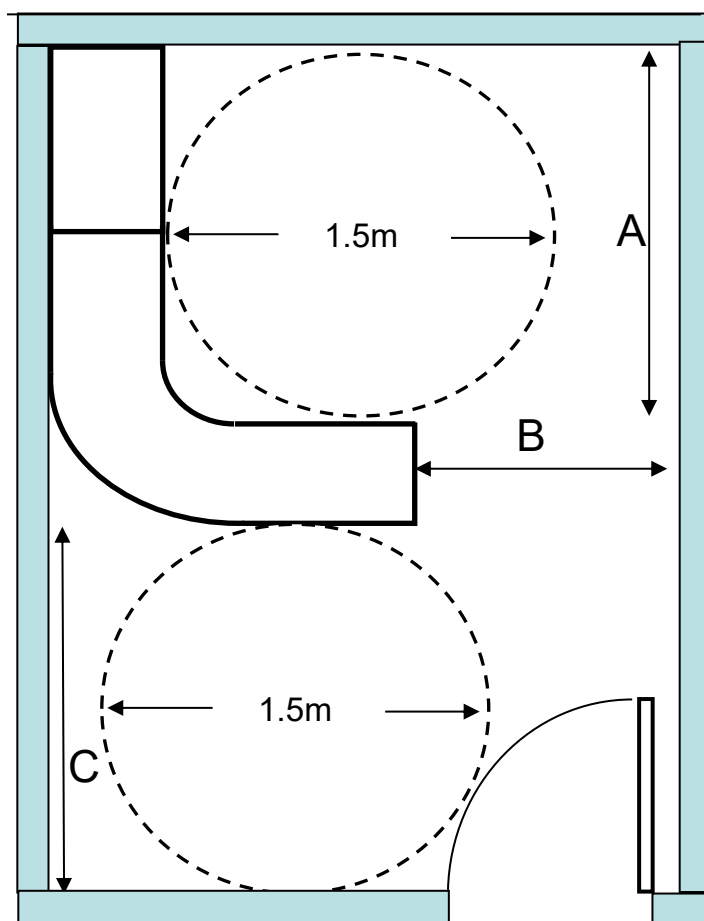
The minimum values of A & B are 750mm.

A & B should be at least 1.2m.

If either A or B are less than 1.2m then a 1.5m turning circle is required at the presenter's position behind the desk.

The minimum value of C is 1.2m.

Ideally there should be a 1.5m turning circle in front of the desk.



**Figure 1: Studio circulation requirements**

# Appendix Five – Programme Policy Statement

## Programme Policy Statement

**Purpose of Service:**

**Target Audience:**

**Broadcast Hours:**

**Broadcast Content:**