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# Transfer an existing Television Licensable Content Service (TLCS) licence

## Application form

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**Name of current licensee**

**Existing service name**

**Name of proposed licensee**

**Name of new service (if changing)**

# Contents

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# 1. Overview

## The purpose of this form

- 1.1 You should complete this form if you are applying to transfer a Television Licensable Content Service (TLCS) licence from the existing licensee to a different licensee.
- 1.2 A TLCS licence is transferrable only with Ofcom's prior written consent. A request for consent to transfer a licence must be submitted by the proposed transferee using this transfer application form. The form must be accompanied by a written letter from an authorised individual<sup>1</sup> of the current licensee consenting to the transfer application.
- 1.3 To be able to consent to a transfer of a licence, Ofcom must be satisfied that the proposed transferee can comply with all of the conditions of the licence. We therefore require the same information about the proposed transferee as when considering an application for a licence from a new applicant. We may need to ask for further information before deciding whether to consent to a transfer of a licence.

## How to complete the form

- 1.4 This form should be completed by the company that the licence will be transferred to should Ofcom approve the transfer. The questions in this form are the same as for new licence applications and there are detailed instructions on how to complete this form in our [guidance notes for licence applicants](#). Please read this guidance carefully before completing this form.
- 1.5 If you still have a query, you can contact Ofcom's Broadcast Licensing team by email ([broadcast.licensing@ofcom.org.uk](mailto:broadcast.licensing@ofcom.org.uk)). The team cannot provide advice or pre-approve applications, but can answer general questions.
- 1.6 Please download this form and fill it in on a computer. If completing by hand, please use block capitals and black ink.
- 1.7 Please answer all the questions as fully as possible, use extra sheets if required and provide the supporting documentation listed at Section 11 of this form. Sufficient information must be supplied about the applicant and the service to enable Ofcom to consider the application in accordance with the statutory criteria for the granting of TLCS licences. Ofcom may need to request further details from you before a licence transfer can be approved.
- 1.8 **Ofcom will reject applications made using an old version of the form.**
- 1.9 **Ofcom will reject application forms that are illegible.**
- 1.10 You must answer all questions in the application form and respond "N/A" to any questions that do not apply to the applicant.

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<sup>1</sup> This is a) a director of the company or the company secretary where the licensee is a company; b) designated member where the licensee is a Limited Liability Partnership; c) a partner, where the licensee is a partnership; d) a member of the organisation's governing body where the licensee is an unincorporated body or association.

**1.11 Ofcom will reject applications which do not meet the following criteria:**

- The declaration in Section 12 of this form must be signed and dated.
- The person who signs and makes the declaration on behalf of the applicant must be:
  - i) A director of the company or the company secretary where the applicant is a company.
  - ii) A designated member where the applicant is a Limited Liability Partnership.
  - iii) A partner, where the applicant is a partnership.
  - iv) A member of the organisation's governing body where the applicant is an unincorporated body or association.
  - v) The individual who will be the licensee where the applicant is an individual.
- All supporting documents as requested in the checklist in Section 11 of the application form must be supplied in legible form and translated into English where applicable.

1.12 If you are completing the form as an agent, i.e. you are acting on the applicant's behalf, please note that you cannot sign it on your client's behalf, and that the person signing the form needs to have personally checked the truth and completeness of the responses given. If your client wishes you to be Ofcom's main contact in relation to the application, please make this clear in an accompanying letter, and provide evidence of your authority to act on behalf of the applicant. The form should be filled in so as to include information about the applicant, not the agent. If Ofcom has further questions once the application has been submitted, we will direct these to the applicant, not to the agent, but we will accept responses from the agent.

## How to submit the form

1.13 We prefer application forms and required supporting documents to be submitted by email to [broadcast.licensing@ofcom.org.uk](mailto:broadcast.licensing@ofcom.org.uk). Handwritten applications and required supporting documents should be scanned and attached to the email.

1.14 You should receive an auto-response from [broadcast.licensing@ofcom.org.uk](mailto:broadcast.licensing@ofcom.org.uk) confirming that your application has been received by Ofcom. If you do not receive a response, it is likely your application has not been received and you should contact Ofcom's Contact Centre on 0300 123 3333 and ask to leave a message for the Broadcast Licensing team who will respond to your message as soon as possible and be able to confirm if your application was received.

- 1.15 If the applicant cannot submit the application form and/or the supporting documentation by email, you may send by post to:

Ofcom  
Broadcast Licensing  
Riverside House  
2a Southwark Bridge Road  
London  
SE1 9HA

## Supporting documentation

- 1.16 You must provide a range of supporting documentation when submitting this application form. Please refer to the checklist in Section 11 of this form for full details. Please note that failure to supply the necessary documents will delay your application.
- 1.17 Ofcom will reject applications with which the necessary documents are not supplied in legible form.**
- 1.18 Please note that Ofcom cannot receive emails larger than 35MB. If your application email exceeds this limit, please send your supporting documents in a separate email(s) clearly indicating the applicant's name in the subject line of the email.

## Bodies corporate applying for a licence transfer must provide:

- 1.19 A copy of the Memorandum and Articles of Association (or, if a body corporate without such, the nearest equivalent, along with a translation, if it is not in English), together with copies of any resolution amending or updating them.
- 1.20 Please note, if the applicant's **current** Memorandum and Articles of Association are available on the Companies House website, this can be stated in question 4.5 of this form and the documents do not need to be submitted with the application.
- 1.21 An organisational chart showing the ownership structure of the applicant body, including percentages for shares held in it and for shares held by it in other companies to which it is connected.
- 1.22 A copy of the last Annual Return (or if the entity is recently established such that it has not yet been required to make that return, a copy of all filings made to Companies House since incorporation).
- 1.23 A copy of the most recent accounts of the applicant (not applicable to recently established entities).

## Partnerships (other than LLPs) applying for a licence transfer must provide:

- 1.24 The Partnership agreement.

- 1.25 Any other agreement or memorandum setting out the objects of the partnership.
- 1.26 A copy of the most recent accounts (not applicable to recently established entities).

### **Unincorporated bodies applying for a licence transfer must provide:**

- 1.27 The constitutional agreement.
- 1.28 Any other agreement or memorandum setting out the objects of the body.
- 1.29 A copy of most recent accounts (not applicable to recently established entities).

### **Provision of information**

- 1.30 Ofcom requires complete and accurate information to assess applications. This is so that we can assess your application against statutory criteria, consider whether those involved in the body applying for a licence are ‘fit and proper’ to hold a licence, and determine whether their involvement with other organisations disqualifies them from participation in a licence.
- 1.31 It is an offence under the Broadcasting Act 1996 (as amended) to provide false information or withhold relevant information during the application process, and may be grounds for revocation of a licence subsequently granted.

### **Publication of information about applications and licensed services**

- 1.32 When a licence transfer is approved, the name of the service and public contact details for the new licensee are published on the Ofcom website. These are the details supplied by the applicant in the application form. If you have any questions about the information that we publish, or there are any changes to this information, you should contact the Broadcast Licensing team by email ([broadcast.licensing@ofcom.org.uk](mailto:broadcast.licensing@ofcom.org.uk)).
- 1.33 Ofcom considers issued TLCS licences to be public documents and copies of licences will be made available to third parties on request.
- 1.34 Ofcom publishes a [monthly update](#) which lists new services licensed, licences revoked, licence transfers, and changes to the name or nature of the licensed service during the past month. These are available [on the Ofcom website](#).

### **Data protection**

- 1.35 We require the information requested in this form in order to carry out our licensing duties under the Broadcasting Act 1990, Broadcasting Act 1996 and Communications Act 2003. Please see [Ofcom’s General Privacy Statement](#) for further information about how Ofcom handles your personal information and your corresponding rights.

## Keeping up to date with broadcasting matters

- 1.36 We strongly recommend that the appropriate person at the applicant, signs up to receive Ofcom's regular email updates on broadcasting matters including notification when the Broadcast and On Demand Bulletin is published.
- 1.37 To sign up to receive these communications, you can visit [the subscription page of our website](#) and select 'Broadcasting.'

## 2. Fees

### Application fee

- 2.1 A non-refundable application fee of £1,000 is payable.
- 2.2 If you are applying to transfer multiple licences from the same licensee to the same proposed licensee, only one £1,000 application fee is payable, not one per licence.
- 2.3 Applications will not be assessed until the application fee has been received in Ofcom's bank account.
- 2.4 Ofcom requests that applicants pay the application fee by bank transfer and to ensure that Ofcom can identify the payment, it must include a payment reference which is the applicant's postcode followed by the applicant's name (or as much of the name as is possible to provide within the character limit set by the bank) as provided in response to question 4.2 of this application. In the case of a company, partnership or unincorporated body applying for the licence, the applicant's name will be the name of the company, LLP, partners or members of an unincorporated body who have applied for the licence (as provided in response to question 4.2), not the individual who has submitted the application on its behalf.
- 2.5 The bank details to be used to pay the application fee are:

Account Name:	Office of Communications
Bank details:	Lloyds Bank, 69-73 Borough High Street, London SE1 1NQ
Account number:	00782415
Sort code:	30-97-90
BIC:	LOYDGB21351
IBAN:	GB05 LOYD 3097 9000 7824 15
SWIFT:	LOYD GB 2L

### Annual licence fee

- 2.6 If a licence transfer is approved, the licensee must pay an annual fee to Ofcom, as a condition of its licence. The fees are revised annually and published no later than 31 March of each year. The annual fees for editorial services are based on a percentage of 'Relevant Turnover', which in the Television sector relates to any turnover that is derived from advertising/sponsorship, subscriptions and interactive activities. The minimum fee is currently £1,000 for the charging year.
- 2.7 A self-promotional service – which consists of a particular kind of advertising whereby the broadcaster promotes its own products, services or channels – is charged the minimum fee of £1,000 for the charging year.
- 2.8 For teleshopping services, there is a fixed annual fee. The current fixed fee for the charging year is £2,000.



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- 2.9 For further information about fees, see [Ofcom's Statement of Charging Principals](#) and [Ofcom's Tariff Table](#).
- 2.10 It is important that licensees pay their annual licence fees on time. If fees are not paid by the date stated in the invoice, Ofcom is likely to investigate whether a breach of the relevant licence condition has occurred and may consider whether to impose a financial penalty and/or revoke the licence.
- 2.11 If you wish to pay your annual fee by direct debit, please enclose a direct debit mandate [form](#) with the application.

## 3. Jurisdiction of the applicant

### About this section

Ofcom must be satisfied that the applicant falls under UK jurisdiction, as defined in national law.

Applicants fall under UK jurisdiction either through:

- the European Convention on Transfrontier Television, which requires consideration of establishment criteria and secondary technical criteria; or
- appearing on a Regulated EPG.

Before completing this section of the form, you should read paragraphs 5.2 to 5.12 of Ofcom's [guidance notes for licence applicants](#).

This guidance includes full details of the criteria which will help you to determine if you fall under UK jurisdiction.

Should a licence transfer be approved, you should be aware that it is a condition of the TLCS licence that the licence holder notify Ofcom as soon as reasonably practicable of any changes that may affect the criteria under which the service falls under the jurisdiction of the UK. Additionally, it is a condition that the licence holder publish or provide recipients of the service with confirmation that the service falls under the UK's jurisdiction.

Note: if you intend to show your service in more than one territory please refer to [our Guidance on the Licensing position of services broadcast into multiple territories](#) and ensure that your service is licensed accordingly.

3.1 The name and head office address of the applicant:

3.2 The service name(s) and service provider(s) of any relevant overseas electronic programme guide(s) on which the service is listed or intends to be listed.

A "relevant overseas electronic programme guide" means an electronic programme guide:

- a) the provision of which is either licensed or otherwise regulated in one of the following states, or;
- b) the provider of which has its head office in one of the following states.
- c) The states are: Albania, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Liechtenstein, Lithuania, Malta, Montenegro, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Switzerland, North Macedonia, Turkey, Ukraine.

3.3 Does the applicant intend the service to be licensed or otherwise authorised in a Member State of the European Union under any of the criteria in Article 2(3) of the Audiovisual Media Services Directive? The criteria are:

- a) the media service provider has its head office in that Member State and the editorial decisions about the audiovisual media service are taken in that Member State;
- b) if a media service provider has its head office in one Member State but editorial decisions on the audiovisual media service are taken in another Member State, it shall be deemed to be established in the Member State where a significant part of the workforce involved in the pursuit of the programme-related audiovisual media service activity operates. If a significant part of the workforce involved in the pursuit of the programme-related audiovisual media service activity operates in each of those Member States, the media service provider shall be deemed to be established in the Member State where it has its head office. If a significant part of the workforce involved in the pursuit of the programme-related audiovisual media service activity operates in neither of those Member States, the media service provider shall be deemed to be established in the Member State where it first began its activity in accordance with the law of that Member State, provided that it maintains a stable and effective link with the economy of that Member State;
- c) if a media service provider has its head office in a Member State but decisions on the audiovisual media service are taken in a third country, or vice versa, it shall be deemed to be established in the Member State concerned, provided that a significant part of the workforce involved in the pursuit of the audiovisual media service activity operates in that Member State.

3.4 **Yes / No** (please delete as appropriate).

**If yes, please identify the Member State below:**

3.5 The address(es) where editorial decisions regarding programming are/will be taken:

3.6 Does the applicant carry out (or will it carry out) any of its activities in more than one location?

**Yes / No** (please delete as appropriate).

**If yes, please list these locations below:**

3.7 Does the applicant have offices in more than one location?

**Yes / No** (please delete as appropriate).

**If yes, please list these locations below:**

3.8 The address(es) where the scheduling decisions regarding the service are/will be taken:

3.9 The address(es) where management meetings are/will be held:

3.10 If the applicant is a company, the address(es) where shareholders' meetings are/will be held. State 'N/A' if not applicable:

3.11 What functions in relation to broadcasting (including compliance decisions and other programme related activity) are/will be performed in each location?

3.12 How many employees are/will be based in each location?

3.13 How many employees does/will the applicant have in total?

How will the service be delivered? Please ensure you list all ways.

3.14 Please note that if you wish to broadcast in the UK via digital terrestrial television you will need to also apply for a Digital Television Programme Service licence.

**Satellite / cable / radio multiplex / delivery over Internet Protocol / other** (please delete as appropriate)

**If other, please set out the delivery method:**

3.15 If the service is to be distributed by satellite, please provide:

(a) The location of all uplinks and the dates of commencing broadcast on them

(b) The transponder(s) the service will broadcast on

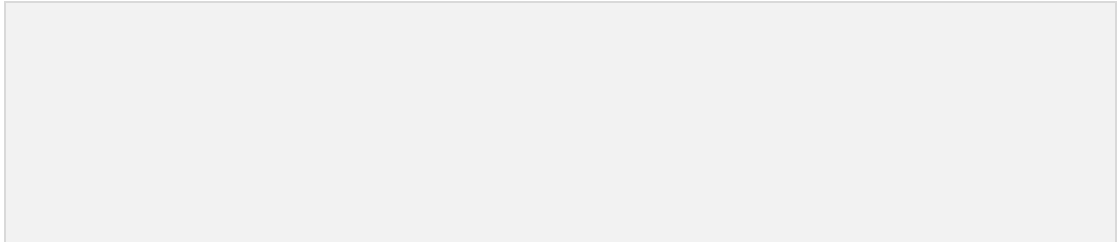
(c) The Earth station name(s)

(d) The satellite name(s) and location(s)

3.16 If the service is to be made available by means of a radio multiplex, what is the identity of the multiplex and the multiplex operator, and what will be the amount of digital capacity used?

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- 3.17 Please state the service name(s) and service provider(s) of any regulated electronic programme guide(s) licensed in the UK on which it is intended that the service will appear or be listed. A list of regulated EPGs is available [on Ofcom's website](#).



## 4. Applicant's details

### About this section

In this section, we are asking you for basic details about the applicant (whether an individual or body corporate).

The requested details include company registration number (where applicable) and contact information.

We are asking for this information so that Ofcom knows precisely who to contact at the applicant during the transfer application process and if a licence transfer is approved. For example, Ofcom requests certain information from its licensees every year, including information about the service's turnover (used to calculate subsequent licence fees) and any European productions. You will need to provide a specific contact for Ofcom to seek this information and for a number of other matters.

If any of the individuals named in your responses are known by more than one name/version of their name, all names must be provided.

Certain persons are disqualified from holding a broadcast licence. This section asks the questions which enable us to consider this for those types of disqualification which apply to all applicants. It also asks questions which are relevant to our assessment of the applicant's fitness and propriety to hold a broadcast licence.

Before completing this section of the form, you should read [Ofcom's guidance on the definition of 'control' of media companies](#). Note in particular that:

- Throughout this section, "control" has the meaning it is given in Part I of Schedule 2 of the Broadcasting Act 1990.
- It includes situations where it would be reasonable to expect that any person would be able in most cases to secure that the affairs of a body corporate are conducted in accordance with their wishes. Therefore, for example, where a corporate body is held by its parent via a number of subsidiaries, all such subsidiaries have control.

"Officerships" in this section refers to: directorships of bodies corporate, designated memberships of LLPs, or membership of a governing body of an unincorporated association (including partnerships).

4.1 If the licence transfer is approved, Ofcom would like to be able to send some specific notifications and documents by email only.<sup>2</sup> By ticking the box below, you consent to receiving the following correspondence by email only, to the Licensing and/or Compliance contacts detailed in response to questions 4.7 and 4.8.<sup>3</sup>

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<sup>2</sup> In accordance with Section 395 of the Communications Act 2003.

<sup>3</sup> If, after you have submitted this form, you later inform us that your Licensing contact and/or Compliance contact email address has changed, we will assume that the consent you are providing in this form for Ofcom to send the above listed notifications and documents by email only will continue to apply to the new Licensing and/or Compliance contact email address, unless you tell us otherwise. You may modify or withdraw your consent at any time by giving notice to Ofcom that you wish all correspondence, documents and notifications to be sent to you by post.

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- a) Request for the licensee to provide a recording of broadcasting content.
- b) Request for information in relation to a broadcast licensing or standards assessment or investigation.
- c) Request for representations on the licensee's compliance with the relevant licence conditions and/or rules (e.g. Broadcasting Code rules) during an investigation.
- d) Request for representations on Fairness and Privacy Entertainment Decisions.
- e) Request for representations on Ofcom's Preliminary View which sets out whether Ofcom considers there has been a breach of licence conditions and/or rules.
- f) Request for comments on factual inaccuracies in draft Decisions or Adjudications.

**If you do not tick the below box, we will send this correspondence to you by post.**

I consent to receiving the above correspondence relating to my licence by email only.

4.2 Name of applicant (i.e. the individual or body corporate that will hold the licence if the transfer is approved):

4.3 Company registration number stated on Companies House (if applicable):

4.4 For UK registered entities, the address of the applicant's registered office stated on Companies House.

For non-UK registered entities, the principal office address:

4.5 If a UK registered company, is the **current** Memorandum and Articles of Association document available on the Companies House website?

**Yes/No** (delete as appropriate)

**If no, please submit the up-to-date document and indicate you have done so in the checklist in Section 11 of this form.**



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4.6 Contact details of the individual duly authorised by the applicant for the purposes of making this application. If you are:

- an individual, i.e. you are the individual intended to hold the licence, please fill in the below table with your details; or
- a corporate body, this individual should be the company secretary, a director or (if an LLP) designated member; or
- a partnership, this individual should be a partner; or
- an unincorporated body or association, this individual should be a member of the organisation's governing body.

(If you are an agent completing the form on behalf of the applicant please do not enter your details here – see paragraph 1.13).

Full name	
Job title	
Address	
Telephone	
Mobile phone	
Email	

4.7 Contact details for the Licence Contact<sup>4</sup>

Full name	
Job title	
Address	
Telephone	
Mobile phone	
Email	

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<sup>4</sup> The Licence Contact is the day-to-day contact for Ofcom on licensing matters. Examples of the type of communication between the Licence Contact and Ofcom could be questions regarding ownership of the licensee company; and responding to information requests.

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4.8 Contact details for the Compliance Officer (see paragraph 5.18 of Ofcom’s [guidance notes for applicants](#) for information about the role of a Compliance Officer):

Full name	
Job title	
Address	
Telephone	
Mobile phone	
Email	

4.9 Contact details for Ofcom regarding invoicing/payment of licence fees:

Full name	
Job title	
Address	
Telephone	
Mobile phone	
Email	

4.10 Contact details for Ofcom regarding submission of Ofcom’s annual Transmission and Revenue Return:

Full name	
Job title	
Address	
Telephone	
Mobile phone	
Email	

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4.11 If the licence transfer is approved, it is Ofcom’s practice to publish some contact details for the licensed service on our website and/or in other relevant Ofcom publications in order for members of the public to contact the licensee if need be. Please provide contact details below which can be used for this purpose:

Full name	
Job title	
Address	
Telephone	
Mobile phone	
Email	

4.12 If the proposed Licensed Service has/will have a website, please provide the website address below.

4.13 How will the service be financed? If the applicant is receiving, or is likely to receive, any form of funding and/or financial assistance to establish and maintain the service, please provide details of who is providing that funding/financial assistance and the extent of it.

If you are receiving funding from, or on behalf of, a political organisation or a religious body, you must specify this here.

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4.14 Please identify any political entities with which the applicant is affiliated. By affiliated, we mean entities with which the applicant has declared an affiliation.

If this question is not applicable to the applicant please respond “N/A” in the table.

Full name of entity	Address

4.15 Complete the following table, expanding it if necessary, to list:

- (a) all persons who control the applicant, and;
- (b) all persons of which the applicant is aware who are controlled by persons controlling the applicant.

If any persons or bodies control the applicant jointly because they act together in concert (e.g. because of a shareholder’s agreement), each such person must be identified here.

If any of these entities are affiliated with a political entity, please disclose this here.

Full name of individual or body	Address	Political affiliates

4.16 Complete the following table, expanding it if necessary, to list all officerships in other bodies that are held by any individual listed in response to question 4.15.

If any of these entities are affiliated with a political entity, please disclose this here.

Full name of individual	Name of body in which officership held	Political affiliates of that body

4.17 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled by any body corporate listed in response to question 4.15.

If any of these entities are affiliated with a political entity, please disclose this here.

Full name of body corporate listed in 4.15	Body corporate controlled	Political affiliates of body corporate controlled

## 5. Details of directors, designated members, participants and shareholders of the applicant (bodies corporate, e.g. companies and LLPs)

### About this section

Section 5 applies to applicants which are bodies corporate (e.g. companies or LLPs). If you are applying as a partnership which is not an LLP, please skip to section 6. If you are applying as an unincorporated body, please skip to section 7. If you are applying as an individual, please skip to Section 8.

In Section 5, we are asking for details of the directors or designated members (LLPs), its shareholders and participants. Where applicable we are also asking for details of the directors or designated members (LLPs) of the applicant's parent and associated companies or LLPs etc.

If any of the individuals named in your responses are known by more than one name/version of their name, all names must be provided.

Certain persons are disqualified from holding a broadcast licence. This section asks the questions which enable us to consider this for those types of disqualification which apply specifically to bodies corporate. It also asks questions which are relevant to our assessment of the applicant's fitness and properness to hold a broadcast licence.

Before completing this section of the form, you should read [Ofcom's guidance on the definition of 'control' of media companies](#). Note in particular that:

- Throughout this section, "control" has the meaning it is given in Part I of Schedule 2 of the Broadcasting Act 1990.
- It includes situations where it would be reasonable to expect that any person would be able in most cases to secure that the affairs of a body corporate are conducted in accordance with their wishes. Therefore, for example, where a corporate body is held by its parent via a number of subsidiaries, all such subsidiaries have control.

"Officerships" in this section refers to: directorships of bodies corporate, designated memberships of LLPs, or membership of a governing body of an unincorporated association (including partnerships).

The response boxes and tables should be expanded or repeated where necessary or provided in a separate annex.

Having completed this section, please go to Section 8.

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5.1 Please provide the following details for each director or designated member of the applicant.

Full name of individual	Home address	Country of residence	Other officerships held (and nature of the business concerned)	Other employment

5.2 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled by the applicant. If any of these entities are affiliated with a political entity, please disclose this here.

Full name of body corporate	Address	Political affiliates

5.3 Complete the following table, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, amounting to more than 5% in the applicant (“participants”). You may, but are not required to, exclude from this table any bodies listed in response to question 4.15. If you are unable to provide a complete answer to this question in relation to beneficial owners, please state whether you have any reason to suspect the existence of any beneficial owners.

Full name of >5% participant (existing and proposed)	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
Comments				

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5.4 In relation to each body corporate identified in response to question 4.15, complete the following table, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, amounting to more than 5% in the body corporate concerned (“participants”). You may, but are not required to, exclude from this table any bodies listed in response to question 4.15. If you are unable to provide a complete answer to this question in relation to beneficial owners, please state whether you have any reason to suspect the existence of any beneficial owners.

Name of body corporate identified in response to question 4.15				
Full name of >5% participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
Comments				

5.5 Do any of the directors, designated members, shareholders or participants listed anywhere in this section have any past or present connection with another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee, the BBC or S4C. Relevant connections are:

- A director of another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee.
- A controller of another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee.

If yes, please provide the following details.

If this question is not applicable to the applicant please respond “N/A”.

Full name of individual or body	Connection/licensee	Dates of connection

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5.6 Does the applicant have any reason to suspect the existence of any political body amongst any of the following:

- those controlling any participant having a greater than 5% interest in the licensee;
- those controlling any participant having a greater than 5% interest in any body corporate listed in response to question 4.15;
- those controlled by any body corporate that controls any body corporate having a greater than 5% interest in the licensee;
- those controlled by any body corporate that controls any body corporate having a greater than 5% interest in any body corporate listed in response to question 4.15;
- those controlled by any participant having a greater than 5% interest in the licensee;
- those controlled by any participant having a greater than 5% interest in any person listed in response to question 4.15;
- any affiliate of any of the above; or
- any affiliate of any participant having a greater than 5% interest in the licensee.

Write yes or no	If yes, please give details



## 6. Details of partners of the applicant (partnerships)

### About this section

Section 6 applies to applicants which are partnerships (excluding LLPs). If you are applying as another kind of unincorporated body, please skip to Section 7. If you are applying as an individual, please skip to Section 8.

In Section 6, we are asking for details of the partners.

If any of the individuals named in your responses are known by more than one name/version of their name, all names must be provided.

The response boxes and tables should be expanded or repeated where necessary or provided in a separate annex.

Before completing this section of the form, you should read [Ofcom's guidance on the definition of 'control' of media companies](#). Note in particular that:

- Throughout this section, "control" has the meaning it is given in Part I of Schedule 2 of the Broadcasting Act 1990.
- It includes situations where it would be reasonable to expect that any person would be able in most cases to secure that the affairs of a body corporate are conducted in accordance with their wishes. Officerships" in this section refers to: directorships of bodies corporate, designated memberships of LLPs, or membership of a governing body of an unincorporated association (including partnerships).

Having completed this section, please go to Section 8.

6.1 Please provide the following details for each partner of the applicant. If any partner is a company, please complete questions 5.2 and 5.3 in relation to that company.

Full name of individual	Home address	Country of residence	Other officerships held (and nature of the business concerned)	Affiliates of bodies in which other officerships are held	Other employment	Degree of participation in the applicant

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6.2 Do any of the partners have any past or present connection with another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee, the BBC or S4C. Examples of relevant connections are:

- A director of another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee.
- A controller of another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee. If yes, please provide the following details:

6.3 If this question is not applicable to the applicant please respond "N/A".

Full name	Connection/licensee	Dates of connection

## 7. Details of governing members of the applicant (unincorporated bodies other than partnerships)

### About this section

Section 7 applies to applicants which are unincorporated bodies. If you are applying as an individual, please skip to Section 8.

In Section 7, we are asking for details of the applicant’s governing members.

If any of the individuals named in your responses are known by more than one name/version of their name, all names must be provided.

The response boxes and tables should be expanded or repeated where necessary or provided in a separate annex.

Before completing this section of the form, you should read [Ofcom’s guidance on the definition of ‘control’ of media companies](#). Note in particular that:

- Throughout this section, “control” has the meaning it is given in Part I of Schedule 2 of the Broadcasting Act 1990.
- It includes situations where it would be reasonable to expect that any person would be able in most cases to secure that the affairs of a body corporate are conducted in accordance with their wishes.

“Officerships” in this section refers to: directorships of bodies corporate, designated memberships of LLPs, or membership of a governing body of an unincorporated association (including partnerships).

Having completed this section, please go to Section 8.

7.1 Please provide the following details for each governing member of the applicant.

Full name of individual	Home address	Country of residence	Other officerships held (and nature of the business concerned)	Affiliates of bodies in which other officerships are held	Other employment	Degree of participation in the applicant

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7.2 Do any of the governing members have any past or present connection with another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee, the BBC or S4C. Examples of relevant connections are:

- A director of another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee.
- A controller of another Ofcom Broadcasting Act licensee, or previous Ofcom Broadcasting Act licensee.

If yes, please provide the following details:

If this question is not applicable to the applicant please respond "N/A".

Full name of individual	Connection	Dates of connection

## 8. Eligibility requirements

### About this section

Ofcom has a duty to ensure that anyone who applies for a broadcasting licence is fit and proper to hold one.

When considering whether an applicant is fit and proper to hold a licence, Ofcom will look at – for example – whether individuals who are likely to exercise control over the applicant and its activities (e.g. directors, substantial shareholders or members) have any criminal convictions (in any jurisdiction), or whether they have ever been declared bankrupt.

In addition, certain categories of people are disqualified from holding a licence or participating above a certain level in a body which holds a licence. These restrictions are set out in Part 2 of Schedule 2 to the Broadcasting Act 1990.

Please note: information provided in this section of the form will not necessarily result in the transfer not being granted – this will depend on all the circumstances of the applicant as a whole – but Ofcom may ask for further details.

Before completing this section of the form, you should read paragraph 5.38 to 5.44 of [Ofcom's guidance notes for licence applicants](#).

### Criminal convictions

*Note: You do not need to provide details of spent convictions.*

- 8.1 Has the applicant, or any of the directors, shareholders or other individuals listed in Sections 4 to 7 of this application, **been convicted of a criminal offence** committed before the date of this application (in any jurisdiction) or received a civil penalty (in any jurisdiction, excluding driving offences)?

**Yes/No** (delete as appropriate)

If yes, please provide the name of the person, date of the conviction or action, the penalty, and the country.

Full name	Date of conviction/action (dd/mm/yy)	Penalty	Country

## Insolvency and bankruptcy

- 8.2 Has the applicant, or any of the directors, shareholders or other individuals listed in Sections 4 to 7 of this application ever been declared bankrupt in any jurisdiction?

**Yes/No** (delete as appropriate).

If yes, please provide names and details of the bankruptcy – i.e. the date of action, whether it has been discharged and, if so, the date of discharge:

- 8.3 Has the applicant, or any of the directors, shareholders or other individuals listed in Sections 4 to 7 of this application ever been directors of a body in any jurisdiction which has become insolvent?

**Yes/No** (delete as appropriate).

If yes, please provide names and brief details of the insolvency action (including dates):

## Disqualified directors

- 8.4 Has the applicant, or any of the directors, shareholders or other individuals listed in Sections 4 to 7 of this application ever been the subject of a disqualification order under the Company Directors Disqualification Act 1986?

**Yes/No** (delete as appropriate).

If yes, please provide names and details of the order (e.g. the period of disqualification):

## Removal from a professional or trade body

- 8.5 Has the applicant, or any of the directors, shareholders or other individuals listed in Sections 4 to 7 of this application ever been excluded from a professional or trade body in any jurisdiction following disciplinary or regulatory proceedings?

**Yes/No** (delete as appropriate).

If yes, please provide names, dates and details (including whether or not they have subsequently been re-admitted by the body concerned):

## General statutory disqualifications

8.6 Please state below whether the applicant, or any of the directors, shareholders or other individuals listed in Sections 4 to 7 of this application, including their associates (i.e. directors of their associates and other group companies), is, or is involved in, any of the below, and the extent of that interest.

Activity/involvement	Yes or No	Please state who is involved; the name of the body/individual/agency they are involved with; and the extent of their involvement
A local authority		
A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body		
A body whose objects are wholly or mainly of a religious nature;		
An individual who is an officer of a body falling within (b) or (c);		
A body corporate which is an associate (as defined in paragraphs 1(1) and 1(1A) of Part I of Schedule 2 to the Broadcasting Act 1990) of a body falling within (b) or (c);		
An advertising agency or an associate of an advertising agency		

- 8.7 Please provide details of any other participant in the applicant whose interest is, or could be, incompatible with the requirements imposed by or under Schedule 2 to the Broadcasting Act 1990.

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## Details of applications, licences and sanctions

- 8.8 Is the applicant a current licensee of Ofcom?

**Yes / No** (delete as appropriate).

If yes, please provide the licence details expanding the table if necessary:

Licence number	Name of service

- 8.9 Has the applicant held an Ofcom broadcasting licence before?

**Yes / No** (delete as appropriate).

Licence number	Name of service	If a restricted service licence to cover an event: location, dates and event covered



8.10 Has anyone involved in the proposed service, held an Ofcom broadcasting licence or been involved in an Ofcom-licensed broadcast service before?

**Yes / No** (delete as appropriate).

If yes, please provide the details expanding the table if necessary:

Dates licence was held or dates of involvement	Licence number (if known)	Name of service	If a restricted service licence to cover an event: location, dates and event covered

8.11 Does the applicant control an existing Ofcom licensee?

**Yes / No** (delete as appropriate).

If yes, please provide the licence details expanding the table if necessary:

Licence number	Name of service

8.12 Is the applicant controlled by an existing licensee or by any person who is connected (within the meaning of Schedule 2 to the Broadcasting Act 1990) with an existing licensee (i.e. as a “participant”)?

**Yes / No** (delete as appropriate).

If yes, please provide the following information, expanding the table if necessary:

Licence number	Name of service

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- 8.13 Has the applicant made any other application to Ofcom (or its predecessor broadcast regulators – the Independent Television Commission and the Radio Authority) for any licence which has since been surrendered by the licensee or revoked by Ofcom (or one of its predecessor regulators)?

**Yes / No** (delete as appropriate).

If yes, please provide the following information, expanding the table if necessary:

Licence number	Name of service

- 8.14 Is the applicant subject to any current or pending investigation by any statutory regulatory or government body in the United Kingdom or abroad in respect of any broadcast-related matter?

**Yes / No** (delete as appropriate).

If yes, please provide the following details expanding the table if necessary:

Licence number (or equivalent)	Name of service	Details of the investigation

- 8.15 Has the applicant – or any person(s) controlling the applicant – ever been subject to a statutory sanction for contravening a condition of a broadcasting licence in the UK or any other jurisdiction?

**Yes / No** (delete as appropriate).

If yes, please provide the following details relating to each sanction expanding the table if necessary:

Licence number (or equivalent)	Name of service	Nature of the breach	Sanction imposed	Date sanction imposed

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8.16 Please provide any further information you hold, relating to the past conduct of the applicant or those individuals listed, in regulatory matters or in matters going to honesty and/or compliance, which may be relevant to Ofcom’s consideration of whether or not the applicant is fit and proper to hold a broadcast licence. If the applicant or the form signatory fails without reasonable excuse at this point to declare any matter of which Ofcom subsequently becomes aware, and which we do consider to be relevant to the applicant’s eligibility to hold a licence, we will take it into account in determining the question of whether the applicant/licensee remains fit and proper to hold a licence.

8.17 If you have no information to provide, please respond “N/A”.

8.18 Has the applicant – or any person(s) controlling the applicant – ever been convicted of an unlicensed broadcasting offence?

**Yes / No** (delete as appropriate).

If yes, please provide the following details:

Full name	Date of conviction/action (dd/mm/yy)	Penalty

## 9. The proposed service

### About this section

This section asks you to describe your programme service and its target audience. The applicant must complete this section even if the new service is identical to the existing service.

If approved the licence transfer, the information you provide in this section will be used to form the basis of an annex to the new licence. You will only be authorised to broadcast what is detailed in the annex of the licence. It is therefore important that you provide complete and detailed responses to the questions in this section.

Applicants should note that psychic and/or 'adult' content including 'adult chat' and 'adult sex chat' (even if only in teleshopping windows) is not permitted unless it is specifically authorised by the licence. Therefore, if you are intending to broadcast this type of content, you must make this clear in your application so that it can be reflected in the annex of the licence (if granted).

If the transfer is approved and you decide subsequently to change your content, you must contact Ofcom in advance so that the change is specifically reflected in the annex to your licence. Such requests must be made in writing prior to any change (see paragraph 2.4 of the [guidance notes for licensees](#)).

If the proposed service will be simulcast in more than one territory which is a Party to the European Convention on Transfrontier Television (ECTT) and there will be no differences in the service between those territories other than language dubbing, you will not normally be required to have an additional licence. If there will be differences, such as order of schedule, or local advertising, you will normally require a separate licence. Please refer to our [guidance note on services broadcast into multiple territories](#).

However, if the proposed service will be receivable in territories in which the ECTT does not apply, applicants will need to contact the local broadcasting regulatory authority to find out if a separate licence, or notification is needed in that territory.

9.1 Is the proposed service an Electronic Programme Guide<sup>5</sup> ('EPG')?

**Yes / No** (please delete as appropriate).

If you have answered 'Yes' to question 9.1, what is the name of the proposed EPG?

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<sup>5</sup> Details of applications proposing to offer an EPG will be made available to the Department for Culture, Media and Sport.

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9.2 If you have answered 'No' to 9.1, what is the name of the proposed service as it will appear on the Electronic Programme Guide(s)?

9.3 When is the projected date of first transmission?

9.4 Who is the target audience of your proposed service?

9.5 In which countries will the proposed service be received?

9.6 What language(s) does the applicant intend to broadcast in?

9.7 Will the service be free-to-air, subscription-based or pay-per-view?

9.8 What will be the hours of transmission (e.g. hours per day/week or, in the case of one-off events, the date and time of transmission)?

## Nature of the service

- 9.9 Applicants should provide a brief description of the content which will comprise the TLCS service. This description will be included in an annex to the licence to summarise the nature of the service. If you are intending to provide or promote psychic or ‘adult’ (including ‘adult chat’ and ‘adult sex chat’) and/or gambling content, you must state so here.

- 9.10 What type of service do you intend to provide (choose **one**)? See paragraphs 5.54 to 5.63 of the Guidance notes for licence applicants for further details about types of service.

Please note, if you are intending to provide solely adult chat, adult sex chat, psychic and/or gambling (odds based) programming (i.e. with no conventional programming elements) you should select ‘teleshopping’.

If you are intending to provide adult chat, adult sex chat, psychic and/or gambling (odds based) content alongside other conventional programme elements (i.e. in ‘windows’ within an otherwise editorial service) you should select ‘editorial’.

See paragraphs 5.62 and 5.63 of the Guidance notes for licence applicants for further details about how these content genres are regulated. These types of content are only authorised if detailed in the Annex to the licence.

Type of service	Please tick one
Editorial	<input type="checkbox"/>
Self-promotional	<input type="checkbox"/>
Teleshopping	<input type="checkbox"/>

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9.11 If the answer to 9.10 is 'editorial', please indicate which genres will be included in your service. If your answer to question 9.10 is 'teleshopping' or 'self-promotional' please proceed to question 9.12.

Type of service	Please tick all that apply
Adult	<input type="checkbox"/>
Children's/Youth	<input type="checkbox"/>
Electronic Programme Guide (EPG)	<input type="checkbox"/>
Gaming (i.e. skills-based games – not gambling)	<input type="checkbox"/>
General entertainment	<input type="checkbox"/>
Music	<input type="checkbox"/>
News	<input type="checkbox"/>
Religious	<input type="checkbox"/>
Sport	<input type="checkbox"/>
Teleshopping windows or spots	<input type="checkbox"/>
User generated content	<input type="checkbox"/>

9.12 If the proposed service is identical to an existing service licensed as a Digital Television Programme Service (DTPS) or Digital Television Additional Service (DTAS), please confirm and provide the DTPS/DTAS licence number.

9.13 If your answer to question 9.10 is 'teleshopping', please indicate whether you intend to include adult chat, adult sex chat, psychic or gambling (odds based) content as part of your proposed service.

Type of service	Please tick all that apply
Adult chat content	<input type="checkbox"/>
Adult sex chat content	<input type="checkbox"/>
Psychic content	<input type="checkbox"/>
Gambling (odds based) content	<input type="checkbox"/>

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- 9.14 Please describe in detail any interactive elements e.g. premium rate telephony services which the applicant intends to use as part of the service (e.g. the technology used, the purpose of the interactive element, and any charges to viewers for interacting).

- 9.15 If you have indicated that there will be interactive elements as part of the service which charges the viewer for interacting, please indicate whether, and if so, how these will be used to finance the channel.

- 9.16 Do you intend to incorporate any gambling in your service?

**Yes / No** (delete as appropriate)

*Note: you will need to submit with your application a copy of your licence from the appropriate authority*

## Advertising and sponsorship

- 9.17 Do you intend to transmit advertising (including teleshopping)

**Yes / No** (delete as appropriate)

If no, please go straight to question 9.21.

- 9.18 What form will the advertising or teleshopping take (spot advertising, teleshopping windows)?

- 9.19 What amount of spot advertising do you intend to transmit? Please provide an **average number of hours per day**.

- 9.20 Do you plan to broadcast sponsored programmes (not applicable to teleshopping services)?

**Yes / No** (delete as appropriate)



## Video-on-demand services

9.21 Please indicate below whether the applicant provides, or intends to provide, any video on demand services.

a) Yes, I currently provide a video on demand service/s.

b) Yes, I intend to provide a video on demand service/s in the future.

If so, please indicate on which date/s you plan to launch the service/s:

c) No, I do not currently provide, or intend to provide, a video on demand service/s

9.22 If you have answered a) to question 9.21, and the criteria which sets out what a video on demand service is are met, you may be required to notify Ofcom<sup>6</sup>. Please tick the statement below that applies to you:

a) I have already notified the service/s to Ofcom (or ATVOD<sup>7</sup> prior to 1 January 2016).

If so, please provide the name/s of the service/s you notified:

b) I plan to notify the service/s along with, or shortly after this application<sup>8</sup>; or

c) I do not plan to notify the service/s.

If you have ticked c), please indicate why:

<sup>6</sup> The criteria are set out in section 368A(1) of the Communications Act 2003. Applicants must notify Ofcom if the criteria are met in accordance with section 368BA. Ofcom has also produced [Guidance notes on who needs to notify an on demand programme service to Ofcom](#).

<sup>7</sup> The Authority for Television on Demand (ATVOD) regulated editorial on demand services until 31 December 2015.

<sup>8</sup> [Ofcom's notification form for on demand service providers](#) is available on our website.

## 10. Compliance of the service

### About this section

This section asks you to describe the compliance arrangements for the proposed licensed service, i.e. the arrangements which the applicant will put in place to ensure the content it proposes to broadcast will comply with the relevant regulatory codes and rules for programming and advertising.

These include:

- The Ofcom Broadcasting Code
- The Cross-Promotion Code
- The Code on the Scheduling of Television Advertising
- The Code on Television Access Services
- The BCAP Code: the UK Code of Broadcast Advertising
- The Phone-paid Services Authority Code of Practice

You should note that if you intend to broadcast to an ECTT Party you will also be required to comply with rules required by the ECTT. If you intend to broadcast one feed to both the UK and ECTT Parties, you will be required to comply with the new ECTT rules once published.

Condition 17 of a TLCS licence requires that you have compliance procedures in place, and this section asks that you demonstrate the ability to meet this licence condition.

It is the responsibility of the licensee to ensure that all material broadcast on the service, both live and pre-recorded (and including material sourced from third parties) is compliant with all the Ofcom's codes and rules.

Ofcom can impose sanctions on a licensee for serious, deliberate, repeated and/or reckless breaches of the licence conditions (for example, if broadcast content does not comply with the codes and rules). The sanctions available to Ofcom include the imposition of a financial penalty on the licensee, and/or revocation of the licence.

Before completing this section of the form, you should read Ofcom's [guidance notes for licence applicants](#) where you will also find links to the codes and rules listed above.

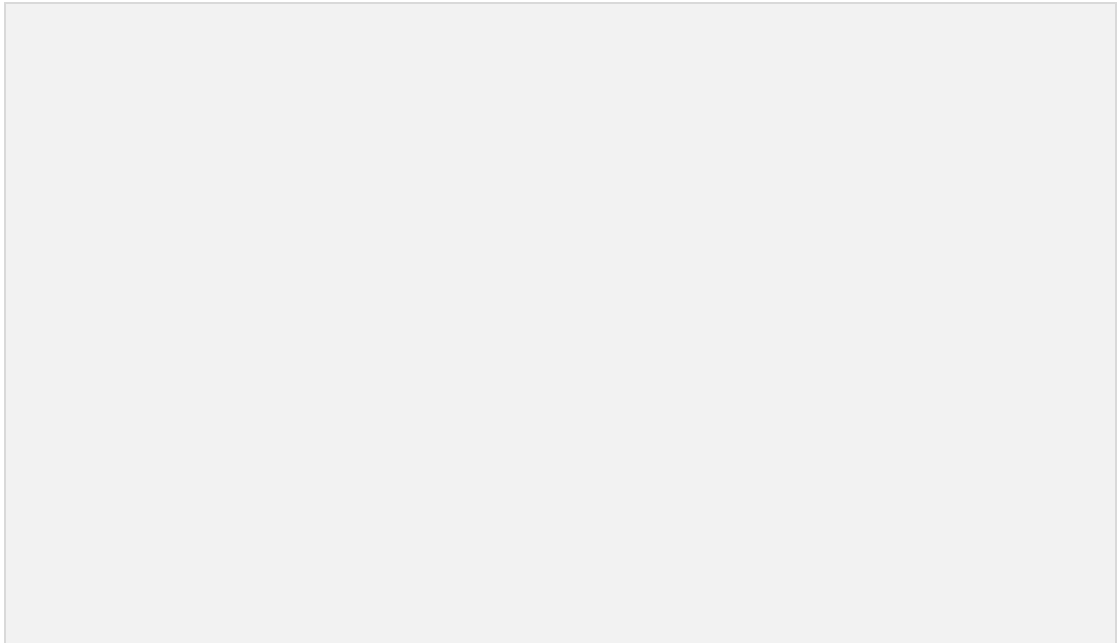
### General compliance

10.1 Will the individual named as the Compliance Officer in response to question 4.8 have overall responsibility for compliance for the duration of the licence?

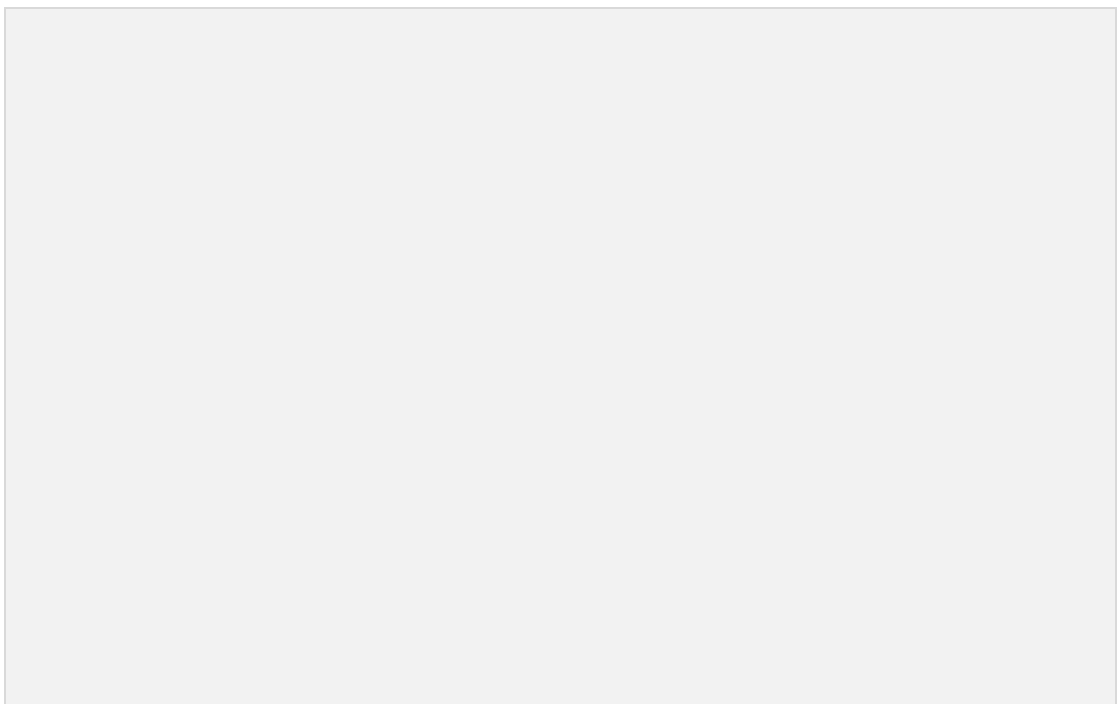
**Yes/No** (delete as appropriate)

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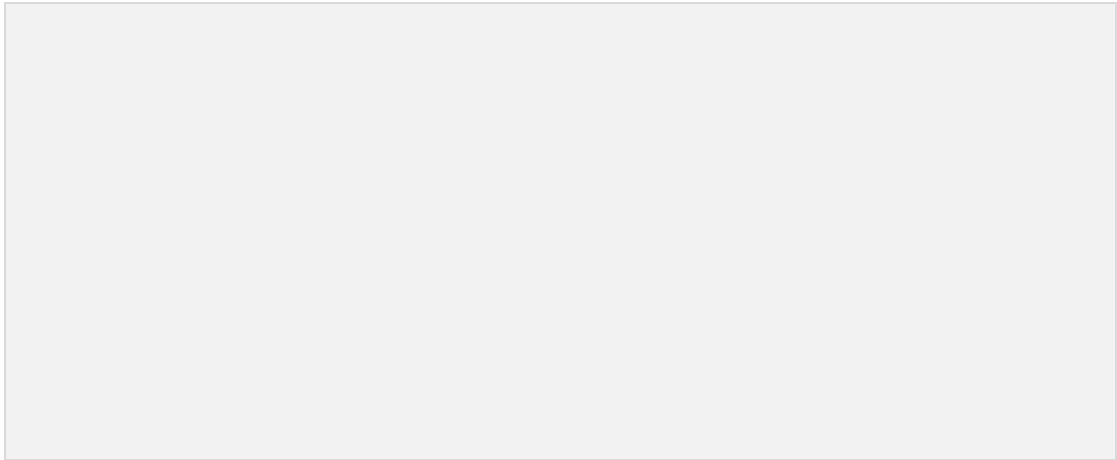
10.2 Please give details of all compliance training and compliance experience (including dates) the person named in response to question 4.8 has received in the relevant codes and rules (for example, those referred to in the box at the start of this section).



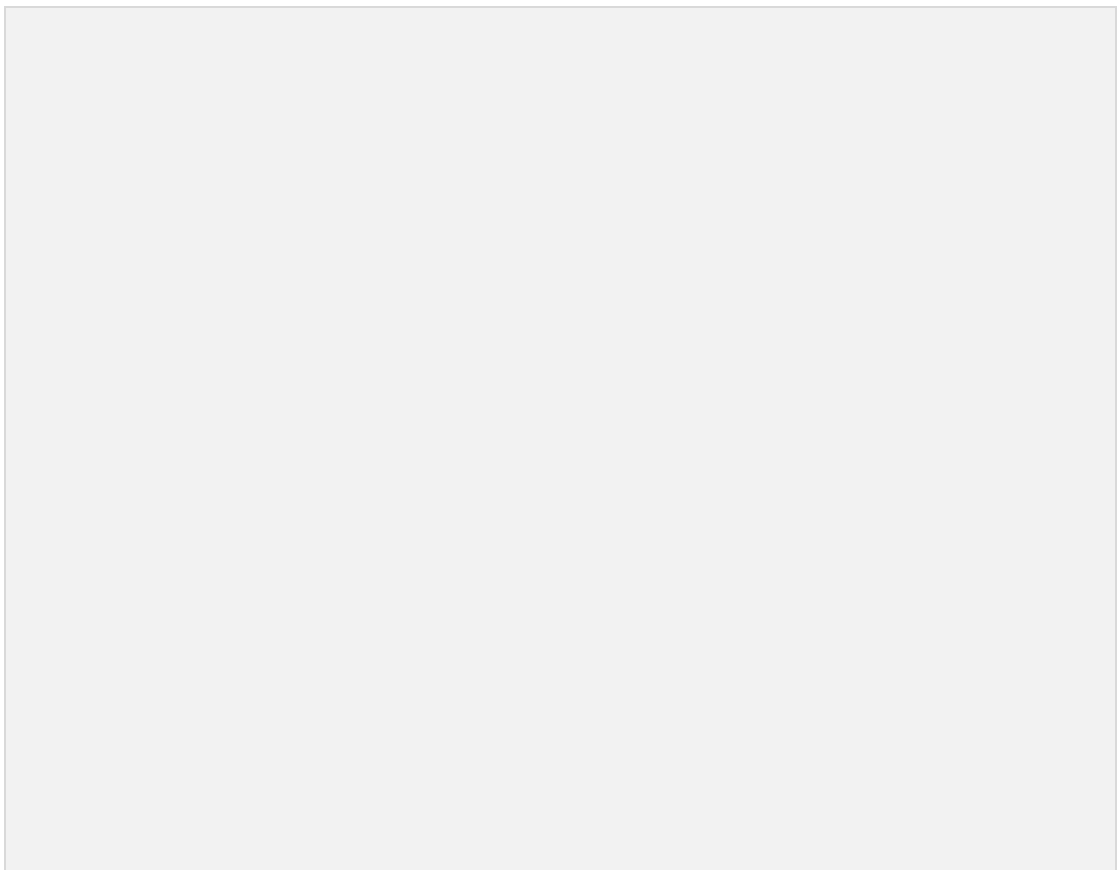
10.3 How many staff does the applicant have in its compliance team? Please provide a brief description of the functions each person will be performing.



- 10.4 How does the applicant intend to train staff in compliance procedures? Please include details of the compliance training that will be given to those responsible for live programming, including compliance staff, presenters and producers.

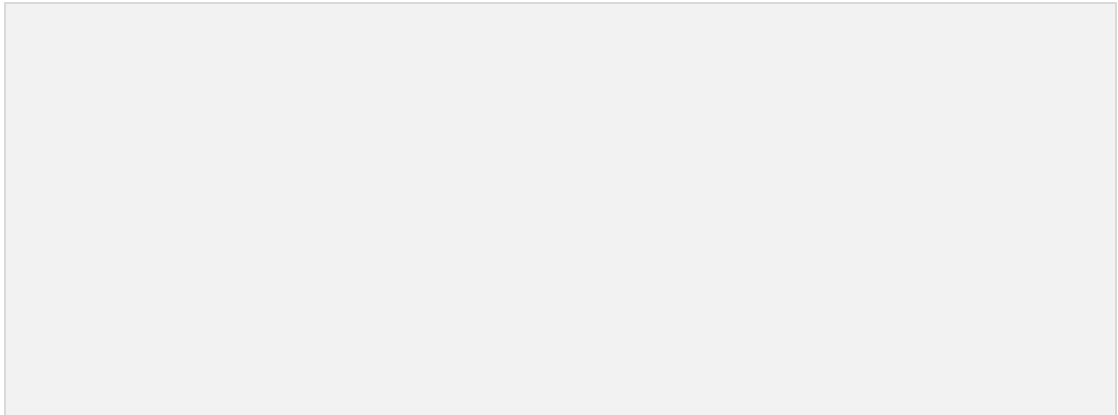


- 10.5 It is a licence requirement that a licensee must ensure that all programming on its service (broadcast at any time of the day or night) complies with Ofcom's codes and rules. Set out in detail below the system the applicant intends to have in place to ensure it will be able to comply with the codes and rules at all times while the service is broadcasting.

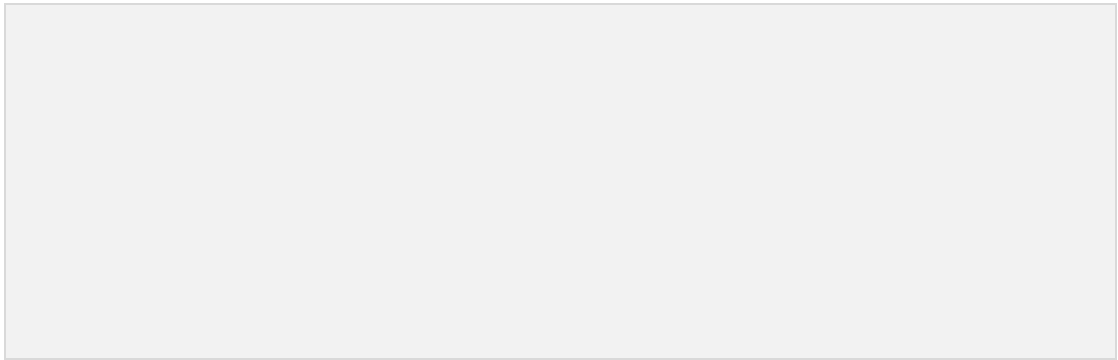


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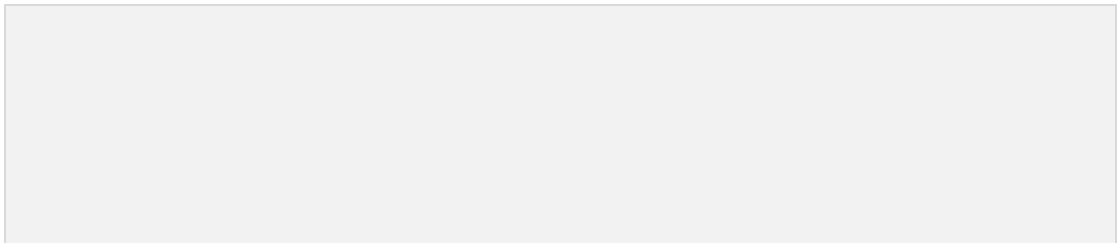
10.6 Set out in detail below how the applicant intends to ensure that live content will comply with Ofcom's codes and rules.



10.7 Set out in detail below how the applicant intends to ensure that pre-recorded material will comply with Ofcom's codes and rules. Pre-recorded content could include, for example, material obtained from, or streamed from, third party sources as well as content produced by the licensee.



10.8 For each language listed in response to question 9.6, please provide details of how many compliance team member(s) are fluent in each language and will be responsible for ensuring that content broadcast in that language complies with the Ofcom's code and rules.



## European productions & sourcing of content

- 10.9 Please state how you will ensure that your service meets the requirements for European Productions (i.e. at least 50% of transmission time devoted to European works and at least 10% of transmission time devoted to European independent productions), as required by the TLCS licence.

- 10.10 If it is not practicable for your service to meet the requirements for European productions, you must state why your service should be exempt.

## 11. Checklist for supporting documentation and application fee

### About this section

You must ensure that you submit your application fee in accordance with section 2 of this application form.

This application form must be accompanied by the following supporting documentation in legible form and translated into English where applicable. Failure to supply the necessary documents may result in the application being rejected.

Ofcom cannot receive emails larger than 35MB. If your application email exceeds this limit, please send your supporting documents in a separate email(s) clearly stating the applicant's name in the subject line of the email along with "TLCS transfer".

Please tick the relevant boxes below to confirm that you are providing each of the relevant documents with your application.

### For all licence applicants

- A copy of the contract between, or letter of corroboration from, the satellite uplink provider or the satellite provider (as applicable) and the applicant.
- If the applicant has made an arrangement with a radio multiplex licensee to carry the television service on their multiplex a notification in the form of a letter from the multiplex operator containing:
  - The identity of the multiplex operator and multiplex service;
  - The days and times of broadcasting; and
  - The amount of digital capacity to be used.
- Evidence of an agreement in principle, or a contract, with an EPG provider(s) to list, promote or provide access to the service (as applicable).
- An indicative schedule of the content of the proposed service.
- A diagram detailing the applicant's compliance structure.
- A copy of a valid gambling licence/permit (if applicable).
- If you are an agent, a letter authorising you to act on the applicant's behalf.
- The application fee of £1,000. Please submit a copy of the payment confirmation with your application.
- A letter from an authorised individual at the current licensee consenting to the transfer.

## For a body corporate applying for a licence

- A copy of the Memorandum and Articles of Association (or, if a body corporate without such, the nearest equivalent, along with a translation, if it is not in English), together with copies of any resolution amending or updating them. **(Only required if the current version is not available on the Companies House website).**
- A copy of the last Annual Return (or if the entity is recently established such that it has not yet been required to make that return, a copy of all filings made to Companies House since incorporation).
- The most recent accounts of the applicant (not applicable to recently established entities).
- An organisational chart showing the ownership structure of the applicant company, including percentages for shares held in it and for shares held by it in other entities to which it is connected.

## For a partnership applying for a licence

- The Partnership agreement.
- Any other agreement or memorandum setting out the objects of the partnership.
- A copy of the most recent accounts (not applicable to recently established entities).

## For an unincorporated body corporate applying for a licence

- The constitutional agreement.
- Any other agreement or memorandum setting out the objects of the body.
- A copy of most recent accounts (not applicable to recently established entities).

## For an individual applying for a licence

- A copy of the individual's UK passport or driving licence. Note: documents that are out of date and/or invalid will not be accepted.

### AND

- A copy of any of the following documents dated within the past three months and showing the individual's name and home address:
  - a recent utility bill (excluding from a mobile phone provider);
  - a bank, building society or credit card statement;
  - a Council Tax bill;
  - official personalised correspondence from a bank, building society, utility company (excluding from a mobile phone provider), court, or government institution.



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- Please note that Ofcom does not accept a driving licence as proof of address for this purpose. The name of the applicant must match the name on the documents provided. If you are unable to provide these documents, or wish to propose the use of an alternative, please contact Ofcom before you submit your application.

## 12. Declaration

### About this section

This form must be submitted by the applicant named in response to question 4.2. **An agent may not sign the form.**

The person authorised to make the declaration on behalf of the applicant must print their name and must be one of the following:

- A director of the company or the company secretary where the applicant is a company.
- A designated member where the applicant is a Limited Liability Partnership.
- A partner, where the applicant is a partnership.
- A member of the organisation's governing body where the applicant is an unincorporated body or association.
- The individual who will be the licensee where the applicant is an individual.

The declaration must also be dated.

12.1 I hereby apply to the Office of Communications (Ofcom) for the grant of a Broadcasting Act licence for the television licensable content service described above and declare that the information given in this application form and the documents, statements and particulars submitted with it are, to the best of my knowledge and belief, correct.

12.2 I further declare and warrant:

- a) that the applicant is not a disqualified person within the meaning of that expression as defined in Part 2 of Schedule 2 to the Broadcasting Act 1990, as amended, or as a result of a disqualification order under section 145 of the Broadcasting Act 1996;
- b) that having made all reasonable enquiries that the grant of a licence to the applicant would not breach any requirement of Schedule 14 to the Communications Act 2003 with regard to the accumulation of interests in broadcasting services or to the restrictions on cross-media interests; and
- c) that no director or person concerned directly or indirectly in the management of the applicant is the subject to a disqualification order as defined by section 145 (1) of the Broadcasting Act 1996.

12.3 I understand that Ofcom reserves the right to revoke the licences (if granted) if at any time any material statement made to Ofcom is found to be false and to have been made by the applicant or any member or officer thereof knowing it to be false. I also understand that under section 144 of the Broadcasting Act 1996 the provision of false information could incur a criminal conviction and a disqualification from the holding of a Broadcasting Act licence.

12.4 I further certify that, to the best of my knowledge, any matters which might influence Ofcom's judgement as to whether the directors and substantial shareholders involved in

this application are fit and proper persons to participate in a Broadcasting Act licence have been made known to Ofcom as part of this application.

**Full name (BLOCK CAPITALS) of the applicant or person authorised to make the application of behalf of the applicant:**

**Date of application:**

**If the applicant is NOT an individual, please complete one of the following sections:**

**If the applicant is a BODY CORPORATE (including an LLP):**

I am authorised to make this application on behalf of the applicant in my capacity as (delete as appropriate):

Company secretary / company director / designated member (in the case of a Limited Liability Partnership)

**OR**

**If the applicant is a PARTNERSHIP (not an LLP):**

I am authorised to make this application on behalf of the applicant in my capacity as (please tick to confirm):

A partner

**OR**

**If the applicant is an UNINCORPORATED BODY:**

I am authorised to make this application on behalf of the applicant in my capacity as (please tick to confirm):

A member of the organisation's governing body

Please send completed application forms to [broadcast.licensing@ofcom.org.uk](mailto:broadcast.licensing@ofcom.org.uk)