
Restricted Television Service Licence for an Event (RTSL-E)

Guidance notes for licence applicants

Contents

Section

1. Introduction	3
2. What is a Restricted Television Service for an Event (RTSL-E)?	4
3. Before you apply for a RTSL-E licence	5
4. Completing your application form	10
5. Technical matters	18

1. Introduction

General disclaimer

- 1.1 These notes are intended to help Restricted Television Service for an Event (RTSL-E) licence applicants understand the licensing process. The guidance notes should not be relied upon as legal advice, or be understood as modifying the effect of the statutory requirements or the conditions of the licence.
- 1.2 Applicants should seek their own legal advice on the licensing process and requirements, and when making their own independent assessment on the information that should be included in their application.
- 1.3 In providing the information in these guidance notes, Ofcom is not making, nor implying any judgements on the commercial prospects (or otherwise) of licensed services, or that they will be profitable.
- 1.4 Ofcom makes no representation or warranty, express or implied, with respect to information contained in these guidance notes (together with the standard form licence and other documents referred to in this document) or with respect to any written or oral information made or to be made available to any potential applicant or its professional advisers. Any liability therefore is expressly disclaimed.
- 1.5 These guidance notes may be updated from time to time. Applicants should check Ofcom's website to make sure they are using the most recent version. Applicants should also be aware that certain key features, such as fees, procedures and content rules, may change in the future.
- 1.6 If you have any queries you can contact the Ofcom Broadcast Licensing team by email (broadcast.licensing@ofcom.org.uk). The team cannot provide advice or pre-approve applications.

2. What is a Restricted Television Service for an Event (RTSL-E)?

- 2.1 RTSL-E are television services consisting of the broadcasting of television programmes for a particular establishment or other defined location, or a particular event, in the United Kingdom. Television programmes, in this context, means the broadcast of pictures and/or text, with or without sound.
- 2.2 Both a Broadcasting Act licence and a Wireless Telegraphy Act licence are required in order to broadcast a restricted television service.

3. Before you apply for a RTSL-E licence

Determining who should hold the licence

- 3.1 Ofcom considers that a person will normally have general control if that person exercises effective control over the selection of programmes that comprise the service and their organisation into a programme schedule. It is that person who will normally be treated as being the provider of the relevant service and who will need to hold a broadcasting licence authorising its provision. [The full guidance document](#) can be found on our website, which applicants should read before applying for a licence.

How to complete the form

- 3.2 Please download the application form and fill it in on a computer. If completing by hand, please use block capitals and black ink.
- 3.3 Please answer all the questions as fully as possible, use extra sheets if required and provide the supporting documentation listed at Section 10 of the form. Sufficient information must be supplied about the applicant and the proposed service to enable Ofcom to consider the application in accordance with the statutory criteria for the granting of RTSL-E licences.
- 3.4 Ofcom may need to request further details from you before a licence can be granted.
- 3.5 **Ofcom will reject applications made using an old version of the form.**
- 3.6 Ofcom will accept handwritten application forms but they must be filled in using block capitals and black ink.
- 3.7 **Ofcom will reject application forms that are illegible.**
- 3.8 You must answer all questions in the application form and respond “N/A” to any questions that do not apply to the applicant.
- 3.9 **Ofcom will reject applications which do not meet the following criteria:**
- 3.10 The declaration in Section 11 of the form must be signed and dated.
- 3.11 The person who signs and makes the declaration on behalf of the applicant must be:
- a) A director of the company or the company secretary where the applicant is company.
 - b) A designated member where the applicant is a Limited Liability Partnership.
 - c) A partner, where the applicant is a partnership.
 - d) A member of the organisation’s governing body where the applicant is an unincorporated body or association.
 - e) The individual who will be the licensee where the applicant is an individual.
- 3.12 All supporting documents as requested in the checklist in Section 10 of the form must be supplied in legible form and translated into English where applicable.

3.13 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

3.14 We prefer application forms and require supporting documents to be submitted by email to broadcast.licensing@ofcom.org.uk. Handwritten applications and required supporting documents should be scanned and attached to the email.

3.15 You should receive an auto-response from 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 leave a voicemail for the Broadcast Licensing team on 020 7981 3002 who will look into this and contact you.

3.16 If you cannot submit the application form and/or the supporting documentation by email, you can send it by post to:

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

Fees

3.17 A non-refundable application fee of £250 is payable.

3.18 Two licence fees will become payable once the RTSL-E Broadcasting Act and WT Act licences have been granted. These comprise the following:

a) RTSL-E Broadcasting Act licence fee of between £100-£500 depending on the size of the venue or if the service will not be broadcast in a particular venue, a fee of £500

Up to 1,000 seat venue	£100
------------------------	------

1,001 – 5,000 seat venue	£150
--------------------------	------

5,001 – 20,000 seat venue	£250
Over 20,000 seat venue	£500
A service not for broadcast at a particular venue	£500

- b) RTSL-E Wireless Telegraphy Act licence fee of £2,000.
- 3.19 Broadcasting Act application and licence fees are reviewed annually and applicants should consult the Ofcom website for the most up-to-date fees. Our [fees](#) are published no later than 31 March each year. This WT Act licence fees will be published in the Wireless Telegraphy Fees Regulations.
- 3.20 Ofcom requests that applicants pay the application fee by bank transfer. 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.
- 3.21 The bank details to be used to pay the application fee are:
- | | |
|-----------------|---|
| Account Name: | Office of Communications |
| Bank details: | Lloyds, 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 |
- 3.22 For further information about fees, see [Ofcom's Statement of Charging Principals](#) and [Ofcom's Tariff Table](#).

Timescales for assessing applications

- 3.23 Applicants will receive an auto-response from broadcast.licensing@ofcom.org.uk, which should be taken as acknowledgment of receipt of the electronic application. If you do not receive a response, it is likely your application has not been received and you should leave a voicemail for the Broadcast Licensing team on 020 7981 3002 who will look into this and contact you.
- 3.24 As a guideline, our aim is to issue licences within 25 working days for services seeking to broadcast television programme services. However, this cannot be guaranteed.

- Applications are assessed on a first come, first served basis, and during peak periods it may take longer for us to assess applications. The timeframe also assumes that full and accurate information has been provided by the applicant in the application form and accompanying documentation.
- 3.25 Applications for which potential issues arise relating to ownership restrictions and eligibility requirements may take longer to assess. Applicants with religious objects are also advised to allow longer for the assessment and consideration of their application by Ofcom in the light of the [Guidance for religious bodies applying for a Broadcasting Act licence](#).
- 3.26 Ofcom has a duty to ensure that it does not license bodies with objects which are of a wholly or mainly political nature. If questions arise on this issue, an application may take significantly longer than usual for Ofcom to consider.
- 3.27 Ofcom may refuse to issue a RTSL-E licence if the applicant is not a “fit and proper person”;¹ if the applicant is a “disqualified” person;² or if the proposed service would be likely to involve contraventions of the standards for programmes and advertising.³
- 3.28 In cases where Ofcom has instigated sanctions procedures against an existing Licensee which may lead to the revocation of any licence(s) it holds, it will not generally consider any applications for new licences by the same licensee or by a person/body connected to that licensee until such time as that aspect of the sanctions procedure is concluded. Similarly, Ofcom will not generally consider transfer applications either to or from a licensee while a sanctions procedure which may lead to licence revocation is ongoing.
- 3.29 To be able fully to consider an application, we may need to request further information or clarification from the applicant. If we don’t receive a response to a request for further information within one month, we will consider the application to have lapsed.

Publication of information about applications and licensed services

- 3.30 When a licence is granted, the name of the service and contact details for the licensee are published on the Ofcom website. These are the details supplied 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).
- 3.31 Additionally, Ofcom considers issued RTSL-E licences to be public documents and will make copies of licences available to third parties on request.
- 3.32 Ofcom also published 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. The [licensing updates are available on our website](#).

¹ Under section 3 of the Broadcasting Acts 1990 and 1996.

² Under Schedule 2, Part II of the Broadcasting Act 1990.

³ See paragraphs 5.47 and 5.48.

How licence applications will be considered

- 3.33 The transmission of a RTSL-E service is defined by the available frequency and the planning constraints which apply to its use, and not by any specific maximum radius or geographical coverage. Applicants should note that where an application is submitted for an already cleared frequency channel, applicants must conform to the existing technical specification.
- 3.34 We will not normally grant more than one RTSL-E licence (together with the associated RTSL-E transmission licence) for coverage of an event.
- 3.35 It is important that if an applicant wishes to broadcast coverage of an event, they obtain the written permission of the event organiser. If two or more applications are received with the backing of the event organiser, the event organiser will be invited to nominate one applicant to run the service.
- 3.36 In other circumstances, for instance applications to broadcast for an event that does not have an easily-identifiable organiser (e.g. a religious event), we will normally grant a licence to the applicant whose application we receive first (as long as it is received no more than twelve months prior to the proposed start date, and subject to satisfying the conditions in these notes, and to frequency availability). However, for events for which more than one application is received on the same day, for broadcasting in the same place and at the same time, Ofcom will decide between applications by means of a draw.
- 3.37 To be eligible to be entered into a draw, each application needs to be complete and the applicant's regulatory record will be taken into consideration (e.g. if an applicant has been found in breach of their licence conditions in a previous broadcast, their new application may be rejected if another has been received for the same dates and location on this occasion).
- 3.38 Multiple applications for a licence to cover a particular event from a single group, including applications submitted under different names but where each named person is connected to the others, will not be accepted.
- 3.39 Ofcom reserves the right to vary these rules if justified by particular circumstances.

4. Completing your application form

Data protection

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

Section 3 of the application form: Applicant's details

- 4.2 In this section, we are asking you for basic details about the applicant (whether an individual or body corporate).
- 4.3 The requested details include company registration number (where applicable) and contact information.
- 4.4 We are asking for this information so that Ofcom knows precisely who to contact at the applicant company during the application process and if a licence is granted.
- 4.5 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.
- 4.6 If you are granted a licence, it will be a condition of your licence that the licence holder must notify Ofcom as soon as possible of certain changes to the information provided in this section.
- 4.7 The applicant is asked for contact details for the following contacts:
- **Person authorised to make the application:** This is the person who is duly authorised by the applicant for the purposes of making the application. If the applicant is an individual their details will need to be provided. If the applicant is a company, details of the company secretary or a director must be provided.
 - **Licence contact:** 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; changes to the licence; and responding to information requests.
 - **Compliance officer:** This is the person for Ofcom to contact on matters relating to compliance with the Broadcasting Code and other content-related codes and rules. If we receive a complaint about the licensed service we will contact the compliance officer to request recordings of output. We will correspond with the compliance officer during any investigations into whether content was compliant with our codes and rules.
 - **Billing/Finance contact:** Contact details for Ofcom regarding invoicing/payment of annual licence fees.
 - **Data contact:** Contact details for Ofcom regarding submission of the annual transmission and revenue return. This is information that Ofcom requests from its licensees every year,

including information about the service's turnover (used to calculate subsequent licence fees).

- **Public contact:** Contact details for publication on the Ofcom website and/or in other relevant Ofcom publications. When a licence is granted, the name of the service, contact details for the licensee and a brief description of the licensed service are published on the Ofcom website.

Sources of funding

- 4.8 Ofcom needs the applicant to provide details about its source of funding so that Ofcom can ensure that the applicant is not disqualified from holding a licence under Schedule 2 of the Broadcasting Act 1990, for example, where the funder is a political body or, in Ofcom's opinion, appears to be exerting influence over the applicant's activities in a way which may be adverse to the public interest. Such influence may include, for instance, the management of the station and/or the content of its programming, but might also extend to the applicant's other activities.

Affiliates and control

- 4.9 Ofcom needs the applicant to provide information about entities with which the applicant is affiliated and who controls the applicant, in order to ensure that the applicant is not disqualified from holding a licence under Schedule 2 of the Broadcasting Act 1990 and that it is fit and proper to hold a licence. By affiliated, we mean entities with which the applicant has declared an affiliation. We expect licence applicants to be able to provide full details of those controlling them, since it is in the interests of those controlling them that the applicant should be granted a licence.
- 4.10 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.

Section 4 of the application form: Details of directors, designated members, participants and shareholders of the applicant (companies and LLPs)

- 4.11 Section 4 of the application form applies to applicants which are bodies corporate (e.g. companies or LLPs). If you are applying as:
- A partnership which is not an LLP, skip to Section 5 of the application form.

- An unincorporated body, skip to Section 6 of the application form.
- An individual, skip to Section 7 of the application form.

Ofcom needs the additional information in this section in order to enable us to consider those types of disqualification which apply specifically to bodies corporate. We also ask questions which are relevant to our assessment of the applicant's fitness and properness to hold a broadcast licence.

4.12 Before completing section 4 of the form, you should also 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.

4.13 In Section 4, we are asking for details of the directors or designated members, its shareholders and participants.

4.14 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.

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

Section 5 of the application form: Details of partners of the applicant (partnerships)

4.16 Section 5 of the application form applies to applicants which are partnerships (excluding LLPs). Please complete Section 4 of the form if the applicant is an LLP.

4.17 If you are applying as:

- a) An unincorporated body, skip to Section 6 of the application form.
- b) An individual, skip to Section 7 of the application form.

4.18 In Section 5, we are asking for details of the partners.

4.19 If any partner is a company, the applicant will also need to complete questions 4.2 and 4.3 in Section 4.

4.20 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.

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

Section 6 of the application form: Details of governing members of the applicant (unincorporated bodies other than partnerships)

- 4.22 Section 6 of the application form applies to applicants which are unincorporated bodies.
- 4.23 If you are applying as an individual, skip to Section 7 of the application form.
- 4.24 In Section 6, we are asking for details of the applicant’s governing members.
- 4.25 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.
- 4.26 The response boxes and tables should be expanded or repeated where necessary or provided in a separate annex.

Section 7 of the application form: Eligibility requirements

- 4.27 Ofcom has a duty to ensure that anyone who applies for a broadcasting licence is fit and proper to hold one.⁴
- 4.28 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 any jurisdiction).
- 4.29 In determining whether a person is “fit and proper”, a number of issues will be considered which could include, but are not limited to:
- Criminal convictions;
 - Bankruptcy and insolvency;
 - Disqualification of directors;
 - Removal from a professional or trade body; and
 - Previous broadcasting compliance history (e.g. licence applications, sanctions).

Ownership restrictions

- 4.30 The Broadcasting Act 1990⁵ lays down a number of restrictions on who may hold Ofcom’s broadcasting licences. The following are among those who are disqualified from holding a RTSL-E licence or from controlling a licensed company:⁶
- A local authority;⁷
 - A political body;

⁴ Under section 3 of the Broadcasting Acts 1990 and 1996.

⁵ As amended by the Broadcasting Act 1996 and the Communications Act 2003.

⁶ In accordance with the Broadcasting Act 1990 (as amended).

⁷ Except where the service is provided exclusively for the purposes of carrying out the functions of a local authority under Section 142 of the Local Government Act 1972 (as amended) provision by local authorities of information relating to their activities.

- a religious body, other than where Ofcom is satisfied that it is appropriate for a particular person to hold a licence and makes a determination to that effect. If you wish to seek such a determination, please consult the [Ofcom Guidance for religious bodies applying for a Broadcasting Act licence](#);
 - any company controlled by any of the above or by their officers or associates;
 - an advertising agency or any company controlled by such an agency or in which it holds more than a 5 per cent interest.⁸
- 4.31 Please note that in accordance with the Broadcasting Act 1990 (as amended) Ofcom has the power to determine that in certain circumstances a person with less than a 50 per cent share can be deemed to control a company.
- 4.32 If information is relevant to determining whether an applicant is a disqualified person, it is an offence for the applicant to supply false information or to withhold information with the intention of misleading Ofcom. If a person is convicted in such cases, the court may make an order disqualifying the applicant from holding a licence for a specified period. A disqualification order applies to both the individual concerned and to any company of which he or she is a director or involved in the management of (whether directly or indirectly).
- 4.33 If the applicant or the form signatory fails without reasonable excuse at the date of signing the declaration in Section 11 of the form to declare any matter of which Ofcom subsequently becomes aware, and which we consider to be relevant to the applicant's eligibility to hold a licence, we will take that into account when determining the question of whether the applicant/licensee remains fit and proper to hold a licence. We expect you to disclose all matters which pertain to the honesty and integrity in regulatory matters of the applicant, its officers and its controllers.

Section 8 of the application form: The proposed service

- 4.34 Section 8 asks you to describe your programme service and its target audience. If a licence is granted the information you provide in this section will be used to form the basis of an annex to your 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.

Name of the licensed service

- 4.35 The applicant chooses the name for their proposed service. It is the responsibility of the applicant to ensure the name can be used.⁹ Ofcom considers the proposed name of a service in an application to the extent that it may be relevant to the licensing criteria. This could

⁸ According to the Broadcasting Act 1990 (as amended), an "advertising agency" means an individual or body corporate who carries on business as an advertising agent involved in the selection and purchase or advertising time or space for the person who wishes to advertise (section 202 (7) of the 1990 Act).

⁹ Ofcom's statutory remit does not extend to intellectual property matters, and it is for you to satisfy yourself that the proposed name of the service will not cause problems, from your own point of view, with (for example) a similar name for an existing service.

concern, for example, matters relating to the Ofcom Broadcasting Code, such as the use of explicit language that viewers may find offensive.

- 4.36 It is the responsibility of the applicant to enter into agreements with the appropriate copyright licensing bodies before commencing broadcasting. The granting of a licence does not constitute a right to use a particular name.

Description of the licensed service (the Annex to the licence)

- 4.37 A licence is issued in respect of specific, named service and authorises the provision of that service only. The licensed service is described in the Annex, which forms part of the licence.

Broadcast content

- 4.38 The applicant must ensure that all content to be included in the proposed licensed service will be able to comply with the relevant codes including, but not limited to:
- the [Ofcom Broadcasting Code \(incorporating the Cross-promotion Code\)](#), which covers standards in programmes, sponsorship, product placement and fairness and privacy;
 - COSTA, which sets limits on the amount of advertising that can be transmitted (e.g. no more than 12 minutes per hour) and when advertising can be scheduled; and
 - the BCAP Code, which covers standards for the content of broadcast advertising.

You should refer to [Ofcom's compliance checklist for TV broadcast content](#) for further details of the codes and rules you should consider.

Evidence of support

- 4.39 You must provide evidence of support of the event organiser, and of the site owner for the use of the site for broadcasting.

Technical characteristics

- 4.40 Section 8 also asks you to describe the technical arrangements of the proposed service, including questions on the transmission site and studio location.
- 4.41 You are required to provide a map with the proposed area and transmitter site clearly identified.
- 4.42 There is more information about technical matters in Section 4 of these guidance notes.

Section 9 of the application form: Compliance of the service

- 4.43 Section 9 of the application form 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 Regulation of Premium Rate Services Order](#)
- 4.44 The applicant must have a Compliance Officer.
- 4.45 The applicant must be able to adopt procedures that are acceptable to Ofcom for ensuring that the proposed licensed service will comply with the requirements of the licence, including complying with any direction issued by Ofcom. Such procedures may include:
- ensuring that there are sufficient staff, and that staff are of sufficient seniority. All staff should fully understand the licence requirements (including compliance with relevant codes and rules) and the programme and advertising standards that apply to the service; and
 - making arrangements for the adequate clearance of advertising.
- 4.46 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 Ofcom’s codes and rules.
- 4.47 Before you apply for a licence it is important that you read our [Compliance checklist for TV broadcast content](#). The checklist is intended to help applicants and new licensees understand the obligations and rules with which they must comply as a condition of their Ofcom licence to broadcast. Prospective licensees must be aware of the potential scope of their regulatory responsibilities so that robust compliance procedures can be planned and financed at an early stage.
- 4.48 Condition 15 of a RTSL-E Broadcasting Act licence requires that you have compliance procedures in place, and this section asks that you demonstrate the ability to meet this licence condition.
- 4.49 Applicants should be aware that licensees must supply details of their compliance procedures to Ofcom, if we request them.
- 4.50 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.

Section 10 of the application form: Checklist of supporting documentation

- 4.51 You must ensure that you submit your application fee in accordance with these guidance notes.
- 4.52 The application form must be accompanied by the supporting documentation set out in Section 10 of the form.
- 4.53 Documentation must be in legible form and translated into English where applicable. Failure to supply the necessary documents may result in the application being rejected.

- 4.54 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 state the applicant's name in the subject line of the email along with "RTSL-E".
- 4.55 Please tick the relevant boxes below to confirm that you are providing each of the relevant documents with your application.

Section 11 of the application form: Declaration

- 4.56 The application form must be submitted by the applicant named in response to question 3.2 of the form. **An agent may not sign the form.**
- 4.57 The person authorised to make the declaration on behalf of the applicant must print their name and must be one of the following:
- a) A director of the company or the company secretary where the applicant is a company.
 - b) A designated member where the applicant is a Limited Liability Partnership.
 - c) A partner, where the applicant is a partnership.
 - d) A member of the organisation's governing body where the applicant is an unincorporated body or association.
 - e) The individual who will be the licensee where the applicant is an individual.
- 4.58 The declaration must also be dated.

5. Technical matters

UK frequency clearance

- 5.1 The frequencies allocated to television broadcasting are intensively used. So that interference is not caused to other broadcast services, a clear frequency must be found before a RTSL-E service can be allowed to operate.
- 5.2 On receipt of a valid application, Ofcom will commission a detailed frequency plan for the RTSL-E transmission licence proposal based on the target area and transmission site proposed by the applicant. An assessment will be made of potential interference the RTSL-E service may cause to other existing and planned television and other licensed services and the potential coverage area.
- 5.3 Detailed frequency planning normally takes up to weeks, or months to complete. During this time Ofcom will keep the applicant informed of significant developments which occur during the assessment. Although Ofcom will normally commission the assessment from an external consultant it is Ofcom who makes the final decision on the outcome of this stage and this decision is final.
- 5.4 The actual time taken to complete the assessment depends on the quality of information provided in the application. For instance, the applicant will have to have decided upon a transmission site from which the service will be broadcast before the assessment can be carried out.
- 5.5 If the detailed frequency planning study finds that the proposals can be accommodated, UK approval will be given, otherwise the proposal will be rejected.
- 5.6 Theoretical coverage predictions are made using internationally accepted planning techniques. The actual number of viewers able to receive the service will depend on factors such as: local topography; whether the frequency channel is in-band to viewers' existing aerials, whether the polarisation of existing aerial is the same; the direction in which existing aerials are pointing relative to the proposed restricted service licence transmitter. It is up to the applicant to take all these factors into account to determine the likely coverage achievable in practice.

International co-ordination

- 5.7 Once UK technical approval has been given, the application will be put forward by Ofcom for international co-ordination if necessary. According to internationally agreed rules, proposals in which the transmitter power exceeds agreed limits, or when the proposed service could potentially cause interference to other services, need to be submitted to neighbouring countries for approval.
- 5.8 Although low power RTSL-E services are unlikely to require international co-ordination, some may fall above the appropriate threshold. If co-ordination is required, a period of 12 weeks

from the date of submission is set for the co-ordinating countries to reply. However, countries may request more time to consider the request without giving a specific reason and are under no obligation to agree to a proposal. Please note that the time required for international co-ordination is in addition to that required for detailed frequency planning.

- 5.9 Should a country initially refuse co-ordination or raise concerns, a much longer time could be required. If a country continues to refuse co-ordination then the restricted service licence proposal will not be able to proceed and the application will be rejected. There is no way round this procedure which forms part of the UK's international obligations.
- 5.10 Ofcom will inform the applicant of the date of submission for international co-ordination of their proposal, and of any significant developments that occur during the process.
- 5.11 Ofcom will normally allow a RTSL-E WT Act transmission licence to be granted only when full international co-ordination has been received from Ofcom. However, if more than 12 weeks have elapsed since the initial request for international co-ordination, and not all co-ordination replies have been received, Ofcom may consider allowing clearance on a "no interference, no protection" conditional basis. If agreed by Ofcom, the condition is that changes to the transmitter characteristics may subsequently be required when all international co-ordination replies are received. In such cases the licensee must agree in writing to accept the risk of having to modify or replace transmission equipment (at its own cost) at some point in the future should it be required as a condition of co-ordination. Furthermore, the licensee may also be required to immediately shut down any existing transmissions if serious interference problems arise. In the worst case, neighboring countries could refuse co-ordination in which case transmissions would have to cease.
- 5.12 Only in exceptional circumstances will proposals for amendments to the approved transmission characteristics be considered. These might involve the need to seek national and international frequency clearance, and will extend the time taken to process the application. Applicants may wish to first seek professional advice before proposing changes, but should in any case make a written request to Ofcom. Ofcom would assess the feasibility of the proposal, and decide whether to commission the necessary detailed planning work. There is no guarantee that proposals for amendments will result in the necessary UK or international frequency clearances. In particular, proposals for amendments which would have an adverse effect on other services will be rejected.

Technical aspects of the service

- 5.13 The application form requires applicants to answer a number of questions on the technical aspects of the proposed service. Applicants should note that where an application is submitted for an already cleared frequency channel, applicants must conform to the existing technical specification.
- 5.14 A condition of the RTSL-E Wireless Telegraphy Act transmission licence is that the broadcast signal conforms to the [Ofcom Television Technical Performance Code](#). In addition digital broadcast signals must conform to the relevant parts of [UK Interface Requirement 2022](#) for

Broadcast Transmitters operating in frequency bands administered by Ofcom. Ofcom has powers to inspect the site and installation in order to check that these requirements are being adhered to.

- 5.15 In some cases we may require the applicant to amend their choice of site. This may be due to difficulties in achieving the required coverage from the proposed site or that the levels of interference from the proposed site to other services is unacceptable. In such cases we may attempt to provide the applicant with an alternative proposal, otherwise the applicant can in conjunction with their transmission provider propose an alternative site. In either case it is important that the applicant responds immediately to such a request. We may set a timetable for resolving these issues.
- 5.16 Ofcom will on a case-by-case basis consider permitting RTSL-E Wireless Telegraphy Act licensees to employ variations to the signals detailed in the Ofcom Television Technical Performance Code where the applicant can provide evidence that doing so will not result in interference or loss of service to other broadcast services. In any case, the transmitter's emissions must still comply with the requirements of UK Interface Requirement 2022.

Test transmissions

- 5.17 Once a RTSL-E Wireless Telegraphy Act has been granted by Ofcom, the licensee may be permitted to broadcast test transmissions in advance of the on air date of the service in the transmission areas, provided that they comply with the requirements of paragraph 5.22 below and the timing and duration of these transmissions have been agreed in advance by Ofcom.
- 5.18 The licensee must ensure that such transmissions are authorised by the RTSL-E-WT Act licence that has been issued. The WT Act licence is normally issued at the same time as the RTSL-E Broadcasting Act licence. **It is a criminal offence to carry out any transmissions without having received the appropriate WT Act licence.**
- 5.19 The test transmissions must clearly identify the station and carry a telephone number which viewers can call if they are experiencing any interference. The licensee should be capable of responding to any complaints received by offering basic advice on how viewers can remove the interference.
- 5.20 The licensee should keep records of the number of calls received concerning interference.
- 5.21 Test transmissions may carry programmes as well as engineering test signals, provided that:
- a) All programmes comply with Ofcom Broadcasting Code
 - b) No programmes are sponsored
 - c) There is no advertising. Advertising is defined as any item of publicity broadcast on behalf of someone other than the licensee and publicity by the licensee himself except information to viewers about or in connection with the licensed service.

- 5.22 We may direct the licensee to cease test transmissions if any of these guidelines are contravened or if any other licence conditions are breached by the transmissions.

Commencement of service – "on air"

- 5.23 The applicant is able to start broadcasting once a RTSL-E Broadcasting Act and the corresponding Wireless Telegraphy Act transmission licence have been granted. The Wireless Telegraphy Act licence contains details of the approved site together with details of the transmitter power, aerial pattern and height. It is important that the restricted service licence broadcasts operate within these constraints as these have been designed to minimise interference to other broadcasts both within the UK and abroad.
- 5.24 It is recommended that when the transmitter and aerial installation is complete a site survey is carried out to ensure that the propagation pattern predicted for the installation has been realised.