

**FORM G****APPLICATION TO TRANSFER AN INDIVIDUAL LICENCE****(Regulation 11(1))**

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

- Note: (a) Applicants must refer to the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the Act") and any regulations published under that Act with regard to the requirements to be fulfilled by applicants.*
- (b) Information required in terms of this Form which does not fit into the space provided may be included in an appendix attached to the Form. Each appendix must be numbered with reference to the relevant part of the Form.*
- (c) Where any information in this Form does not apply to the applicant, the applicant must indicate that the relevant information is not applicable.*

<b>1.</b>	<b>PARTICULARS OF LICENCE</b>	
1.1	Licence number:	
1.2	Nature of services authorised to be provided in terms of the licence:	
1.3	Attach a copy of the licence that is the subject of this application. The copy of the licence must be marked clearly as <b>Appendix 1.3 of FORM G.</b>	

<b>2.</b>	<b>PARTICULARS OF THE APPLICANT (LICENSEE)</b>	
2.1	Full name of the applicant:	
2.2	Designated contact person:	
2.3	Applicant's street address:	
2.4	Applicant's principal place of business (if different from street address):	

2.5	Applicant's postal address:	
2.6	Designated contact person's telephone number/s:	
2.7	Designated contact person's telefax number/s:	
2.8	E-mail address of designated contact person:	

<b>3. PARTICULARS OF TRANSFEREE</b>		
3.1	Full name of transferee:	
3.2	Designated contact person:	
3.3	Transferee's street address:	
3.4	Transferee's principal place of business (if different from street address):	
3.5	Transferee's postal address:	
3.6	Telephone number/s:	
3.7	Telefax number/s:	
3.8	E-mail address of the designated contact person:	

<b>4. LEGAL FORM OF THE APPLICANT (LICENSEE)</b>		
4.1	Indicate if the applicant is:	
	(i) a natural person	
	(ii) a partnership	
	(iii) a juristic person	
	(iv) other (specify)	
4.2	If the applicant is a natural person or a partnership:	
4.2.1	Provide the identity number of the applicant or each partner in the applicant:	

4.2.2	Attach a certified copy of the identity document of the applicant or certified copies of the identity document of each partner in the applicant marked clearly as <b>Appendix 4.2.2 of FORM G</b> , indicating that he or she is a citizen of the Republic, as required by section 5(8) (a) of the Act.
4.3	If the applicant is a juristic person:
4.3.1	Indicate the legal form of the applicant (e.g. private company incorporated in terms of the Companies Act, 1973):
4.3.2	Registration number of applicant: <input type="text"/>
4.3.3	Attach certified copies of the applicant's certificate of incorporation and memorandum and articles of association or other constitutive documents of the applicant (e.g. memorandum and articles of association, association agreement, constitution) marked clearly as <b>Appendix 4.3.3 of FORM G</b> , indicating the applicant's compliance with the requirements of section 5(8) (b) of the Act.
4.4	Where the applicant has been liquidated or sequestrated, provide:
4.4.1	Liquidator / Executor's postal address: <input type="text"/>
4.4.2	Liquidator / Executor's telephone number/s: <input type="text"/>
4.4.3	Liquidator / Executor's telefax number/s: <input type="text"/>
4.4.4	Liquidator / Executor's E-mail address: <input type="text"/>
4.4.5	Attach an affidavit deposed to by the liquidator or executor, indicating the consent to the transfer of the licence, marked clearly as <b>Appendix 4.4.5 of FORM G</b> .

<b>5.</b>	<b>LEGAL FORM OF TRANSFEREE</b>
5.1	Indicate if the transferee is:
	(i) a natural person
	(ii) a partnership
	(iii) a juristic person
	(iv) other (specify)
5.2	If the transferee is a natural person or a partnership:
5.2.1	Provide the identity number of the transferee or each partner in the transferee:
5.2.2	Attach a certified copy of the identity document of the transferee or certified copies of the identity document of each partner in the transferee marked clearly as <b>Appendix 5.2.2 of FORM G</b> , indicating that he or she is a citizen of the Republic, as required by section 5(8) (a) of the Act.

5.3	If the transferee is a juristic person:
5.3.1.	Indicate the legal form of the transferee (e.g. private company incorporated in terms of the Companies Act, 1973):
5.3.2.	Registration number of transferee:
5.3.3.	Attach certified copies of the transferee's certificate of incorporation and memorandum and articles of association or other constitutive and/or other governing documents of the transferee (e.g. memorandum and articles of association, association agreement, constitution) marked clearly as <b>Appendix 5.3.3</b> of <b>FORM G</b> , indicating the transferee's compliance with the requirements of section 5(8) (b) of the Act.
5.4	If the transferee is not a juristic person but intends to operate as one if this application is granted:
5.4.1	Provide a written undertaking that the transferee will comply with section 5(8) (b) of the Act marked clearly as <b>Appendix 5.4.1</b> of <b>FORM G</b> .
5.4.2	Indicate when and how the transferee will comply with section 5(8) (b) of the Act.

<b>6.</b>	<b>OWNERSHIP AND MANAGEMENT OF APPLICANT</b>
6.1	Provide details of all ownership interests in the applicant and the identity and address of each holder of an ownership interest in the applicant. Where a applicant is a juristic person, only shareholdings (or equivalent) of 5% or more of the total issued shares (or equivalent) in the applicant are relevant.
6.2	Indicate whether the applicant is listed on any stock exchange, and provide details of any such listing:
6.3	In respect of each holder of any ownership interest in any person holding an ownership interest in the applicant, provide the details required in 6.1 in respect of each such holder:

6.4 Indicate the extent to which any ownership interest referred to above is held by an historically disadvantaged person
6.5. Indicate whether the holder of any ownership interest in the applicant is a foreign citizen or an entity registered or incorporated in any country other than South Africa:
6.6. Indicate whether any person holding an ownership interest in the applicant holds a licence issued in terms of the Act or holds an ownership interest in any other licensee licensed to provide a service similar to that to which this application relates:
6.7. Provide particulars of any interest held by the applicant in another licensee licensed in terms of the Act:
6.8. Provide details (including name, nationality, identification or passport number, position and address) of each member of the applicant's: (i) board of directors or similar body; and (ii) senior management.

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**7. OWNERSHIP AND MANAGEMENT OF TRANSFEREE**

7.1 Provide details of all ownership interests in the transferee and the identity and address of each holder of an ownership interest in the transferee. Where a transferee is a juristic person, only shareholdings (or equivalent) of 5% or more of the total issued shares (or equivalent) in the transferee are relevant.

7.2 Indicate whether the transferee is listed on any stock exchange, and provide details of any such listing:

7.3 In respect of each holder of any ownership interest in any person holding an ownership interest in the transferee, provide the details required in 7.1 in respect of each such holder:

7.4 Indicate the extent to which any ownership interest referred to above is held by historically disadvantaged persons.

7.5	Indicate whether the holder of any ownership interest in the transferee is a foreign citizen or an entity registered or incorporated in any country other than South Africa:
7.6.	Indicate whether any person holding an ownership interest in the transferee holds a licence issued in terms of the Act or holds an ownership interest in any other licensee licensed to provide a service similar to that to which this application relates:
7.7.	Provide particulars of any interest held by the transferee in another licensee licensed in terms of the Act:
7.8.	Provide details (including name, nationality, identification or passport number, position and address) of each member of the transferee's: (i) board of directors or similar body; and (ii) senior management.

<b>8.</b>	<b>SUITABILITY OF TRANSFEREE</b>
8.1	Provide particulars of any licence held by the transferee in terms of the Act which has been revoked:

8.2	Provide particulars of any application submitted by the transferee for a licence in terms of the Act, which was rejected:
8.3	Provide particulars of any application submitted by the transferee for a licence in terms of the Act which is pending before the Authority:
8.4	Provide details of any action taken in relation to the transferee by the Authority or any other person due to a breach of the Act and related legislation:
8.5	Provide details of the transferee's business plan in respect of the licensed service:
8.6	Provide separately and mark clearly as <b>Appendix 8.6 of FORM G</b> , copies of the transferee's audited annual financial statements for the previous three years:

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**9. OWNERSHIP AND CONTROL BY HISTORICALLY DISADVANTAGED PERSONS**

Indicate details of ownership and control by historically disadvantaged persons.

**10. REASONS FOR PROPOSED TRANSFER**

Provide the reasons for the proposed transfer indicating the reasons for the transfer:

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**11. APPLICANT'S LICENCE OBLIGATIONS**

11.1 Indicate those obligations of the applicant in terms of the licence which have been discharged and those which will assumed by the transferee, should this application be granted:

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11.2 Provide separately and mark clearly as **Appendix 11.2 of FORM G**, a written undertaking given by the transferee, through its duly authorised representative, that it will comply with the applicant's licence obligations in the event of the transfer application being approved by the Authority.

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<b>12. UNDERTAKINGS</b>
12.1 Specify any undertakings which the transferee is prepared to make in order to promote the objects of the Act, if the licence is transferred.

<b>13. COMPLIANCE WITH CHAPTER 9 OF THE ACT</b>	
<i>This section is only applicable where the licence to be transferred is in respect a broadcasting service.</i>	
13.1 Indicate whether the transferee is a member of the Advertising Standards Authority or intends to become a member:	
13.2 Indicate whether the transferee is a member of a body contemplated in section 54(3) of the Act or intends to become a member:	
13.3. Indicate whether the transferee is a party, movement, organisation, body or alliance which is of a party-political nature.	
13.4. Indicate whether the transferee controls a newspaper, and, if so, provide details of: (i) newspaper's circulation figures (ii) area in which the newspaper is distributed (iii) newspaper's market share.	

<b>14. GENERAL</b>
14.1 Provide details of any other matter of which, in the applicants' view, the Authority should be aware:
14.2 Attach a resolution authorising the persons signing this application to sign this application marked clearly as <b>Appendix 14.2 of FORM G.</b>

The persons signing the application on behalf of the applicant and the transferee must acknowledge as follows:

I, the applicant, acknowledge that the Authority reserves the right to have any licence amended pursuant to this application set aside, should any material statement made herein, at any time, be found to be false.

Signed .....

(APPLICANT)

I certify that this declaration was signed and sworn to before me at .....on the ..... day of ..... 20..., by the deponent who acknowledged that he/she:

- 1. knows and understands the contents hereof;
- 2. has no objection to taking the prescribed oath or affirmation; and
- 3. considers this oath or affirmation to be truthful and binding on his/her conscience.

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**COMMISSIONER OF OATHS**

Name:

Address:

Capacity:

Signed .....

(TRANSFEREE)

I certify that this declaration was signed and sworn to before me at .....on the ..... day of ..... 20..., by the deponent who acknowledged that he/she:

- 1. knows and understands the contents hereof;
- 2. has no objection to taking the prescribed oath or affirmation; and
- 3. considers this oath or affirmation to be truthful and binding on his/her conscience.

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**COMMISSIONER OF OATHS**

Name:

Address:

Capacity: