

Call for applications

Auction of 3G-licences

Instructions for the candidates regarding the application form

In 2001 four licences were put up for auction in the 2.1 GHz band (3G licences). Since then three operators have been granted a 3G licence in Belgium: Belgacom, Mobistar and KPN Group Belgium. One or more new 3G licences will be auctioned to acquire the spectrum that corresponds to the 3G licence that was not granted in 2001. On this occasion, a new 3G operator can also acquire spectrum in the 900 MHz and 1800 MHz band.

A first phase of the auction process is the call for applications, allowing candidates to submit applications to qualify for the auction (i.e. to comply with the auction validity rules). Submission of an application will be done through filling out an application form.

On 4th of march 2011, the Council of BIPT decided to call for applications. Only legal entities can submit an application. (article 31 Royal Decree of 18 January 2001 fixing the specifications and the procedure for the granting of individual licences for third generation mobile telecommunications systems (hereinafter: "3G Royal Decree").

Below you will find instructions regarding the information required to fill out this application form and regarding the manner in which it is to be presented. The terms used in the application form and in these instructions shall be interpreted in the sense as indicated in the 3G Royal Decree.

Candidate's details (article 33, § 2 3G Royal Decree):

1.1. The name of the candidate ("the candidate")

1.2. The address, phone number, fax number in Belgium, on which the candidate may be contacted on working days, from 8 am to 7pm, Belgian time. These data will be considered the candidate's official address for all correspondence during the 3G-licence awarding procedure. (article 33, §2, 1° 3G Royal Decree)

1.3. The names, titles, capacities and signatures of three persons legally authorised to fully represent the candidate by virtue of the law or the candidate's articles of association for all actions that may relate to the procedure for the granting of a 3G-licence. (article 33, §2, 2° 3G Royal Decree)

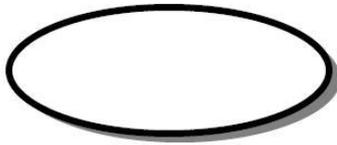
1.4. The candidate's bank account number, into which the deposit must be paid back if no 3G-licence is allocated to the candidate. (article 33, §2, 9° 3G Royal Decree)

1.5. The IMT-2000 standard that the candidate will use. (article 33, §2, 10° 3G Royal Decree)

1.6. The names, titles and powers of the candidate's directors and members of the Board. (article 33, §2, 13° 3G Royal Decree)

1.7. The names of insiders as regards the candidate. (article 33, §2, 5° 3G Royal Decree)

1.8. A clear, comprehensive and detailed view of the candidate's ownership, according to the instructions below (article 33, §2, 6° 3G Royal Decree):



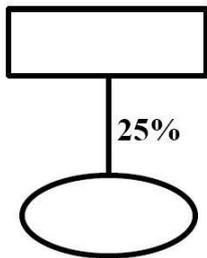
The Candidate



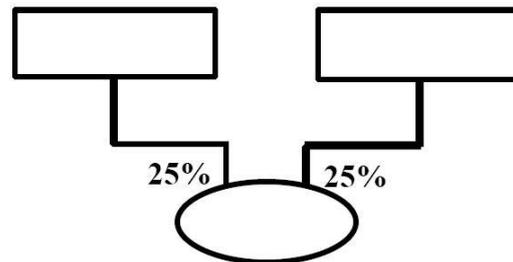
Connected Person

Each form must bear the name of the person it represents.

- Direct property interests must be indicated by means of a full line between the two parties, with the interest percentage of the two parties in margin. The lines will be either horizontal or vertical, but not diagonal.

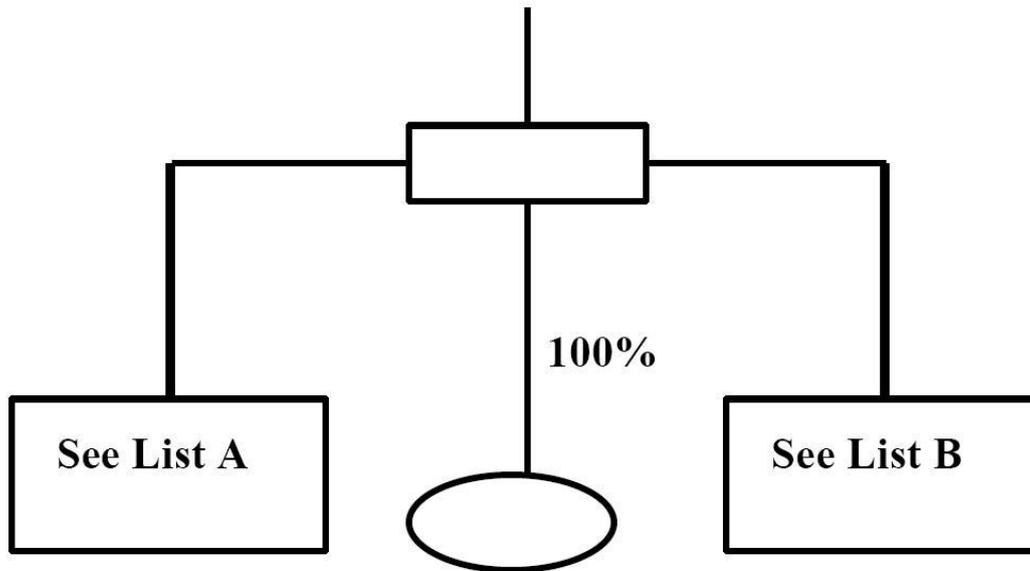


or:



Other forms of control or influence, such as management contract or common directors, will be indicated by means of a double pointed line (==), with a text or a note to illustrate or explain, indicating the control mechanism.

When an associated person controls other companies, the information will be presented as a diagram, as illustrated below. A list of the companies that person controls and, if known, of associated bidders, should be added on a separate page (see below in the list):



Each list will bear the titles *List A, B*. The main company in the list will be put at the top of the list, and the companies it controls directly will be indicated below, written appropriately in a manner that shows the ownership structure. For example, the presentation below would be appropriate:

Main company
Company A
 Company A1
 Company A2
 Company A2i
 Company A2ii
Company B
Company C

(and so on, if need be).

It is not necessary to provide the lists of companies which are the persons associated to the candidate by a Government's common ownership.

Documents to be enclosed in the application form:

2.1. The candidate's statutes or, by default, equivalent documents (article 33, §2, 3° 3G Royal Decree): if the original documents are not available in French or Dutch, an official translation (in one of these languages) must be provided, with the version in the original language. The candidate is responsible for the accuracy of any translation.

2.2. The proof or, if such a proof is not issued in the country where the candidate has its registered office, a statement under oath that the candidate (and the companies owned by the candidate) is/are not in a state of bankruptcy, liquidation or has/have not made any declaration of bankruptcy and is/are not involved in a liquidation procedure or judicial concordat, and is/are not involved in a similar situation under foreign relation (article 33, §2, 4° 3G Royal Decree). The certificates provided by the candidates will be in French or in Dutch, or with an official French or Dutch translation. The candidate is responsible for the accuracy of any translation.

2.3. The candidate's conformity certificate (as prescribed in Annex 1 of the 3G Royal Decree) (article 33, §2, 7° 3G Royal Decree) must be provided in French or Dutch.

2.4. The proof of payment of the deposit (article 33, §2, 8° 3G Royal Decree): the proof must include the indisputable instructions of payment given to the bank(s) tasked with the payment, with the confirmation from the bank(s) that the payment has been made through the clearing system (a confirmation from the bank(s) that the deposit has been paid into the recipient's account must not be produced).

2.5. The proof of payment of the application fee of EUR 12,500 (article 33, §2, 11° 3G Royal Decree): the proof shall include the indisputable instructions of payment given to the bank(s) tasked with the payment, with the confirmation from the bank(s) that the payment has been made through the clearing system (a confirmation from the bank(s) that the fee has been paid into the recipient's account must not be produced).

2.6. If the candidate is a 2G-operator or belongs to the relevant group of a 2G-operator, a declaration regarding the national roaming signed by that candidate if he is a 2G-operator, or signed by the 2G-operator belonging to the relevant group of the candidate. (article 33, §2, 12° 3G Royal Decree iuncto article 32 3G Royal Decree)

Payment instructions:

3.1 The deposit shall be paid into the account 100-0086954-76 - IBAN : BE91 1000 0869 5476 - BIC : NBBE BEBB 203 with mention "3G-Procedure".

3.2 The application fee of EUR 12,500 shall be paid into the account 679-1226907-51 - IBAN : BE75 6791 2269 0751 - BIC : PCHQ BEBB with mention "3G-Procedure" .

Application instructions:

Applications must be submitted by 29 April 2011, 10 a.m., at the latest.

Applications shall be submitted between 9am and 5pm, during working days, at:

BIPT
Ellipse building C
Boulevard du Roi Albert II, 35
1030 Brussels

An acknowledgement of receipt will be provided.

Applications shall be submitted in 10 copies (1 original and signed, with 9 copies) (article 33, §1, 3° 3G Royal Decree).

Applications shall be submitted in sealed boxes with mention:

To Mr Luc Hyndrickx

[Name of the candidate]

Application 3G-auction

Box [box number] of [total number of boxes]

Comment

Candidates will note that the application must be complete when it is submitted, with the correct amount of copies, with neither mistakes nor omissions. The application shall also be submitted during the hours indicated, and at the latest by the date and hour specified by BIPT. If these requirements are not met, the application might be declared inadmissible.

Application form

Auction of 3G-licences

(1) Data regarding the candidate

1.1. Name of the candidate:

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1.2. Contact information: (Workings days from 8 am to 7 pm)

Address:

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e-mail address

Telephone number:

Fax number:

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1.3. Authorised representatives:

Name	Title	Quality	Signature

1.4. Candidate's bank account number (for the reimbursement of the deposit laid down in article 34 3G Royal Decree):

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1.5. The IMT-2000 standard that the candidate plans to use:

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1.6. Administrators of the candidate:

Name	Title	Quality

	involved in an similar situation under foreign regulation.	
2.3.	Candidate's conformity certificate (annex 1 3G Royal Decree)	
2.4.	The proof of payment of the deposit (copy of the payment order and the confirmation from the bank(s))	
2.5.	The proof of payment of the application fee of EUR 12,500 (copy of the payment order and the confirmation from the bank(s))	
2.6.	Declaration regarding the national roaming signed by that candidate if he is a 2G-operator, or signed by the 2G-operator belonging to the relevant group of the candidate (annex 2 3G Royal Decree)	