



GIBRALTAR REGULATORY
AUTHORITY

Guidance notes for an application for a Restricted FM service Radio Broadcasting Licence

(Audio media service)

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Gibraltar Regulatory Authority

Broadcasting Division

2nd Floor, Eurotowers 4, 1 Europort Road

Gibraltar

Email: broadcasting@gra.gi

Telephone +350 20074636 Fax +350 20072166

Web: <http://www.gra.gi>

Guidance Notes

Note: These notes are for the general guidance of applicants for a restricted FM service radio broadcasting licence. The guidance notes provide an overview of the licensing process, the licensing requirements and the conditions that licensees are subject to, but do not purport to explain all the relevant provisions of the legislation, or give an exhaustive account of the licensing requirements or licence conditions. Applicants should seek their own legal advice for this purpose. The guidance notes cannot be taken as modifying the effect of the Act or the conditions of the licence.

General rules for RSL

1. Restricted service licences (RSLs) are for broadcasting within a defined site or location only and not for the wider surrounding community. The broadcaster must operate within a clearly definable single site inside the territory of Gibraltar (refer to Annex).
2. The RSLs allow for a transmission on the FM (VHF) waveband at a maximum radiated power of 5W. This is specific to each licensee and is dependent upon a number of factors such as the location and directionality of the antenna to be determined after a site inspection. The transmission equipment must meet the technical requirements as set out in the Annex.
3. Although there is a likelihood for some overspill of the signal into areas beyond the licensed site, it is a condition of the licence that this overspill area is not acknowledged, either on-air or in off-air promotion and publicity. No service should be directed at listeners living outside the licensed site.
4. RSLs are generally issued on demand on a first come, first served basis at the discretion of the GRA, subject to the conditions for their issue being met (as set out in these notes for applicants), and to the availability of a suitable frequency.

Submitting a valid application

5. The application form for a RSL can be found on the GRA's website. Applicants should ensure that they always refer to the most recent editions of the guidance notes and application form when submitting their application.
6. We encourage applicants to download the editable version of the application form from our website and fill it in on their computer. The GRA will accept handwritten application forms, but they must be filled in using **BLOCK CAPITALS** and **black ink**. We will not accept illegible application forms.
7. You should fill in all sections of the application form. If a section is not applicable to your application, you should indicate that. The declaration in section 5 of the application form must be signed and dated, and the form submitted in hard copy to:

Gibraltar Regulatory Authority
Broadcasting Division
2nd Floor, Eurotowers 4
1 Europort Road
Gibraltar

8. The application form must be accompanied by 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 and 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) and Accounts of the applicant; along with the relevant fee.
9. We will normally acknowledge your application within two working days from receiving it. If an application cannot be considered (for example, because it is illegible, the appropriate fee has not been submitted, the applicant has used the wrong form etc.) we will normally return the application form to the applicant.

Timescales

10. Licence applications are considered as and when they are received. As a guideline, our aim is to issue a licence within 20 working days of receipt of the application. This assumes that full and accurate information has been provided by the applicant in the application form and accompanying documentation.
11. The GRA may refuse to issue a licence if the applicant is not fit to act as a broadcaster, if the applicant is a disqualified person or if the proposed service would be likely to involve contraventions of the standards for programmes and advertising.
12. In cases where the GRA has instigated sanctions procedures against a licensee, 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 the sanctions procedure against the existing connected licensee is concluded. This means any sanction imposed, must be satisfied (e.g. in the case of a fine, full payment of the fine must have been made) before any new application by that licensee or by a person/body connected to that licensee can be considered.
13. In order to be able to fully consider an application, we may need to request further information or clarification from the applicant. If we do not receive a response to a request for further information within 30 days, the application will be considered to have lapsed.

Fees

14. The application must be accompanied by the application fee. Application fees may be reviewed by the Minister and applicants should consult the GRA website for the most up to date information on fees. The application fee is £500 per application.
15. The application fee is non-refundable.
16. If a licence is no longer required it may be surrendered. If an invoice for the annual licence fee has been issued, the licence must be surrendered within 30 days of the date of the invoice in order for the annual licence fee to be waived. If a licence is surrendered before the end of the annual licence period, no refund for the remaining period will be made.
17. Fees can be paid by cheque or by BACS transfer. Payment should include a reference to the application being made or in the case of payment of annual fees, a reference to the invoice number. Confirmation of payment should be emailed to broadcasting@gra.gj.

Annex

Technical requirements

Coverage area

RSLs are issued to serve an area within the boundaries of a single, contiguous site only within the territory of Gibraltar, although there is likely to be some overspill of the signal into areas beyond the licensed site. However, it is a condition of the licence that this overspill area is not acknowledged, either on-air or in off-air promotion and publicity.

The shaded area contained in the map below shows a sample boundary of a single, contiguous site within a portion of town.

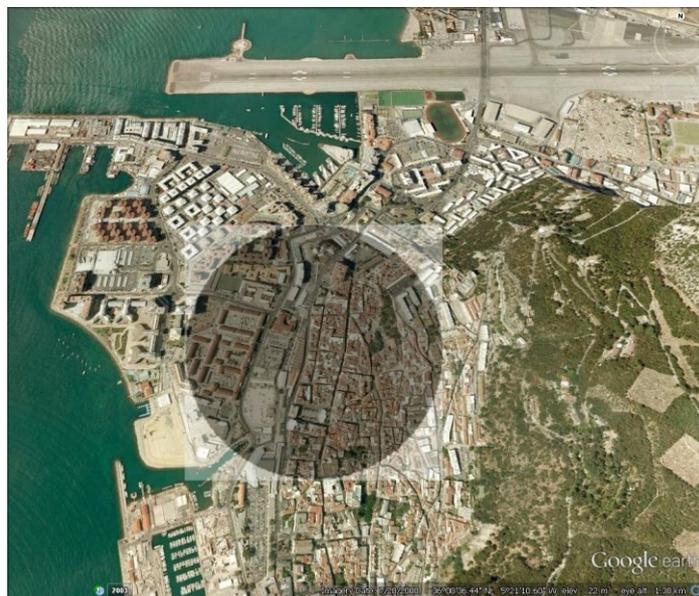


Photo © Google

Power levels

Maximum radiated power of 5W on the FM (VHF) waveband. This is specific to each licensee and is dependent upon several factors such as the location and directionality of the antenna which will be determined after a site inspection.

Antenna type and height restrictions

The type of antenna and its location will be tailored in order to maintain the restricted coverage area listed above. Such restrictions could involve the specific use of certain types of antennas (i.e. omni-directional/directional as well as taking into account antenna height above ground & sea level).

Field strength

Suitable field strength at the border of the coverage area will be determined after a site inspection. This value should not be exceeded and the GRA will periodically monitor it to ensure compliance.