



# Bangladesh Telecommunication Regulatory Commission

IEB Bhaban, Ramna, Dhaka-1000, Bangladesh.

No. 14.32.0000.007.81.014.15.741

Date: 30-04-2018

## **Subject: Response to the queries regarding the Regulatory and Licensing Guidelines for Tower Sharing License.**

- Ref:**
- (a) Letter of edotco Bangladesh Co. Ltd bearing No.: Nil, dated: 08-04-2018;
  - (b) Email of ISON Tower bearing No.: Nil, dated: 16-04-2018.
  - (b) Letter of ATC Asia Pacific Pte Ltd bearing No.: Nil, dated: 17-04-2018;
  - (c) Letter of edotco Bangladesh Co. Ltd bearing No.: Nil, dated: 18-04-2018;
  - (d) Letter of Dr Kamal Hossain & Associates bearing No.: Nil, dated: 22-04-2018;
  - (e) Letter of Summit Communications Ltd bearing No.: SCL/CRA/Tower Sharing/ Clarifications/25042018/01, dated: 25-04-2018.

With reference to the subject and letters mentioned above, this is to inform all the concerned entities that the Commission has perused the letters. Upon perusal, the Commission has prepared its responses which are as follows:

Sl No.	Clause No.	Queries	Responses
1.	5.1	<ul style="list-style-type: none"><li>i. Is it mandatory for the applicant to register in the RJSC before submission of application? What are the required documents to be submitted regarding company formation?</li><li>ii. For the inclusion of local partner, what specific documents will be accepted by the Commission as proof of partnership or changes in shareholding structure?</li><li>iii. Could you please clarify that a consortium comprising local and foreign entities constituted by means of a joint venture consortium agreement and not registered with the RJSC can submit an application under the Tower Sharing Guidelines, provided it submits an undertaking that it will convert into a company registered with the RJSC before the License is awarded.</li></ul>	<p>It is not mandatory for the applicant to register in the RJSC before submission of application.</p> <p>The applicant may form a company including the local partner before submission of the application. In this regard, all the company documents (Certificate of Incorporation, MoA, AoA, Form-XII) shall have to be submitted by the applicant.</p> <p>In case of consortium, the foreign and local partners may execute an Agreement among themselves according to the percentage of shareholding as specified in the Guidelines before submission of the application. In this regard, the copy of the Agreement in non-judicial stamp, all the company documents and board resolution of the shareholding companies shall have to be submitted by the applicant. The applicant shall mention a proposed company name in the agreement and submit a name clearance certificate issued from the RJSC. The applicant shall have to form a company under the law(s) of Bangladesh before awarding the license.</p> <p>If the applicant wants to apply with an existing company, the foreign and local partners shall execute a Sales and Purchase</p>