

BOTSWANA COMMUNICATIONS REGULATORY AUTHORITY



CLARIFICATION DOCUMENT 3

INVITATION TO APPLY (ITA)

FOR

**ITA FOR LICENSING OF COMMERCIAL BROADCASTING RADIO
STATIONS**

(PRIVATE RADIO STATIONS)

Reference No: BOCRA/ITA/002/2025.26

16 January 2026

**BOTSWANA COMMUNICATIONS REGULATORY AUTHORITY
PRIVATE BAG 00495
GABORONE
PLOT 50671, INDEPENDENCE AVENUE, GABORONE
PROCURING ENTITY**

No.	QUESTION	ANSWER
1	<p>I have a team of 5 local founders applying but we are using my company on which they are currently not shareholders. Their shareholding has been explicitly stated on the document will only kick in upon licensing, is that acceptable for the application stage. If so do we still need to submit a shareholders agreement or we only send one for the current status of the company with one shareholder?</p>	<p>Only shareholders listed on the company extract issued by the Companies and Intellectual Property Authority (CIPA) shall be deemed to have applied for the licence. All agreements relevant to the application must be submitted with the application.</p>
2	<p>Does BOCRA require that a confirmed investor/funder be included. We have received letters of intent to fund from reputable financial institutions, is that enough or do we need to get one who confirms that they will fund to score higher. Would bank statements from the applying company be sufficient. Does one need to prove they have the funds already to start the project either from the applying company or an investor/funder?</p>	<p>Acceptable proof of funding will include either of the following:</p> <ul style="list-style-type: none"> i. A committal letter from the reputable funder, NOT a letter of intent. ii. Three months certified bank statement from either the entity applying for the licence or any entity or individuals excluding political parties or electoral candidates. <p>In the event the bidder submits a committal letter and becomes successful during evaluation, BOCRA will demand a performance bond from the same funder before award.</p>
3	<p>We have secured a letter from DBS requesting to share towers with them for cost controlling measures to avoid setting up our towers ourselves. Now they cant give us some information at this stage to answer some of the application requirements. Is that a problem that would make us lose points?</p>	<p>BOCRA cannot determine whether the information that DBS has chosen not to share with you would lead to a loss of points. It is the responsibility of the bidder to address the requirements of the ITA in full.</p>

4	Will it be considered a conflict of interest if the personnel proposed in the application are currently employed by an existing licensed radio station?	This would not be considered a conflict of interest if the personnel proposed in the application are currently employed by an existing licensed radio station, unless they are also shareholders in that existing licensed radio station.
5	Does BOCRA permit the involvement of foreign investors in financing or supporting the establishment of a new commercial radio station under this ITA?	BOCRA permits the involvement of foreign investors in financing or supporting the establishment of a new commercial radio station. However, there is a limit on foreign ownership: a foreign investor may hold a maximum of 20% of the shares in a radio station. Reference to Q2, in the event the bidder submits a committal letter and becomes successful during evaluation, BOCRA will demand a performance bond from the same funder/investor before award.
6	The Directors who are 12 or more in number are equal shareholders and managers of the company some of whom will be operational personnel in their areas of expertise. Is this admissible?	Yes, it is admissible.
7	If a licence is awarded, is a board member allowed to serve on the board of the newly established radio station while also serving on the board of an already established radio station?	BOCRA does not regulate the criteria for the appointment of board members of radio stations. Therefore, radio stations are free to appoint any person as a board member.
8	Should we not be able to apply for a Licence now, can we expect another opportunity in a year or two?	At this stage, BOCRA is unable to confirm when the next invitation to apply for Commercial Radio Licences will be issued.
9	How would these two companies be scored:	Section 11.4 of the ITA talks to Citizen leadership and the available marks and how they will be

<p>a. A 100% owned citizen company with only one shareholder</p> <p>b. A citizen owned company with 15 shareholders, among them women, youth and disabled.</p> <p>Which company of the above two would score higher on the basis of diversity of its shareholding?</p> <p>IF ITS COMPANY #2, WHAT IF COMPANY #1 BINDS ITSELF ON THE APPLICATION THAT UPON LICENSING, IT WILL ADD 9 CITIZEN SHAREHOLDERS WHOSE DESCRIPTUION MATCHES THAT OF COMPANY TWO'S ALREADY CONFIRMED SHAREHOLDING?</p>	<p>allocated. The key requirements are to declare the nationalities of the directors or leadership team and include certified copies of their identity documents. There will be no award of marks relating to gender and disability statuses of the team.</p> <p>The award of marks will be based on the submission as received at the material time and not on any future activities that the potential licensee promises.</p>
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