

ANNEX 1: TEMPLATE OF THE AFFIDAVIT TO BE SUBMITTED

REPUBLIC OF KENYA

IN THE MATTER OF OATHS AND STATUTORY DECLARATIONS ACT

CHAPTER LAWS OF KENYA

AND

**IN THE MATTER OF AN APPLICATION FOR LICENCE FROM THE
COMMUNICATIONS AUTHORITY OF KENYA**

AFFIDAVIT

I, _____ of Post Office Box
Number

_____ (Town) _____ (Postcode) _____

do hereby make oath and state as follows:

1. THAT I am an adult of sound mind and _____

(*position/ status in the applicant entity*) of _____ (*name
of the applicant*) and hence competent to swear this Affidavit.

2. THAT I am a citizen of the _____ and holder of

National Identity Card No. (or Passport No.) _____

3. THAT _____ (*name of the applicant*) has resolved
to make an application to the Authority for a Telecommunications Contractor licence.

4. THAT I have submitted the following copies of our documents in support of the said
application

4.1. Registration and ownership status:

- 4.1.1. For an applicant registered under the Companies Act (Cap 486):
 - 4.1.1.1. Copy of Certificate of Incorporation
 - 4.1.1.2. an original letter from the Registrar of Companies listing the Names of shareholders, their addresses, their nationalities, shares held by each, names of directors and whether directors are nominees or not or whether non shareholder directors– Original Form CR/12
 - 4.1.1.3. Attached original CR/12 for other companies which are shareholder of the Applicant until all shares are attributed to individuals.
- 4.1.2. a copy of Business Name/ Registration Certificate , or
- 4.1.3. a copy of Certificate of Incorporation etc.
- 4.1.4. if the company is listed in a stock exchange in Kenya, copy of Certificate from Capital Markets Authority (CMA).
- 4.1.5. For any foreign company which is a shareholder of the Applicant attach copies **certified by a Notary Public** of:
 - 4.1.5.1. Certificate of Incorporation of the foreign company/ies and
 - 4.1.5.2. Share Certificate of the foreign company/ies providing details as in 4.1.1.2 above.
- 4.1.6. Copies of Kenyan National Identity Cards (ID) or Kenyan/Foreign passports for all Directors and Shareholders of the Applicant:
 - 4.1.6.1. Both sides of the ID should be copied onto the same side of an A4 size paper, and
 - 4.1.6.2. Passport copies should include pages showing the nationality, date of issue and expiry, name and photograph of holder.
- 4.2. Compliance with Kenya Revenue Authority rules:
 - 4.2.1. Copy of Personal Identification Number (PIN) card, and
 - 4.2.2. Copy of Valid Tax Compliance Certificate.
- 4.3. A business plan in line with the guideline at Annex 2 below.
- 4.4. A copy of one of the document listed below:

APPLYING ENTITY	REQUISITE CONSTITUTING
1. Non- Governmental Organization (NGOs)	Constitution of the NGO
2. Cooperative Society	Cooperative Society’s By-Laws Minutes of Last AGM, and Membership Agreement Terms
3. Partnership	Partnership Deed
4. Society	Society’s Constitution and Minutes of the last AGM etc.

5. THAT I swear that the documents listed in 4 above are authentic copies of the original documents issued by the relevant authorities to the applicant.

6. THAT this Affidavit is sworn in support of _____
(Applicant's name) application for _____ licence.

7. THAT what is deponed to herein above is true and within my own knowledge.

SWORN at _____(Location))

by the said (Name of Applicant/Deponent)

_____))
_____))
_____)) (Deponent)

This _____ day of _____ in the year _____)

BEFORE ME)

COMMISSIONER FOR OATHS/MAGISTRATE)

Drawn by:

_____(law firm)

_____(physical address)

P. O. Box _____

_____(town)

_____(postal code)