



Information & Communications Technology Authority

**Public Consultation
on
Applications for ICT Licence(s)**

(Ref: CD (2003) 3a)

Launch Date: 4 June 2003

Closing Date: 1 July 2003

Applications for Licence(s)

Amongst the principal functions to be performed by the ICT Authority as provided for in section 9(3) of the Information and Communications Technology Authority Law, 2002 (the ICTA Law) is the determination of the categories of licences to be issued as well as the issuance of licences for ICT Services and ICT Networks.

Pursuant to section 23 of the ICTA Law, 2002 the ICT Authority published in the Gazette, 26 August 2002, the ICT Services and ICT Networks that are required to be licensed. Attached is a copy of that Notice. Reference should be made to the Notice for a full description of the ICT Networks and ICT Services to be licensed.

Generally, the following types of ICT Networks require a licence:

- (a) public switched telephone networks, whether fixed, wireless or cellular, using either packet or circuit based switching or routing techniques;
- (b) Communication Systems used for Interconnection;
- (c) cable networks, cables and cable landing points, whether undersea or on land, which originate on, or terminate on, or traverse the territory of the Cayman Islands;

- (d) Communication Systems incorporating orbiting or geo-stationary satellites, including Very Small Aperture Transmission (VSAT) satellites, which are used for the transmission of Messages; and
- (e) dark fibre or other unlit fibre.

The Authority has also determined that all ICT Services that use an ICT Network to provide services to the public, whether or not for a fee or for commercial profit, are required to be licensed.

Generally, the following types of ICT Services require a licence:

- (a) Telephony
 - (i) All forms of wholesale telephony or any other form of supply of Communication System capacity, whether as interconnection services or as airtime, by one ICT licensee to one or more other ICT licensees;
 - (ii) All forms of retail telephony involving the transmission to and from Subscribers of signals over Communication Systems, including the domestic and international transmission of voice, data, facsimile, moving image or still image messages, regardless of the method of transmission;
 - (iii) All forms of providing (including selling, leasing, renting, gifting etc.) dark or unlit fibre to any Person;

(b)Television Services-

- (i) All forms of terrestrial television broadcasting transmitted from a station in the Cayman Islands;
- (ii) All forms of television broadcasting distributed by cable or satellite from a distribution point located in the Cayman Islands.

(c) Sound Broadcasting Services-

- (i) All forms of sound broadcasting transmitted from a station in the Cayman Islands.

In furtherance of its mandate for licensing, the ICT Authority proposes to utilize the attached Applications for ICT Licence(s). Anyone who wishes to offer an ICT Service and/or operate an ICT Network shall be required to initiate the process by first filing the applicable Application with the ICT Authority.

The ICT Authority anticipates it will require the payment of a non-refundable fee to cover the administrative cost of processing and assessing an Application. It is anticipated that the amount of such fee may vary in accordance with the number of ICT Services and ICT Networks for which an application is submitted.

The ICT Authority invites comments from the public in general and from potential licensees, in particular, as to the proposed Applications for ICT

Licence(s). In addition to comments on the proposed form, the ICT Authority invites submissions on the following:

1. Whether the application forms are sufficiently clear in all respects, including the information required?
2. Although the ICT Authority has the right to seek additional information, are there any additional queries which should be included in the application forms?
3. The ICT Authority proposes to treat information submitted by the applicant in confidence. However, it is anticipated that a brief description of the proposed ICT Services and the ICT Networks applied for, the applicant and contact address be placed on the licence register and may be referred to publicly. Is the public interest sufficiently served in placing such limited information in the public domain?
4. Any other matters pertaining to the Applications for the ICT Licence(s) which one desires to be brought to the attention of the ICT Authority.

The ICT Authority requests written submissions from established and potential licensees, other stakeholders and the general public by 1 July 2003.

Written submissions should be forwarded to:

By post:

The Managing Director
Information and Communications Technology Authority
P.O.Box 2502GT
Grand Cayman
Cayman Islands

Or by courier:

The Managing Director
Information and Communications Technology Authority
3rd Floor, Alissta Towers
North Sound Way
Grand Cayman
Cayman Islands

Or by e-mail to:

consultations@icta.ky

Or by fax to:

1-345-945-8284