

ICT 2023 – 4 – Determination
Revision of Fees for Maritime Radio Licences



**UTILITY REGULATION AND COMPETITION OFFICE
CAYMAN ISLANDS**

Determination Date: 6 August 2023

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1. Background

1. The Utility Regulation and Competition Office (**'OfReg'** or the **'Office'**) is the independent regulator established by *section 4 of the Utility Regulation and Competition Act (2021 Revision)* (the **'URC Act'**) for the electricity, information and communications technology (**'ICT'**), water, wastewater and fuels sectors in the Cayman Islands. The Office also regulates the use of electromagnetic spectrum and manages the .ky Internet domain.
2. The Office's functions include the management of the radio spectrum, and the issuing of Maritime Radio licences to those who use the spectrum including seagoing vessels and those wishing to communicate with them from the shore.
3. The fees for Maritime Radio licences (the **'fees'**) were last updated in 2007. The Office therefore felt that it was appropriate to review and revise the fee levels to take account of changes which had occurred since that date.
4. Consultation ICT 2023 – 1 on the revision of Fees for Maritime Licences was launched on 27th June 2023 and closed on 27th July 2023.
5. In presenting its proposals in the form of a draft determination as part of the Consultation, the Office solicited the input from industry and public on its proposals. Having received no substantive responses the Office now issues the final Determination herein.

2. Legal Framework

6. In developing the preceding Consultation as well as drafting this Determination, the Office is guided by its statutory remit as set out in the URC Act and Information and Communication Technology Act (the **'ICT Act'**), each where applicable.

Utility Regulation and Competition Act

7. Section 6 of the URC Act sets out the principal functions of the Office. Of particular relevance to this consultation are the following:

(2) In performing its functions and exercising its powers under this or any other Law, the Office may –

- (d) *make administrative determinations, decisions, orders and regulations; [...]*
 - (o) *conduct research and studies into any matter or technology which may be relevant to its functions and publish its findings, if appropriate;*
 - (dd) *conduct public consultations; [...]*
- 8. Section 7 of the URC Act sets out the Office's duty to consult on matters that impact the rights or obligations of a licensee.

Information and Communications Technology Act, 2019 Revision

- 9. Specific functions and powers of the Office in respect to information and communications technology are set out in the ICT Act.
- 10. Under **section 30** of the ICT Act, OfReg is granted the permission to set fees for licensees:

(1) A licence granted under this Law shall be subject to the prescribed licence fees which shall be determined by the Office.

3. Proposed Changes and Responses

- 11. The office received responses to the Consultation on the proposed fee changes from Cable and Wireless Cayman Islands (Flow) and Digicel Cayman Limited. Neither had any comments on the proposed changes.

4. Determination

- 12. Having considered the submissions made by the respondents to the Consultation set out in the *ICT 2023-1- Revision of the Fees for Maritime Licensing* the Office determines that the proposed Fee Updates will come into force on Friday 1 September, with the following changes:
 - 1. Licence type L1 for ships under 300 Gross Tons which do not require an MMSI will be replaced with licence type L2
 - 2. The fee for Licence Type L2 for vessels under 300 Gross Tons will increase to CI\$75 per year.
 - 3. The fee for Licence Type L3 for ships between 300 and 1600 Gross Tons will increase to CI\$150 per year.

4. The fee for Licence Type L4 for vessels over 1600 Gross Tons will increase to CI\$225 per year.
5. The fee for Licence Type L5 for Coastal Vessels (operating only within Caymanian Waters and which do not require an MMSI) will decrease to CI\$75 for a 5 year licence.
6. The fee for Licence Type O for land-based radios communicating with seagoing vessels will increase to CI\$75 per year.

Annex 1
ICT 2023 -1- Revision to Maritime Licence Fees

<https://www.ofreg.ky/consultations/ict-2023-1-consultation-on-revision-of-fees-for-maritime-licences>

Annex 2

Revised Ship Radio Fees

Type	Description	Application Fee (CI\$)	Annual Renewal (CI\$)	Comments or explanatory notes
L2	Ship radio station	75.00	Same as application fee	For vessels of less than 300 gross tons
L3	Ship radio station	150.00	Same as application fee	For vessels more than 300 gross tons but less than 1600 gross tons
L4	Ship radio station	225.00	Same as application fee	For vessels of greater than 1600 gross tons
L5	Ship radio station	75.00	Only required after 5 years	Coastal vessel. Licences are valid for 5 years.
O	Marine (Coastal) radio	75.00	Same as application fee	Land-based station operating on designated maritime frequencies in the coastal waters of the Cayman Islands

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