



ICT  
OUTAGE REPORTING RULES

## ICT 2019 – 1 - Rule

### Part 1: Basis and purpose

The utility Regulation and Competition Office (the “Office”) hereby establishes the rules and requirements pertinent to the reporting of disruptions to communications, and to the reliability and security of communications infrastructure and facilities.

### Part 2: Availability of reports filed under this Rule

Reports filed under this this Rule may be submitted in accordance with the Information and Communications Technology Authority Law (Confidentiality) Regulations, 2003<sup>1</sup>. Requests by any person for disclosure of reports submitted under this Rule are subject to determination by the Office under the Confidentiality Regulations.

### Part 3: Scope of this Rule

All ICT Licensees falling into any category Type outlined in Table 1 (“Major Public ICT Networks”), Table 6 (“ICT Services”) excluding Type 12 (“Retail sale of ICT equipment”), Table 7 (“Service Licences issued by Cabinet under Section 23(3) of the Law, for the development of the Sister Islands”), and Table 8 (“Class Licence issued by the Office under Section 23(2) of the Law, for Fall-back International Voice and Data Communications”) of the section 23 Regulatory Notice issued from time to time pursuant to the Information and Communications Technology Law (2019 Revision) as amended from time to time, are subject to the requirements of this Rule.

### Part 4: Definitions

- (a) An Outage is defined as a degradation in the ability of an end user to establish and/or maintain a channel of communications as a result of failure of, or degradation in the performance of, an ICT Licensee's network or service.
- (b) Special Offices and Facilities are defined as the airports as listed by the CIAA and seaports regulated by the Port Authority of the Cayman Islands, as well as such primary or secondary emergency services or key government and private facilities as the Office may designate in writing from time to time. Department of Public Safety Communications (DPSC/9-1-1) special facilities are addressed separately

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<sup>1</sup> <https://www.ofreg.ky/upimages/commonfiles/1506776718ICTAConfidentialityRegs2003.pdf>

in Condition 9 of an ICT Licensee's ICT Licence.

- (c) A Mission-Critical Outage is defined as an Outage that is deemed critical to the national security/emergency preparedness (NS/EP) operations of the affected facility by the Royal Cayman Islands Police Service or any of Her Majesty's Armed Forces engaged in operations, Fire Stations, Hazard Management Cayman Islands and national Emergency Medical Centres.
- (d) Submit electronically means the submission of the relevant information via the Offices online form, or such other reporting systems as may be identified by the Office from time to time.

#### Part 5: Outage reporting requirements

- (a) ICT Licensees identified in Part 3 of this Rule shall submit electronically an Initial Notification to the Office within 60 minutes of discovering that they have experienced on any facilities that they own, operate, lease, or otherwise utilise, an Outage of at least 15 minutes duration that potentially:
  - 1. affects at least 50 subscribers; or
  - 2. affects any Special Offices and Facilities; or
  - 3. is a Mission-Critical Outage.
- (b) In the event of an Outage lasting more than four (4) hours, the ICT Licensee shall submit electronically an Update Notification to the Office every four (4) hours detailing steps being taken and progress made in resolving the Outage until resolution.
- (c) The Licensee shall notify the Office of the return to service by submitting electronically a Resolution Notification no later than 60 minutes after the Outage has been resolved.
- (d) Not later than fourteen (14) days after the Resolution Notification, the Licensee shall submit electronically a detailed Outage Report ("Report") to the Office.
- (e) The Notifications and the Report shall comply with all of the requirements of Part 6 of this Rule.

- (f) For the avoidance of doubt, all Outages that potentially affect communications for at least 15 minutes with any airport or seaport shall be reported in accordance with the provisions of Part 6 of this Rule.
- (g) For the avoidance of doubt, these Rules are without prejudice to any other reporting requirements of the ICT Licensee, including without limitation those set out in Condition 9 of the ICT Licensee's licence.

#### Part 6: Communication of Notification and Outage Reports

- (a) Notifications and Reports shall be submitted by a person authorised by the ICT Licensee to submit such reports to the Office.
- (b) The person submitting the Report to the Office shall also be authorised by the ICT Licensee to legally bind the ICT Licensee to the truth, completeness, and accuracy of the information contained in the Report.
- (c) The person submitting the Report shall certify that he/she has read the Report prior to submitting it, and that the information contained therein is true, correct and accurate to the best of his/her knowledge and belief and that the ICT Licensee certifies that this information is true, complete and accurate.
- (d) The Initial Notification shall provide:
  - 1. The name of the reporting licensee;
  - 2. The date and time of the onset of the Outage;
  - 3. A brief description of the problem including, if available, geographic area or number of customers affected; and,
  - 4. Estimated time of restoration.
- (e) An Update Notification shall provide:
  - 1. The name of the reporting licensee;
  - 2. The date and time of the onset of the Outage;
  - 3. An updated description of the problem;
  - 4. Updated estimated time of restoration;
  - 5. Geographic area affected by the Outage; and,
  - 6. Number of customers affected by the Outage.

(f) The Resolution Notification shall provide:

1. The name of the reporting licensee;
2. The date and time of the resolution of the Outage; and,
3. A brief description of the actions taken to resolve the Outage.

(g) The Report shall contain all pertinent information on the Outage. The Report shall provide (at a minimum):

1. The name of the reporting licensee;
2. The date and time of onset of the Outage;
3. A description of the problem;
4. Services affected by the Outage;
5. Third party licensees affected;
6. Time of restoration;
7. The geographic area/s affected by the Outage;
8. The number of customers affected by the Outage;
9. The cause of the outage;
10. Corrective actions taken;
11. Actions taken to prevent the Outage happening again; and,
12. A contact name and contact telephone number by which the Office's technical staff may contact the reporting licensee.

(h) Where an Outage impacts the ability of an ICT Licensee to submit electronically a Notification or a Report, the ICT Licensee shall contact the Office's technical staff by other reasonable means. In all other cases, the ICT Licensee shall submit electronically.

## Part 7: Sanctions

Failure to comply with the terms of this Rule may result, without prejudice to any other penalty or remedy which may be available to the Office, in administrative fines pursuant to section 91 of the Utility Regulation and Competition Law (2019 Revision) as amended from time to time.