

CAYMAN ISLANDS



INFORMATION AND COMMUNICATIONS TECHNOLOGY (AMENDMENT AND VALIDATION) ACT, 2025

(Act 15 of 2025)

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TECHNOLOGY (AMENDMENT AND
VALIDATION) ACT, 2025
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CAYMAN ISLANDS

(Act 15 of 2025)

I Assent,



Franz Manderson
Acting Governor

Date: 13th December, 2025

INFORMATION AND COMMUNICATIONS TECHNOLOGY (AMENDMENT AND VALIDATION) ACT, 2025

(Act 15 of 2025)

AN ACT TO AMEND THE INFORMATION AND COMMUNICATIONS TECHNOLOGY ACT (2019 REVISION) TO AMEND THE DEFINITION OF “LICENCE FEES”; TO PROVIDE FOR ADMINISTRATIVE FEES AND TYPES OF ANNUAL LICENCE FEES; TO CLARIFY THE REQUIREMENT TO PROVIDE FOR LICENCE FEES TO BE PRESCRIBED AND FOR THE MAKING OF AN APPLICATION FORM FOR A LICENCE; TO VALIDATE THE CHARGING, PAYMENT AND COLLECTION OF CERTAIN FEES DURING SPECIFIED PERIODS; TO VALIDATE ACTIONS TAKEN IN THE CHARGING AND COLLECTION OF CERTAIN FEES; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

PART 1 - PRELIMINARY

Short title

1. This Act may be cited as the Information and Communications Technology (Amendment and Validation) Act, 2025.

General amendments to the Information and Communications Technology Act (2019 Revision) - references to Parts

2. The *Information and Communications Technology Act (2019 Revision)*, in this Act referred to as the “principal Act”, is amended as follows —

- (a) by deleting the words “Part I” wherever they appear and substituting the words “Part 1”;
- (b) by deleting the words “Part II” wherever they appear and substituting the words “Part 2”;
- (c) by deleting the words “Part III” wherever they appear and substituting the words “Part 3”;
- (d) by deleting the words “Part IV” wherever they appear and substituting the words “Part 4”;
- (e) by deleting the words “Part V” wherever they appear and substituting the words “Part 5”;
- (f) by deleting the words “Part VI” wherever they appear and substituting the words “Part 6”;
- (g) by deleting the words “Part VII” wherever they appear and substituting the words “Part 7”;
- (h) by deleting the words “Part VIII” wherever they appear and substituting the words “Part 8”;
- (i) by deleting the words “Part IX” wherever they appear and substituting the words “Part 9”;
- (j) by deleting the words “Part X” wherever they appear and substituting the words “Part 10”;
- (k) by deleting the words “Part XI” wherever they appear and substituting the words “Part 11”; and
- (l) by deleting the words “Part XII” wherever they appear and substituting the words “Part 12”.

PART 2 - AMENDMENT OF THE INFORMATION AND COMMUNICATIONS TECHNOLOGY ACT (2019 REVISION)**Amendment of section 2 - definitions**

3. The principal Act is amended in section 2 as follows —

- (a) by repealing the section heading and substituting the following section heading —



“Interpretation”;

- (b) by renumbering section 2 as section 2(1);
- (c) by inserting after the definition of the words “administrative determinations” the following definition —
 - “**“administrative fee”** means a fee under section 30A;”;
- (d) by deleting the definition of the words “**licence fees**” and substituting the following definition —
 - “**“licence fee”** means any of the following fees payable to the Office by an applicant or a licensee for a licence —
 - (a) an application fee;
 - (b) an annual fee;
 - (c) a renewal fee; or
 - (d) a one-time fee for each experimental licence or temporary licence;”;
- (e) by deleting the word “and” after the definition of the word “**telecommunications**”;
- (f) by inserting after the definition of the word “**telecommunications**”, the following definition —
 - “**“type approval”** means the process by which the Office authorizes the importation, sale or use of relevant telecommunications equipment in the Islands; and”;
- (g) by inserting after section 2(1) as renumbered, the following subsection —
 - “(2) For the purposes of the definition of the words “**licence fee**” under subsection (1), the annual fees, where applicable, payable to the Office by a licensee are —
 - (a) a radio licence fee that is payable to the Office for the authorization —
 - (i) to operate, supply, import or deal in radio-communications equipment; or
 - (ii) to establish or operate radio stations in the Islands on Cayman Islands’ registered vessels or aircrafts;
 - (b) a regulatory fee that is payable to the Office on a quarterly basis by a licensee for the general regulatory services of the Office in respect of a licence;
 - (c) a royalty fee that is payable to the Office by a licensee in respect of a licence which equates to six per cent of the licensee’s gross revenue as defined in the licence and which is charged and

collected by the Office on a quarterly basis and subsequently paid to the Government; and

- (d) a spectrum fee that is payable to the Office for the assignment or allocation of rights to use specified portions of the electromagnetic spectrum, whether on an exclusive or shared basis and includes any associated fee payable for the management, regulation or administration of spectrum resources relating to the functions of the Office.”.

Amendment of section 9 - powers and functions of Office

- 4. The principal Act is amended in section 9(3) by inserting after paragraph (hd) the following paragraph —

“(he)to conduct a non-interference related spectrum analysis if requested by a person interested in capturing certain data for that person’s internal use and the Office agrees to the analysis;”.

Amendment of section 26 - procedure for the grant of a licence

- 5. The principal Act is amended in section 26(1) by deleting the words “in the prescribed form and accompanied by such fees as may be determined by the Office” and substituting the words “in the form approved by the Office and accompanied by the applicable licence fees”.

Repeal and substitution of section 30 - licence fees

- 6. The principal Act is amended by repealing section 30 and substituting the following sections —

“Licence fees

- 30.** (1) An applicant for a licence or a licensee under this Act shall pay the licence fee for the licence as is prescribed.
- (2) The licence fee referred to in subsection (1) shall be payable directly by an applicant or a licensee, as applicable, to the Office at such time or times as prescribed by regulations.

Administrative fee

- 30A.** The Office may charge, as it determines, the following fees for administrative services relating to a request for a regulatory service or relating to a licence —

- (a) a fee for a type approval;
- (b) a fee for amending a licence;
- (c) a fee for assigning or transferring a licence from a licensee to a third party;



- (d) a fee for dealing in shares under section 25;
- (e) a fee for conducting a non-interference related spectrum analysis under section 9(3); and
- (f) a fee for copying an entry in the register under section 34.”.

Amendment of section 34 - register of applications and licences

7. The principal Act is amended in section 34(2)(b) by inserting the word “administrative” after the words “charge such”.

PART 3 - VALIDATION PROVISIONS AND CONNECTED MATTERS

Definitions for this Part

8. For the purposes of this Part —

“**administrative fee**” means a fee charged by, paid to, or collected by, the Office or the Authority, as applicable, for services relating to a request for a regulatory service or relating to a licence and includes —

- (a) a fee for type approval;
- (b) a fee for amending a licence;
- (c) a fee for assigning or transferring a licence from a licensee to a third party;
- (d) a fee for dealing in shares under section 25; and
- (e) a fee for copying an entry in the register under section 34 of the principal Act;

“**Authority**” means the Information and Communications Technology Authority established by section 3 of the *Information and Communications Technology Authority Act, 2002*;

“**Board**” has the meaning assigned by section 2 of the *Utility Regulation and Competition Act (2024 Revision)*;

“**licence fee**” has the meaning assigned by the principal Act prior to the commencement of this amending and validating Act;

“**licensee**” means a person to whom a licence was granted by —

- (a) the Authority under the *Information and Communications Technology Authority Act (2016 Revision)* and any earlier version of that Act in force immediately before the 16th January, 2017; or
- (b) the Office under the *Information and Communications Technology Authority Act (2016 Revision)* as amended by the *Information and Communications Technology Authority (Amendment) (No. 2) Act, 2016* and any later revisions of that Act;

“**non-executive member**” has the meaning assigned by section 2 of the *Utility Regulation and Competition Act (2024 Revision)*;

“**Office**” has the meaning assigned by section 2 of the *Information and Communications Technology Act (2019 Revision)*;

“**radio licence fee**” means a fee charged by, paid to, and collected by, the Authority or the Office, as applicable, for the authorization —

- (a) to operate, supply, import or deal in radio-communications equipment; or
- (b) to establish or operate radio stations in the Islands on Cayman Islands registered vessels or aircraft;

“**regulatory fee**” means a fee —

- (a) charged and collected on a quarterly basis by; and
- (b) paid by a licensee for the general regulatory services of, the Authority or the Office, as applicable, in respect of the licence;

“**royalty fee**” means a fee paid by a licensee in respect of the licence which fee equates to six per cent of the licensee’s gross revenue as defined in the licence and which was charged and collected by the Office on a quarterly basis and subsequently paid to the Government;

“**spectrum fee**” means a fee charged by, paid to, and collected by the Authority or the Office, as applicable, for the assignment or allocation of rights to use specified portions of the electromagnetic spectrum, whether on an exclusive or shared basis and includes any associated fee charged for the management, regulation or administration of spectrum resources relating to the functions of the Office; and

“**type approval**” means the process by which the Office or the Authority, as applicable, authorized the importation, sale or use of relevant telecommunications equipment in the Islands.

Validation of charge, payment and collection of licence fees

9. The licence fees charged by, paid to, and collected by, the Office during the period commencing on the date of commencement of the *Information and Communications Technology (Validation) Act, 2024* and ending on the date of commencement of this amending and validating Act are —

- (a) validated; and
- (b) taken to have been lawfully charged by, paid to, and collected by, the Office,

as if the licence fees had been prescribed in regulations which were —

- (i) made under section 97(3)(a) of the principal Act; and
- (ii) published in the *Gazette*.



Validation of charge, payment and collection of fees

10. The fees, including fees for an experimental licence, fees for a temporary licence, radio licence fees, regulatory fees, spectrum fees, royalty fees and administrative fees, charged by, paid to, and collected by, the Authority or the Office, as applicable, under the purported authority of the *Information and Communications Technology Authority Act, 2002* and *Information and Communications Technology Authority Act (2016 Revision)* as amended by the *Information and Communications Technology Authority (Amendment) (No. 2) Act, 2016* and any later revisions of that Act, prior to the date of commencement of this amending and validating Act are —

- (a) validated; and
- (b) taken to have been lawfully charged by, paid to, and collected by, the Authority or the Office, as applicable,

as if the Authority or the Office, as applicable, was empowered under the *Information and Communications Technology Authority Act, 2002* and the *Information and Communications Technology Authority Act (2016 Revision)* as amended by the *Information and Communications Technology Authority (Amendment) (No. 2) Act, 2016* and any later revisions of that Act, as amended by this amending and validating Act, to charge and collect those fees, and as if the fees, where applicable, had been prescribed in regulations and published in the *Gazette*.

Immunity

11. (1) Notwithstanding any law to the contrary, any action of a director of the Board, non-executive member, or staff member of the Office in the charging and collecting of licence fees by the Office during the period commencing on the date of commencement of the *Information and Communications Technology (Validation) Act, 2024* and ending on the date of commencement of this amending and validating Act are —

- (a) validated; and
- (b) taken to have been lawful and valid,

as if the action would have been lawful and valid had the licence fees been prescribed in regulations which were —

- (i) made under section 97(3)(a) of the principal Act; and
- (ii) published in the *Gazette*.

(2) Notwithstanding any law to the contrary, any action of a director of the Board, a staff member of the Authority, a non-executive member, or a staff member of the Office, in the charging and collecting of any fees, including fees for an experimental licence, fees for a temporary licence, radio licence fees, regulatory fees, spectrum fees, royalty fees and administrative fees, by the Authority or the Office, as applicable, under the purported authority of the *Information and Communications Technology Authority Act, 2002* and *Information and*

Communications Technology Authority Act (2016 Revision) as amended by the *Information and Communications Technology Authority (Amendment) (No. 2) Act, 2016* and any later revisions of that Act, prior to the date of commencement of this amending and validating Act is —

- (a) validated; and
- (b) taken to have been lawful and valid,

as if the Authority or the Office, as applicable, was empowered under the *Information and Communications Technology Authority Act, 2002*; and *Information and Communications Technology Authority Act (2016 Revision)* as amended by the *Information and Communications Technology Authority (Amendment) (No. 2) Act, 2016* and any later revisions of that Act, as amended by this amending and validating Act to charge and collect those fees and as if the fees, where applicable, had been prescribed in regulations and published in the *Gazette*.

- (3) For the purposes of subsections (1) and (2), an action of —
 - (a) a director of the Board;
 - (b) a staff member of the Authority;
 - (c) a non-executive member; or
 - (d) a staff member of the Office,

is not taken to have been lawful or valid if the action was done in bad faith.



Orders or determinations by a court

- 12.** This amending and validating Act does not affect any order or determination made by a court with respect to fees, including licence fees, fee for an experimental licence, fee for a temporary licence, radio licence fees, regulatory fees, spectrum fees, royalty fees and administrative fees, prior to the date of commencement of this amending and validating Act.

Passed by the Parliament the 12th day of December, 2025.

Hon. D. Ezzard Miller
Speaker

Zena Merren-Chin
Clerk of the Parliament