

**THE INFORMATION & COMMUNICATIONS TECHNOLOGY LAW**  
**SECTION 11(2)**

**DIRECTIVE TO THE INFORMATION AND COMMUNICATIONS TECHNOLOGY**  
**AUTHORITY**

**SCHEDULE 5**

To: The Information and Communications Technology Authority (the "Authority")

WHEREAS the Minister is empowered pursuant to Section 11(1) of the *Information and Communications Technology Authority Law, 2002* (the "Law"), to give to the Authority directions

of a general character as to the policy to be followed in the exercise and performance of the functions of the Authority in relation to matters appearing to the Minister to concern the public interest;

AND WHEREAS the Authority is required by Section 11(1) of the Law to give general effect to any such directions;

AND WHEREAS the Minister considers the liberalisation of the information and communications technology markets in the Cayman Islands a matter of public interest;

AND WHEREAS a smooth transition to a fully liberalised and competitive information and communications technology market is in the public interest, and specifically, beneficial to the development of the information and communications technology sector in the Cayman Islands;

AND WHEREAS for the purpose of ensuring a smooth transition it is necessary that the Government, the Authority and Cable and Wireless (Cayman Islands) Limited ("Cable & Wireless") collaborate in good faith during the period of transition to full competition; AND WHEREAS for the purpose of facilitating the liberalisation of national and international telecommunications (*inter alia*) in and from the Cayman Islands, the Governor in Council of the Cayman Islands and the Information and Communications Technology Authority have, by agreement with Cable & Wireless made in the public interest and dated July 10, 2003 (the "Agreement"), among other things agreed the General Regulatory Principles (as that term is defined in the Agreement) to apply to the market for, amongst other things, national and international telecommunications in and from the Cayman Islands, in the context of the parties' agreement for the termination of an exclusive licence currently held by Cable & Wireless to provide, own, install, maintain, operate, promote and augment the national and international telecommunications systems and services to, from or within the Cayman Islands, granted December 13, 1991;

THEREFORE, the Minister hereby directs the Authority to make decisions consistent with, and give effect to these General Regulatory Principles and other terms of the Agreement to the extent that these General Regulatory Principles and terms touch on matters otherwise within the Authority's jurisdiction pursuant to the Law.

Dated at George Town, Grand Cayman, Cayman Islands this 10<sup>th</sup> day of July 2003.

THE HONOURABLE LINFORD A. PIERSON OBE JP  
MINISTER FOR PLANNING, COMMUNICATIONS, WORKS  
AND INFORMATION TECHNOLOGY