

**Information and Communication Technologies (Licensing and Fees) (Amendment)
Regulations 2022**

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**THE INFORMATION AND COMMUNICATION
TECHNOLOGIES ACT**

**Regulations made by the Minister, after consultation with the
Information and Communication Technologies Board,
under section 48 of the Information and
Communication Technologies Act**

1. These regulations may be cited as the **Information and Communication Technologies (Licensing and Fees) (Amendment) Regulations 2022.**

2. In these regulations -

"principal regulations" means the Information and Communication Technologies (Licensing and Fees) Regulations 2003.

3. Regulation 2 of the principal regulations is amended by inserting, in the appropriate alphabetical order, the following new definitions -

"anniversary date" means the annual anniversary of the effective date of a licence;

"effective date" means the commencement date of a licence;

4. Regulation 6 of the principal regulations is amended, in paragraph (1), by deleting the words "initial fee" and replacing them by the words "initial fee and for a Category 1 licence where the prescribed flat annual licence fee exceeds 500,000 rupees, upon furnishing a bank guarantee of 500,000 rupees for a minimum period of 3 years and renewable throughout the duration of the licence."

5. Regulation 12 of the principal regulations is revoked and replaced by the following regulation -

12. (1) An application for the renewal of a licence shall -

(a) in respect of a Category 1 licence, be made by the holder of the licence at least 6 months before its expiry; or

(b) in respect of a Category 3 licence, be made by the holder of the licence at least 2 months before its expiry.

(2) The application under paragraph (1) shall be accompanied by such information as the Authority may require.

(3) No application for the renewal of a licence shall be entertained where the holder of the licence fails to make the application for renewal within the delay specified in paragraph (1).

6. The principal regulations are amended by inserting, after regulation 15, the following new regulations -

15A. (1) In this regulation -

"corresponding licence" means an RA16A licence;

"licensee" means the holder of an original licence;

"original licence" means an RA16A licence issued prior to the coming into operation of these regulations.

(2) (a) Every licensee shall, within the timeframe to be determined by the Authority, but not later than 6 months after the coming into operation of these regulations, surrender his original licence to the Authority for the issue of a corresponding licence.

(b) Where a licensee surrenders his original licence pursuant to subparagraph (a), the Authority shall, where all requirements are met under the Act and these regulations, issue him with the corresponding licence on such terms and conditions as it may determine.

(c) Where a licensee who is issued with a corresponding licence under this paragraph has, prior to the coming into operation of these regulations, already paid his annual fee for the current year, he shall, for the forthcoming year onwards, pay the new annual fees not later than 15 days before the anniversary date of the corresponding licence.

(3) (a) Notwithstanding paragraph (2)(a), where an original licence is, on the coming into operation of these regulations, due for renewal, the licensee shall, within the delay for renewal, apply for renewal of the original licence.

(b) Where an application for the renewal of an original licence is made pursuant to subparagraph (a), the Authority shall, where all requirements are met under the Act and these regulations, issue the corresponding licence on payment of the appropriate fee and on such terms and conditions as it may determine.

(c) Where, pursuant to subparagraph (a), the licensee fails to renew his original licence, the original licence shall lapse on the expiry date and no application for renewal of the original licence shall be entertained.

(4) (a) Where, prior to the coming into operation of these regulations, an application for the renewal of an original licence is made, the original licence shall, on the coming into operation of these regulations, be deemed to have been surrendered for the issue of a corresponding licence.

(b) Where an original licence is deemed to have been surrendered pursuant to subparagraph (a), the Authority shall, where all requirements are met under the Act and these regulations, issue the corresponding licence on payment of the appropriate fee and on such terms and conditions as it may determine.

(5) A licensee referred to in this regulation shall furnish to the Authority such additional information as it may require concerning his original licence for the purpose of determining the corresponding licence to be issued.

(6) (a) An original licence shall remain valid until its corresponding licence is issued.

(b) A corresponding licence shall retain both the anniversary date and validity of its original licence.

15B. An RA16A licence shall be issued to the following persons -

(a) Government entities responsible for national security and disaster management or such other entity as may be recommended by the Ministry responsible for the subject of defence and home affairs;

(b) diplomatic missions, consulates-general, consulates and regional or international organisation based in Mauritius for official use or such other entity as may be recommended by the Ministry responsible for the subject of foreign affairs;

(c) local or multinational corporations operating in Mauritius, duly recommended by the Ministry responsible for the subject of defence and home affairs, and having as an internal policy requirement to hold a Mobile Transceiver Terminal (in a Mobile Satellite Service) strictly for preparedness for disasters of all kinds, emergency usage and ensuring business continuity and recovery plan;

(d) any other person duly recommended by the Ministry responsible for the subject of defence and home affairs.

15C. Notwithstanding regulation 15B, the possession and use of devices in a GMPCS system on board an aircraft or a ship, registered in Mauritius, for the purpose of life safety, search and rescue and accident investigation, shall be authorised under the respective aircraft station and ship station licence and the list thereof shall be communicated regularly to the Ministry responsible for the subject of Defence & Home Affairs and External Communications.

7. The Schedule to the principal regulations is amended, under the heading "**CATEGORY 3: ENGINEERING**", by revoking item Type RA 16A and replacing it by the following item –

Type	Description	Initial fee	Annual fee
RA16A	<p>Mobile Earth Transceiver Terminal (in the Mobile Satellite Service)</p> <p>To operate a mobile earth transceiver terminal (in the Mobile Satellite Service), including a Global Mobile Personal Communication System (GMPCS) Terminal, for the purpose of safety of life, emergency, natural or man-made disaster, national security and public order.</p>	10,000	10,000

8. These regulations shall come into operation on 15 July 2022.

Made by the Minister, after consultation with the Information and Communication Technologies Board, on 29 June 2022.
