

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE INFORMATION AND  
COMMUNICATIONS TECHNOLOGY AUTHORITY LAW (2006  
REVISION) TO MAKE FURTHER PROVISION IN RESPECT OF THE  
COMPOSITION OF THE BOARD OF DIRECTORS OF THE  
INFORMATION AND COMMUNICATIONS TECHNOLOGY  
AUTHORITY; AND TO MAKE PROVISION FOR RELATED MATTERS**



**THE INFORMATION AND COMMUNICATIONS TECHNOLOGY  
AUTHORITY (AMENDMENT) BILL, 2009**

**MEMORANDUM OF OBJECTS AND REASONS**

This Bill amends the Electricity Regulatory Authority Law (2008 Revision).

Clause 1 of the Bill sets out the short title of the legislation.

Clause 2 amends section 4 of the principal Law to increase the membership of the Board of directors of the Information and Communications Technology Authority and to remove the requirement for directors to have substantial knowledge in specialised areas.

Clause 3 amends section 5 of the principal Law to provide that directors shall hold office at the pleasure of the Governor in Cabinet.

Clause 4 of the Bill amends section 6 of the principal Law to enable the appointment of a Managing Director from among individuals other than the appointed directors.

Clause 5 amends section 7 of the principal Law to confer upon the Governor in Cabinet a discretion to terminate the appointment of a director. This discretion would be exercisable in addition to the existing power to terminate a director's appointment for a specified cause.

Clause 6 amends the First Schedule to vary the quorum required for meetings of the Board.

Clause 7 contains savings and transitional provisions.

**THE INFORMATION AND COMMUNICATIONS TECHNOLOGY  
AUTHORITY (AMENDMENT) BILL, 2009**

**ARRANGEMENT OF CLAUSES**

1. Short title
2. Amendment of section 4 of the Information and Communications Technology Authority Law (2006 Revision) - Board of directors
3. Amendment of section 5 - appointment of directors
4. Amendment of section 6 - managing director of Authority
5. Amendment of section 7 - resignation of directors and termination of office
6. Amendment of First Schedule - procedure of the Board
7. Savings and transitional provisions

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ENACTED by the Legislature of the Cayman Islands.

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| 1. This Law may be cited as the Information and Communications Technology Authority (Amendment) Law, 2009.   | Short title  |
| 2. The Information and Communications Technology Authority Law (2006 Revision), in this Law referred to as the “principal Law”, is amended in section 4 by repealing subsection (2) and substituting the following subsection -<br><br>“ (2) The Board consists of a Chairman and not less than eight and not more than ten other directors.”. | Amendment of section 4 of the Information and Communications Technology Authority Law (2006 Revision) - Board of directors |
| 3. The principal Law is amended in section 5(1)(b) by inserting after the words “shall hold office” the words “, at the pleasure of the Governor in Cabinet,”;   | Amendment of section 5 - appointment of directors  |
| 4. The principal Law is amended in section 6 by repealing subsection (1) and substituting the following subsection -   | Amendment of section 6 - managing director of Authority  |

“ (1) The Governor in Cabinet shall appoint any individual to be the managing director; but, if a managing director is appointed from among individuals other than the directors appointed under section 5, he shall by virtue of his office be deemed to be a director appointed under section 5.”.

Amendment of section  
7 - resignation of  
directors and termination  
of office

5. The principal Law is amended in section 7 as follows -

- (a) by re-numbering section 7 as section 7(1); and
- (b) by inserting after section 7(1) as re-numbered the following subsection -

“ (2) Without prejudice to the provisions of subsection (1), the Governor in Cabinet acting in his discretion may terminate the appointment of any director, whether the director was appointed before, on or after the date of commencement of the Information and Communications Technology Authority (Amendment) Law, 2009.”.

Amendment of First  
Schedule - procedure of  
the Board

6. The principal Law is amended in paragraph 6(1) of the First Schedule by deleting the words “a quorum shall consist of three directors” and substituting the words “a quorum shall consist of a majority of the appointed directors”.

Savings and transitional  
provisions

7. (1) Every matter commenced under the former Law and partly dealt with by the former Board when the new Law comes into force, is to be continued and dealt with in all respects under the new Law and the provisions of the new Law are to apply accordingly.

(2) Every matter commenced under the former Law and not wholly or partly dealt with by the former Board when the new Law comes into force, is to be taken to be a matter commenced under the new Law and the provisions of the new Law are to apply accordingly.

(3) In this section -

“former Board” means the Board of directors of the Information and Communications Technology Authority established under section 4 of the former Law;

“former Law” means the principal Law in force immediately before the date of commencement of this Law; and

“new Law” means the principal Law as amended by this Law.

Passed by the Legislative Assembly the                      day of                      , 2009.

Speaker.

Clerk of the Legislative Assembly.