



MINISTRY OF ICT, INNOVATION AND YOUTH AFFAIRS

PUBLIC NOTICE

PUBLIC CONSULTATIONS ON REVIEW OF THE KENYA INFORMATION AND COMMUNICATIONS ACT, 1998 AS AMENDED AND FOUR SETS OF REGULATIONS THEREUNDER

The ICT Sector in the country has grown exponentially since it was liberalized back in 1999. This was first achieved through, the Telecommunications and Postal Sector Policy Statement of February 1997. The policy outlined the Government's acknowledgement of the important input that the information and communications sector could make to the economic development of the country. This was subsequently followed by the enactment of the Kenya Information and Communications Act, 1998.

As a result of the said growth, and following the promulgation of the Constitution of Kenya, in August 2010, the Kenya Information and Communications Act (the Act) has undergone further amendments. It is also noteworthy, that upon review of the National ICT Policy in 2019, the sector has experienced rapid technological advancements including and not limited to changes of the legal and administrative framework.

In an effort to ensure that the Act and its Regulations are aligned with the legislative and industry developments as well as with the ICT Policy Guidelines, as Gazetted in 2020, the Cabinet Secretary for ICT, Innovation and Youth Affairs has constituted a Taskforce on the Review of the Kenya Information and Communications Act, 1998. The Terms of Reference of the said Taskforce are to:

- (a) undertake a comprehensive review of the Kenya Information and Communication Act, 1998 and identify any gaps or inconsistencies in the Act and propose specific review requirements congruent with the ICT Policy Guidelines, 2020
- (b) develop the following Regulations under the Act;
 - i. Sim Card Regulations;
 - ii. Broadcasting Regulations;
 - iii. Access and Infrastructure Sharing Regulations; and
 - iv. Interconnection Regulations
- (c) undertake stakeholder and public consultation on the Regulations; and
- (d) perform any other activities required for the effective discharge of its mandate.

In this regard the Taskforce invites relevant stakeholders, members of the public, and all interested parties, to provide suggestion(s) with justification(s), views and inputs on the four sets of Regulations which will inform changes thereof.

Written submissions should be submitted using the provided template not later than **31st May 2022** to the Taskforce through regulations@moict.go.ke or the address below on or before the stated deadline.

**Chairperson,
Taskforce on the Review of the KICA, 1998
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The draft Regulations and template to guide the submission of public comments are available on website at: www.ict.go.ke