

S.I. 37 of 2026

COMMUNICATIONS ACT, 2023

(Act 3 of 2023)

Radio Communication Equipment (Dealer Licence) Regulations, 2026

In exercise of the powers conferred by section 18 and 172 read with section 16 and paragraph (e) of subsection (2) of section 17 of the Communications Act, 2023 (Act 3 of 2023), the Minister responsible for Information Communications Technology hereby makes the following regulations —

Short title

1. These regulations may be cited as the Radio Communication Equipment (Dealer Licence) Regulations, 2026.

Interpretation

2.(1) In these regulations, unless the context otherwise requires —

“Act” means the Communications Act, 2023 (Act 3 of 2023);

“radio communication system” means a radio communication system consisting of radio communication stations, which are used for radio communication; and

“radio communication network” means a network of radio communication systems.

(2) Words and expressions used in these regulations, but not defined and defined in the Act shall have the same meanings respectively assigned to them in the Act.

Purpose

3. The purpose of these regulations is to provide the conditions, responsibilities, obligations and procedures to be followed by a dealer in Seychelles to possess the stocks of radio communication equipment.

Dealer Licence

4.(1) A person shall not possess stock of any radio communication equipment in Seychelles without obtaining a dealer licence from the Authority under section 18 of the Act.

(2) A licensee shall possess the stocks of radio communication equipment of such type in such place as may be authorised by the Authority, for the purpose of carrying on the business of a dealer.

(3) The Authority may grant a dealer licence to a person who fulfills all the eligibility requirements and is capable of meeting the responsibilities and obligations of the dealer licence.

(4) A dealer licence granted under section 18 of the Act authorises the licensee to trade, assemble, manufacture, import, buy, offer for sale, hire or exchange the radio communication equipment.

(5) The radio communication equipment listed in the Schedule shall be subjected to a dealer licence.

Eligibility

5. The following are eligible to apply for issuance of a dealer licence —

(a) an individual who is —

(i) a citizen;

(ii) a permanent resident; or

(iii) a non-resident and who has been issued with an employment authorisation; or

(b) a business establishment incorporated under the laws of Seychelles.

Requirements

6. An eligible applicant for the grant of a dealer licence shall have a licence to trade as a retailer under the Licences Act (Cap.113).

Application

7.(1) An applicant who wishes to obtain a dealer licence shall make an application to the Authority in such form and manner, as may be specified by the Authority.

(2) On receipt of an application under subregulation (1) for the grant of a dealer licence, the Authority may —

(a) seek any additional document or additional information from the applicant for the grant of dealer licence, if the Authority considers necessary for such grant; and

(b) inspect or cause inspection of any installation, radio communication equipment or premises relating to the applicant.

(3) Where an applicant fails to submit the additional document or additional information sought by the Authority under subregulation (2), within the time frame specified by the Authority, the application shall be rejected and the applicant shall be informed in writing accordingly.

(4) The Authority reserves the right to disclose the identity of the applicants who have submitted applications for grant of a dealer licence and all other information submitted by the applicants shall be treated as confidential.

Grant of dealer licence

8.(1) The Authority may grant a dealer licence to an eligible applicant in accordance with the provisions of section 25 of the Act.

(2) Granting of a dealer licence under subregulation (1) does not grant sole rights with regards to the supply of any particular type of radio communication equipment.

(3) Where an application for the grant of a dealer licence is rejected by the Authority, it shall forthwith notify the applicant of its decision giving reasons for the rejection.

Duration of dealer licence

9. A dealer licence granted under subregulation (1) of regulation 8 shall be valid for a period of three (3) years from the last day of the month in which the dealer licence is issued and may be renewed.

Transfer of dealer licence

10.(1) A licensee who has been granted a dealer licence under subregulation (1) of regulation 8 shall not transfer, sublet or otherwise dispose of any benefit of his or her dealer licence, or permit any person to participate in any benefit or authority granted under the said dealer licence without prior written approval of the Authority.

(2) A licensee who intends to transfer his or her dealer licence to another person to whom the dealer licence is proposed to be transferred to, shall submit a joint application to the Authority in such form and manner and accompanied with the fees and documents as may be specified by the Authority.

(3) The application for transfer of a dealer licence under this regulation shall be dealt with in the same manner, as if it is an application for a new dealer licence under regulation 7.

(4) A licensee shall inform the Authority of each transfer of possession of its dealer licence giving the type, manufacturer, model and serial number of the radio communication equipment, the name and address of the transferee and his or her dealer licence number.

(5) It shall be unlawful for a licensee to transfer possession of its dealer licence to any other person, whether by way of sale or otherwise, unless the transferee holds a valid dealer licence for the same type of radio communication equipment and with the written consent of the Authority.

Renewal

11.(1) Application for renewal of a dealer licence shall be submitted three (3) months prior to the date of expiry of the dealer licence.

(2) Upon consideration of the application for renewal of dealer licence under subregulation (1), the Authority may renew a dealer licence on the same terms and conditions of the original dealer licence.

Amendment, Revocation or Suspension

12.(1) The Authority may from time to time, review and modify the terms and conditions of a dealer licence in pursuance of section 31 of the Act.

(2) A dealer licence may be revoked or suspended for any of the following reasons —

- (a) violation of any of the provisions of these regulations or any of the provisions of the Act;
- (b) providing false or misleading information to the Authority;
- (c) failure to comply with any of the terms and conditions specified in the dealer licence; and
- (d) radio communication equipment being assembled, imported, bought, offered for sale, hired or exchanged illegally.

(3) The Authority shall, before revoking or suspending a dealer licence on the reasons referred to in paragraphs (a), (b) or (c) of subregulation (2), give the licensee a reasonable opportunity to remedy the failure within the specified period, except in the case of repeated breach by the licensee.

(4) If the breach is remedied within the specified period, the dealer licence shall not be revoked or suspended.

(5) If the breach is not remedied within the specified period, the dealer licence shall be revoked or suspended and the licensee shall be informed in writing of the decision of the Authority within 14 days.

Terms and conditions

13.(1) A licensee before importing, assembling or selling any radio communication equipment shall —

- (a) ensure that it meets the relevant technical standards specified by the Authority;
- (b) ensure that it operates correctly with the existing radio communication system or radio communication network to which it is to be connected; and
- (c) ensure that all radio communication equipment can be programmed to operate on frequencies specifically assigned by the Authority for the operation of the radio communication equipment and shall also be programmed to operate within the maximum transmit power specified by the Authority.

(2) A licensee shall cease selling, hiring or exchanging a radio communication equipment which does not meet the requirements referred to in subregulation (1) of regulation 13, if so directed by the Authority and dispose of the equipment at his or her own expenses.

(3) A licensee shall, if required by the Authority, produce any radio communication equipment for testing or inspection by the Authority and all expenses incurred in connection with the testing or inspection shall be borne by the licensee.

(4) A licensee shall not monitor or intercept the transmission of any radio communication equipment, radio communication station or any radio communication network.

(5) A licensee shall ensure that every purchaser or hirer, to whom he or she sells or let for hire, any radio communication equipment has a radio frequency spectrum licence or authorisation from the Authority.

(6) A licensee shall carry on the business of a dealer at the business location or locations and address or addresses mentioned in the dealer licence and in the event if the licensee changes the business location and address, a written notice or advice shall be submitted to the Authority informing the change of location and address.

(7) A licensee shall not be required to have a separate radio frequency spectrum licence for the radio communication equipment for his or her activities as a dealer.

(8) A licensee shall be required to obtain a radio frequency spectrum licence and a radio frequency spectrum assignment for any radio communication equipment which is not subject to his or her activities as a dealer under these regulations.

(9) In addition to the terms and conditions referred to under subregulations (1) to (8), the Authority may, while issuing a dealer licence, impose such other terms and conditions in accordance with any other regulations or guidelines issued under the Act.

Display of dealer licence

14. A licensee is required to display its dealer licence at a conspicuous place of the business location.

Records

15.(1) A licensee shall —

- (a) keep and maintain complete and accurate registers of the radio communication equipment and all of his or her dealings therewith;
- (b) produce such registers to and on the demand of any officer authorised by the Authority or provide to the Authority when requested to do so; and
- (c) forward once in each calendar year to the Authority a complete and accurate list of all transactions carried out in respect of the dealer licence, and the list shall be submitted to the Authority not later than the 31st March of the following year.

(2) The list referred to in subregulation (1) shall consist of the following —

- (a) the date of transaction;
- (b) the type of transaction;
- (c) the details of the radio communication equipment imported, sold or hired;
- (d) the name, address and contact details of the customers;
- (e) the period of rental where applicable; and
- (f) the radio frequency spectrum licence or authorisation from the Authority of the purchaser or hirer.

(3) The records of all the transactions shall be kept for three years starting from the date of the transaction.

Inspection

16. The radio communication equipment and any records relating thereto that the licensee is required to maintain under these regulations shall be made available for inspection at any reasonable time by an officer authorised in writing by the Authority.

Licence Fees

17.(1) The licence fee of SCR 1,500 per annum is payable to the Authority at the time of the initial application for the dealer licence, and thereafter on or before the annual expiry date of the dealer licence.

(2) The licensee shall not be entitled to a refund of the licence fee or to any compensation by reason of the revocation or suspension of a dealer licence.

Offences

18.(1) A licensee who —

- (a) intentionally impedes or interferes with the inspection referred to in regulation 16;
- (b) does not give information requested in the course of such inspection; or
- (c) gives false information in response to an inquiry made by the Authority, is guilty of an offence and shall be liable to a fine in accordance with subsection (4) of section 147 of the Act.

(2) Any person who contravenes the provisions of these regulations, terms and conditions of the dealer licence is guilty of an offence and shall be liable to fine in accordance with subsection (4) of section 147 of the Act.

Appeal against the decision of the Authority

19. Any person aggrieved by the decision, direction or order of the Authority on any matter under these regulations may make an appeal to the Tribunal under section 14 of the Act.

SCHEDULE

List of radio communication equipment subject to a dealer licence
[see regulation 4(5)]

1. Land Mobile radio equipment including Private Mobile Radios (PMR) such as handhelds (e.g., Walkie Talkies); fixed; and base station radios;
2. Satellite Mobile equipment (e.g., satellite phones);
3. Marine or Maritime Mobile radio equipment (hand held and fixed); and
4. Satellite dishes (receive only).

MADE this 8th day of May, 2026.

SEBASTIEN PILLAY
VICE-PRESIDENT/MINISTER FOR ICT
