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3.8 Deputy P.D. McLinton of St. Saviour of the Chief Minister regarding new European Union regulations regarding roaming charges within the Union and whether such charges would apply in Jersey: [1(356)]

Given that from 15th June 2017 European Union citizens travelling to any other E.U. (European Union) member state will be able to roam like at home, no longer incurring roaming charges while making phone calls, texting or using online services with their mobile phone or device, will the Chief Minister advise whether local telecoms providers will be expected to adhere to the E.U. regulation underpinning this measure and, if not, why not?

Senator P.F. Routier (Assistant Chief Minister - rapporteur):

Telecommunications, like other utilities, are classed as a service for E.U. single market purposes. For telecoms purposes, the Channel Islands are third countries that are outside of the E.U. The E.U. roaming regulations do not oblige E.U. operators to cap the cost of voice calls, text and data when dealing with non-E.U. operators like those in Jersey. This is because the legal basis for the rules does not contain any third-country provisions. As Members are aware, work on a new telecoms strategy is underway and roaming is being considered as part of this work.

3.8.1 Deputy P.D. McLinton:

Some of these U.K. providers have included Jersey in their roam-like-home offerings, seriously undercutting the market. May I just give some figures for the context, please? For example, the 3 network, on pay-as-you-go calls per minute to Jersey or the U.K. are 3p; J.T. (Jersey Telecom) 39p. Texts are 2p for the 3 network; J.T. 25p. Data per megabyte is 1p as opposed to 19p. Will the Assistant Minister not agree that this will be both, should we have to stick with it over here, damaging to local users' pockets and certainly in the future damaging to the providers on this Island?

Senator P.F. Routier:

Yes, I certainly recognise this is a serious challenge to the local telecoms providers and obviously an issue which our community who use telephones will want to have the best possible deal. Seeing that Jersey is a small jurisdiction, the economies of scale do not really match what can be provided by the larger operators. It is an issue that we need to come to terms with. The buying power of the local providers does obviously make it very difficult for them to negotiate good roaming deals but certainly it is something that I would expect the commercial forces will take hold at some stage and the local telecoms operators will have to react.

3.8.2 Senator S.C. Ferguson:

Given the recent comments by C.I.C.R.A. (Channel Islands Competition and Regulatory Authorities), does the Minister not realise that this proposed action will affect the value of J.T. and highlight the dilatory way in which the Chief Minister's Department has dealt with telecoms policy? Will he explain why it has taken so long to even get round to preparing the strategy?

Senator P.F. Routier:

The telecoms policy that is being developed is something that is a big piece of work, which is certainly something which ... the basis of the initial question about roaming is part of that. The telecoms policy is a major piece of work about how all provision is provided, whether it be local broadband services, the whole picture. With regard to suggesting that the Chief Minister's Department has been dilatory in bringing forward this strategy, I do not believe that is the case. As

Members will have been aware, those who came along to the information finding meeting that we had with the advisers who have been appointed, from what I understand from the people who were there they found it a very, very useful thing to be able to share their views with the adviser. The adviser is working on the policy right now and we should have a first cut of that by the end of this month with a final publication just after the summer break.

3.8.3 Deputy P.D. McLinton:

Just for the sake of clarity, and given also that the 3 network will apparently post you a S.I.M. (subscriber identity module) card, that is how easy it is to take this up, I think I heard the Assistant Minister say that essentially, given that this legislation is in place, local telecoms providers are on a hiding to nothing. Could he clarify if that is indeed, in a roundabout way, what he said?

Senator P.F. Routier:

Putting words into my mouth, as the Deputy here is attempting to do, is probably something that I will try and resist confirming, but certainly commercial pressures will no doubt take place and I think that we will find that the market will have to react and we will obviously be in ... the consumers will be in a better place because of the commercial position. The reality of what is happening in E.U. is something that we do not benefit from currently but we will do ... I am sure the telecoms operators will be responding.