
EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations limit the wholesale roaming rates chargeable to mobile phone service providers in certain countries or territories with which the United Kingdom has an international agreement.

These Regulations give effect to Articles 3.69 of, and Annex XX to, the Free Trade Agreement between Iceland, the Principality of Liechtenstein, and the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland (Miscellaneous Series No. 3 (2021)).

The following expressions, used below, are defined or otherwise explained in *regulation 3*: “British provider”, “mobile phone service”, “Ofcom” and “overseas provider”.

Part 2 sets out the maximum rates chargeable to overseas providers in certain countries. In summary:

- *regulation 4* provides that a requirement under *Part 2* does not prevent a British provider from limiting the use of its mobile phone service by the customers of an overseas provider;
- *regulations 5 and 6* limit the wholesale roaming rates that a British provider may charge for the use of a mobile phone service by customers of overseas providers in Iceland or Norway.

Part 3 provides for Ofcom to use a limited range of its powers under the Communications Act 2003 (c. 21). In summary:

- *regulation 7* provides for Ofcom to enforce the maximum rates chargeable;
- *regulation 8* authorises Ofcom to require information from certain persons for enforcement purposes.

Part 4 provides for dispute resolution and appeals. In summary:

- *regulation 9* provides for Ofcom to use a limited range of its powers under the Communications Act 2003 to resolve disputes relating to the maximum rates chargeable;
- *regulation 10* provides a right of appeal against a decision made by Ofcom under the Communications Act 2003 as applied by these Regulations.

Part 5 contains miscellaneous provisions. In summary:

- *regulation 11* provides for the service of notification and other documents made under the Communications Act 2003 as applied by these Regulations;
- *regulation 12* requires that any amounts paid to Ofcom by virtue of these Regulations is paid into the Consolidated Fund;
- *regulation 13*, which provides for a quinquennial review of the regulatory provision in these Regulations, implements the duty imposed by section 28 of the Small Business, Enterprise and Employment Act 2015 (c. 26);
- *regulation 14* revokes spent enactments.

The text of international agreements may be found online via www.gov.uk/guidance/uk-treaties.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary, or public sector is foreseen.

An Explanatory Memorandum is published alongside this instrument at www.legislation.gov.uk.