

Mobile roaming if there's no Brexit deal

Summary

How leaving the EU without a deal would affect mobile roaming in EU/EEA countries.

Detail

Find out how businesses and consumers would be affected by changes to mobile roaming charges if the UK leaves the EU with no deal.

A scenario in which the UK leaves the EU without agreement (a 'no deal' scenario) remains unlikely given the mutual interests of the UK and the EU in securing a negotiated outcome.

Negotiations are progressing well and both we and the EU continue to work hard to seek a positive deal. However, it's our duty as a responsible government to prepare for all eventualities, including 'no deal', until we can be certain of the outcome of those negotiations.

For two years, the government has been implementing a significant programme of work to ensure the UK will be ready from day 1 in all scenarios, including a potential 'no deal' outcome in March 2019.

It has always been the case that as we get nearer to March 2019, preparations for a no deal scenario would have to be accelerated. Such an acceleration does not reflect an increased likelihood of a 'no deal' outcome. Rather it is about ensuring our plans are in place in the unlikely scenario that they need to be relied upon.

This series of technical notices sets out information to allow businesses and citizens to understand what they would need to do in a 'no deal' scenario, so they can make informed plans and preparations.

This guidance is part of that series.

Also included is an overarching framing notice (<https://www.gov.uk/government/publications/uk-governments-preparations-for-a-no-deal-scenario/>) explaining the government's overarching approach to preparing the UK for this outcome in order to minimise disruption and ensure a smooth and orderly exit in all scenarios.

We are working with the devolved administrations on technical notices and we will continue to do so as plans develop.

Before 29 March 2019

You can travel in the EU with guaranteed surcharge-free roaming. This means you can use your mobile devices to make calls, send texts and use mobile data services for no more than you would be charged when in the UK.

In addition, the EU Roaming regulation requires mobile operators to apply a default financial limit for mobile data usage of €50. Operators are also required to send an alert once your device reaches 80% and then 100% of the agreed data roaming limit. These requirements apply regardless of where you are in the world, not only within the EU.

Surcharge-free roaming in the EU, known as Roam Like at Home, is underpinned by the EU Roaming Regulation - (EU) No 531/2012 - and its subsequent amendments - (EU) No 2015/2120 and (EU) No 2017/920. This Regulation also regulates what mobile operators can charge each other for providing roaming services and extends to the wider European Economic Area (EEA), which includes Iceland, Liechtenstein and Norway.

After March 2019 if there's a deal

In the likely event of a deal, surcharge-free roaming would continue to be guaranteed during the Implementation Period. Following the Implementation Period the arrangements for roaming, including surcharges, would depend on the outcome of the negotiations on the Future Economic Partnership.

After March 2019 if there's no deal

In the unlikely event that we leave the EU without a deal, the costs that EU mobile operators would be able to charge UK operators for providing roaming services would no longer be regulated after March 2019. This would mean that surcharge-free roaming when you travel to the EU could no longer be guaranteed.

However, the government would legislate to ensure that the requirements on mobile operators to apply a financial limit on mobile data usage while abroad is retained in UK law. The limit would be set at £45 per monthly billing period, as at present (currently €50 under EU law). The government would also legislate, subject to parliamentary approval, to ensure the alerts at 80% and 100% data usage continue.

Leaving without a deal would not prevent UK mobile operators making and honouring commercial arrangements with mobile operators in the EU - and beyond the EU - to deliver the services their customers expect, including roaming

arrangements. The availability and pricing of mobile roaming in the EU would be a commercial question for the mobile operators. As a consequence, surcharge-free mobile roaming in the EU may not continue to be standard across every mobile phone package from that point. Roaming may also be offered with different terms and conditions. This might affect the amount of calls that you can make, texts you can send and data you can consume, including applying limits that are less than the amount available in your bundle when you're in the UK.

However, we should be clear that surcharge-free roaming for UK customers may continue across the EU as now, based on operators' commercial arrangements. Some mobile operators (3, EE, O2 and Vodafone - which cover over 85% of mobile subscribers) have already said they have no current plans to change their approach to mobile roaming after the UK leaves the EU.

In the unlikely event that we leave the EU without a deal, our advice to consumers is to:

- check the roaming policies of your mobile operator before you go abroad
- consider what your operator is saying about surcharge-free roaming post-EU exit
- check your operator's terms and conditions in detail - particularly if you are a heavy user of mobile services in the EU
- be aware of [your rights to change mobile operator] ("switching") (<https://www.ofcom.org.uk/phones-telecoms-and-internet/advice-for-consumers/costs-and-billing/switching/switching-mobile-phone-provider>)
- be aware that [Ofcom rules allow cancellation of your contract free-of-charge if your operator makes certain price increases] (https://www.ofcom.org.uk/__data/assets/pdf_file/0027/29682/guidance.pdf)
- know how to turn off your mobile data roaming on your mobile device if you're worried about being charged for data usage in the EU
- ensure you understand the alternatives to using mobile networks when abroad. Wi-Fi is widely available, which would allow you to make calls, send texts and use data for free or with little charge
- understand which services might be expensive to use and which are likely to be cheap. For example, streaming live television or sending large video clips (MMS) could be expensive as they use large amounts of data

If you live in Northern Ireland

Consumers and businesses in border areas should be aware of the issue of 'inadvertent roaming'. This is when a mobile signal in a border region is stronger from the country across the border. In this case, a consumer from Northern Ireland in

a border region of Northern Ireland would roam onto an Irish network as the mobile phone signal is stronger from a network in Ireland.

The availability and pricing of mobile roaming in the EU, including across the island of Ireland, would be a commercial question for the mobile operators.

Some mobile operators have stated that they have no current plans to change their approach to mobile roaming after the UK leaves the EU. In addition, the Government is open to facilitating discussions between mobile operators to ensure that future arrangements are as effective as possible. However, surcharge-free mobile roaming in the EU may not continue to be standard across every mobile phone package from the point of EU exit.

More information

This notice is meant for guidance only. You should consider whether you need separate professional advice before making specific preparations.

It is part of the government's ongoing programme of planning for all possible outcomes. We expect to negotiate a successful deal with the EU.

The UK government is clear that in this scenario we must respect our unique relationship with Ireland, with whom we share a land border and who are co-signatories of the Belfast Agreement. The UK government has consistently placed upholding the Agreement and its successors at the heart of our approach. It enshrines the consent principle on which Northern Ireland's constitutional status rests. We recognise the basis it has provided for the deep economic and social cooperation on the island of Ireland. This includes North-South cooperation between Northern Ireland and Ireland, which we're committed to protecting in line with the letter and spirit of Strand two of the Agreement.

The Irish government have indicated they would need to discuss arrangements in the event of no deal with the European Commission and EU Member States. The UK would stand ready in this scenario to engage constructively to meet our commitments and act in the best interests of the people of Northern Ireland, recognising the very significant challenges that the lack of a UK-EU legal agreement would pose in this unique and highly sensitive context.

It remains, though, the responsibility of the UK government, as the sovereign government in Northern Ireland, to continue preparations for the full range of potential outcomes, including no deal. As we do, and as decisions are made, we'll take full account of the unique circumstances of Northern Ireland.

