



Case T-094

Response to request to make spectrum licences
technology neutral to enable deployment of newer
technologies including 5G

Information note

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1 Overview

The duties of the Jersey Competition Regulatory Authority (the **Authority**) include assessing interest in and demand for local radio spectrum and making recommendations to UK communications regulator Ofcom to award new spectrum licences for public telecoms providers and to vary or revoke existing ones.

The Authority has received a request from JT (Jersey) Limited (**JT**) to amend certain technical conditions in spectrum licences JT holds. The proposed changes would make the licences technology neutral, allowing JT to use the allocated spectrum to provide newer services, such as 5G.

In the UK, Ofcom have received and considered similar requests made by mobile network operators (**MNOs**) there, and decided to change certain spectrum licences as a result, making them technology-neutral. They have also created a straightforward path for any other UK MNOs to make similar requests and for them to be agreed subject to technical assessment and without public consultation.

Having considered the situation and taken the UK position and approach into account, the Authority plans to recommend that Ofcom, which has legal responsibility for local spectrum, makes the requested changes to JT's spectrum licences, subject to technical assessment.

The Authority will make this recommendation on 19 September 2025.

The Authority will also accept any request from other local licensed MNOs for similar changes making spectrum licences technology neutral and make the necessary recommendations to Ofcom.

2 Introduction and legal framework

2.1 This section provides contextual information associated with this Information Note. Its contents include:

- [Background](#)
- [Legal framework](#)

Background

2.2 Spectrum is the invisible radio waves that travel through the air, space and solid materials. This property allows its use for wirelessly connecting all manner of devices to each other and to the transmitters / receivers used by WNOs to connect users to their networks. The systems, services and applications that use this technology are almost endless in the modern world, including mobile phones, home Wi-Fi, satellite connections, televisions and radio, baby monitors and car key fobs.

2.3 The UK's Wireless Telegraphy Act 2006 (the **WTA**) makes UK communications regulator Ofcom legally responsible for licensing and managing the Island's radio spectrum. Under an agreement, Ofcom involves the Authority on important local spectrum decisions, typically for bands widely designated for public communication networks and services.

2.4 In the UK, Ofcom has met the request of MNOs to change certain technical conditions contained in their spectrum licences that limit their use to specific wireless technologies such as 3G. The changes have made these licences technology neutral, allowing the use of associated spectrum to deploy newer technologies such as 5G.¹ Ofcom justified the change because consumers are likely to benefit from higher quality mobile services being available.²

2.5 In June 2025, the Authority received a request from JT to change technical conditions associated with two of its spectrum licences making them technology-neutral, which would allow the associated spectrum for use with new services. These licences are shown in Table 1 below:

Licence number	Uplink (base receive)	Downlink (base transmit)
1264895 (PDF, 223.5 KB)	900.0 – 915.0 MHz	945.0 – 960.0 MHz
	1710.0 – 1730.0 MHz	1805.0 – 1825.0 MHz

¹ Ofcom's response to Vodafone's and Telefónica's requests to update the technical conditions of their mobile licences to enable the deployment of newer technologies including 5G – see https://www.ofcom.org.uk/__data/assets/pdf_file/0026/237824/vodafone-telefonica-licence-variation.pdf

² Ofcom's decision to update the technical conditions of Vodafone's and Telefónica's mobile licences to enable the deployment of newer technologies including 5G: Variation of certain licences held by Vodafone and Telefónica in the 900 MHz, 1800 MHz, 2100 MHz and 2.6 GHz bands, Statement (22 September 2022) – https://www.ofcom.org.uk/__data/assets/pdf_file/0021/244362/statement-vodafone-telefonica-licence-variation.pdf

Licence number	Uplink (base receive)	Downlink (base transmit)
0289008 (PDF, 260.1 KB)	1940.01 – 1954.9 MHz	2130.1 – 2144.9 MHz
	1910.0 – 1915.0 MHz	

Table 1: JT spectrum licences to be made technology neutral

Legal framework

The duties of the Authority

2.6 When carrying out its duties, the Authority must act in accordance with its statutory obligations which include a primary duty to ensure that telecommunication services are provided within Jersey to satisfy all current and prospective demands for them. Part 3 of the Telecommunications (Jersey) Law 2002 (the **Law**) includes several specific duties including:

- (a) To protect the short-term and long-term interests of Islanders using telecoms services; and*
- (b) To further the economic interests of Jersey.*

Powers to amend spectrum licences

2.7 Telecoms providers operating a wireless telecoms network in Jersey require two licences:

- (a) A valid telecoms licence issued under the Law allowing the provision of telecoms services in the Island; and
- (b) A valid spectrum licence issued by Ofcom under the WTA allowing the use of specific spectrum bands.

2.8 Although the Authority has no statutory powers in relation to issuing spectrum licences, Article 22 of the Law allows cooperation with Ofcom, which includes making recommendations on licensing and managing local spectrum licences. Under an agreement, Ofcom expects the Authority to make recommendations after following an appropriate process to underpin and justify any decisions and subsequent recommendations made.

2.9 The WTA provides Ofcom powers for the ‘granting, revocation and variation of wireless telegraphy licences’, with the spectrum licences issued to Jersey MNOs containing a section stating that variation can take place ‘*At the request, or with the consent, of the Licensee.*’³

³ Jersey Licences issued under the Wireless Telegraphy Act 2006, section 3 (f) – see <https://www.ofcom.org.uk/manage-your-licence/radiocommunication-licences/mobile-wireless-broadband/jersey-licences>

2.10 When considering the management of radio spectrum, the WTA states that:

*Ofcom may not revoke or vary a wireless telegraphy licence unless the proposed revocation or variation is objectively justifiable.*⁴

2.11 Under existing agreement and working arrangements with Ofcom, the Authority would expect to consider relevant factors on behalf of Ofcom and make recommendations to vary a local spectrum licence based on reasons that can be demonstrated as being objectively justifiable.

⁴ Wireless Telegraphy Act 2006, schedule 1, Notification of proposed revocation, section 6 (a) – see <https://www.legislation.gov.uk/ukpga/2006/36/schedule/1/crossheading/revocation-or-variation>

3 Planned next steps

- 3.1 Noting Ofcom's conclusion that UK consumers are likely to benefit from the same licence changes requested by JT, the Authority is satisfied that the same benefits are likely to apply to Islanders by meeting JT's request.
- 3.2 The planned next steps are therefore:
- (a) To recommend that Ofcom updates certain technical conditions included in spectrum licences held by JT in the 900 MHz, 1800 MHz, 1900 MHz and 2100 MHz bands (subject to technical assessment by Ofcom) to allow the deployment of newer technologies including 5G; and
 - (b) To accept future requests from any other licensed MNOs for substantially similar changes and recommend that Ofcom makes the necessary updates subject to technical assessment. These recommendations to Ofcom would be made without further public engagement on this matter.
- 3.3 The recommendation to Ofcom will be made on 19 September 2025, with a request to change JT's spectrum licences at the earliest opportunity.