



Telecoms Security Procedural Guidance

Proposed revision to the Draft General statement of policy under
Article 24Y of the Telecommunications (Jersey) Law 2002

Consultation

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1 Overview and summary

The Government of Jersey (the **Government**) is currently introducing a new telecoms security framework with the aim of maintaining the security and resilience of Jersey's telecoms networks and services.

While the framework introduces new general security duties for all local providers of telecoms networks and services (the **Providers**), it sets out a range of specific security measures that must be implemented by those considered critical to Islanders and local organisations.

The Government's original proposals to identifying these critical Providers was based on market share calculations. However, having considered its consultation feedback, it is proposing to change to using criteria based on turnover and giving the Jersey Competition Regulatory Authority (the **JCRA**) responsibility for which Providers must demonstrate compliance.

The JCRA has issued Draft Procedural Guidance explaining the proposed approach to its operational telecoms security functions. If the Government goes ahead with the proposed change to the criteria for determining the need to demonstrate compliance, the Draft Procedural Guidance will need modifying to accommodate the required new administrative processes.

Anticipating that the Government will go ahead with its proposed change, this document is a focused consultation on potential modifications to the Draft Procedural Guidance, to be incorporated in the final version planned for issue in advance of the JCRA starting its operational telecoms security functions. Comments and views are welcome, specifically in response to the following questions:

Question 1: Do you have any concerns about the JCRA's approach to preparing for the Government's proposed changes to the Security Measures Order? If so, please explain what they are.

Question 2: Do you support the JCRA's approach to potential modifications to its Draft Procedural Guidance? If not, please explain why.

Question 3: Do you have any specific comments on the potential modifications to the Draft Procedural Guidance contained in Annex A of this document?

This consultation closes on 23 February 2026. After assessing responses received, the JCRA will include related analysis and conclusions and incorporate any modifications in its final Procedural Guidance. Section 4 of this document explains how to respond to the consultation.

2 Introduction and background

2.1 This section introduces the consultation and provides background information on its purpose and contents, which include:

- Purpose of document
- The Government's consultation on its Draft Security Measures Order and Draft Code of Practice and proposals to amend
- The JCRA's consideration of the Government's proposed change
- Legal framework
- The planned process and timetable

Purpose of document

2.2 In December 2025, the Government shared revised proposals on its approach to determining providers within the scope of security measures contained in the telecoms security framework. This document is a consultation on potential modifications to the JCRA's Draft Procedural Guidance needed to accommodate the Government's proposed changes.

2.3 Its purpose is to set out these potential modifications for those they are likely to impact, explain the reasons for proposing them, and invite views and comments on the JCRA's intended approach.

The new telecoms security framework and the Government's proposed change

2.4 The Government is currently implementing a telecoms security framework consisting of amendments to the Telecommunications (Jersey) Law 2002 (the **Law**), agreed by the States of Jersey in September 2024, in addition to a list of defined security measures (the **Security Measures Order**) and guidance on how to demonstrate compliance with these measures (the **Code of Practice**). It is currently consulting on drafts of both documents.¹

2.5 The Draft Security Measures Order includes a proposed approach to deciding which Providers are within its scope based on market share criteria. The rationale being to ensure Jersey's telecoms security framework reflects the differences in criticality of Jersey's Providers with the Security Measures Order and Code of Practice applying to those for which a security compromise would have the most widespread impacts on network and service availability, and the most damaging economic or social effects.

¹ GoJ: Draft Security Measures – see [here](#) for more information.

- 2.6 Responding to consultation feedback, the Government is reconsidering the approach it proposed in a consultation issued in July 2025.² It has proposed a change to qualifying criteria based on company turnover rather than market share. It also proposes a role for the JCRA in establishing which Providers are within scope of the Security Measures Order and therefore need to demonstrate compliance using guidance set out in the Code of Practice.³
- 2.7 The Government is consulting directly with Providers on the proposed change before taking further action. It has also requested that the JCRA assess the implications for its planned operational telecoms security functions, as outlined in the Draft Procedural Guidance, which forms part of the telecoms security framework and is currently under consultation.⁴

The JCRA's consideration of the Government's proposed change

- 2.8 The JCRA could wait until the Government completes its additional consultation on proposed changes to the Draft Security Measures Order before considering any potential modifications to its Draft Procedural Guidance. This would provide a firmer basis on which to consider, propose and potentially make any modifications. However, this is likely to add further time to the process of fully commencing the telecoms security framework, and enabling its important benefits so enhancing protections for local organisations and Islanders.
- 2.9 Considering this, the JCRA has decided that it is reasonable to identify the potential modifications needed to its Draft Procedural Guidance to accommodate the Government's proposed changes and seek views and comments on them through a consultation. That is the purpose of this document.
- 2.10 The JCRA plans to take consultation responses received into account alongside the outcome of the Government's focused consultation when creating its final Procedural Guidance, including relevant analysis and conclusions. These would be included in its decision on final guidance planned for issue in Q2 2026.
- 2.11 If the Government decides to not proceed with proposed changes to its Security Measures Order, the JCRA will not go ahead with any of the potential modifications set out in this document.

² GoJ: Draft Security Measures – see [here](#) for more information.

³ GoJ: Proposed Jersey Telecoms Security Order and Code of Practice — Additional Consultation

⁴ JCRA: T-062 Telecoms Security Draft Procedural Guidance and Draft Resilience Guidance – Consultation—see [here](#) for more information.

Question 1: Do you have any concerns about the JCRA’s approach to preparing for the Government’s proposed changes to the Security Measures Order. If so, please explain what they are.

Legal framework

2.12 The Law requires the JCRA to issue a Statement of Policy (the Procedural Guidance) explaining how it intends carrying out its security functions, for the purpose of establishing principles and setting expectations for Providers with duties under the Law and those who are obliged to demonstrate compliance. This consultation continues the approach of seeking views on the JCRA’s Draft Procedural Guidance.

The planned process and timetable

2.13 The timetable, which may be subject to change, for completing the process is:

Jan 2026 Issue consultation on potential modifications to the Draft Procedural Guidance

Feb 2026 Close consultation and consider responses / information received

Q2 2026 Issue final Procedural Guidance and assume powers and duties under the Law

3 The potential modifications to the Draft Procedural Guidance

3.1 This section explains the JCRA’s assessment of potential modifications needed and chosen approach. Its contents include:

- Assessment and approach to potential modifications
- Approach to consultation

Approach to potential modifications

Overarching considerations

3.2 The JCRA understands the reasons for the Government’s proposed change to a relevant turnover approach, based on available and verifiable data. As the Government notes, the JCRA already collects relevant turnover for setting annual telecoms licence fees, which should allow for an approach that minimises additional workload wherever practicable.

3.3 The JCRA also notes the Government’s intention to align with the UK Government’s approach using relevant turnover as the criteria for applicability. The JCRA considers it appropriate to continue aligning its approach with that of the UK communications regulator Ofcom where reasonable, while taking local circumstances into account.

Specific approach to modifying the Draft Procedural Guidance

3.4 Table 1 (below) explains the JCRA’s approach to potentially modifying Section 4 of its Draft Procedural Guidance to accommodate the Government’s proposed changes. Annex A of this document shows the outcome in markup text.

Draft Procedural Guidance sub-section	Approach taken to potential modifications
Under ‘Compliance monitoring principles’ on page 10 of the Draft Procedural Guidance	
Duty to seek to ensure compliance	<i>No changes required to this sub-section.</i>
Approach to monitoring providers	<i>i. Retitle this section to clarify its focus, make minor modifications to reflect proposed change from specification by the Minister to application by relevant turnover and the JCRA’s expanded role in identifying and notifying Providers. Modify Figure 1 to reflect this expanded role and annual monitoring process.</i>

Draft Procedural Guidance sub- section	Approach taken to potential modifications
	<p><i>ii. Delete paragraph explaining the Minister may revise the Order and Code to add or remove Providers from the list of those having to demonstrate compliance.</i></p>
<p>Establish requirements to demonstrate compliance with the Code</p> <p>[New sub-section]</p>	<p><i>i. The JCRA notes that the Government proposes to align its definition of relevant turnover with that used by the UK Government in its telecoms security Code of Practice⁵. Consistent with this, the JCRA proposes to follow Ofcom’s approach,⁶ which is to explain its interpretation of relevant activity for the purpose of calculating relevant turnover.</i></p> <p><i>ii. As noted in the Government’s Additional Consultation, the JCRA already collects relevant turnover data for the purpose of calculating annual licence fees, based on an interpretation of relevant activity developed by the Channel Islands Competition and Regulatory Authority (CICRA)⁷ in 2013.⁸ The JCRA proposes using the same interpretation (and the same data wherever practical) for establishing Providers in scope of the Order.</i></p> <p><i>iii. Consistent with the approach taken by Ofcom, the JCRA proposes to use relevant turnover data it has already received to establish and notify Providers initially within scope of the Order, and therefore required to demonstrate compliance with the Code of Practice from the outset.</i></p> <p><i>iv. As noted by the Government, this proposed approach only encompasses licenced Providers and not any that may exist offering telecoms services rather than operating telecoms network equipment.⁹ The JCRA proposes to overcome this by using its information gathering powers under the Law to require any</i></p>

⁵ UK Government: Telecommunications Security Code of Practice – see [here](#) for more information.

⁶ Ofcom: The definition of “relevant activity” for the purposes of administrative charging – see [here](#) for more information.

⁷ CICRA existed before 2020 as a joint regulator for Channel Islands telecoms services.

⁸ CICRA: Channel Islands Telecoms Licence Fees, Report on the Consultation and Decision Document.

⁹ The Telecommunications (Jersey) Law 2002 requires only companies operating telecoms networks to possess a licence.

Draft Procedural Guidance sub-section	Approach taken to potential modifications
	<i>identified non-licensees to provide relevant turnover statements for the purpose of establishing whether they are in scope of the Order.</i>
A supervisory model	<i>Minor modification to reflect proposed change to establishing Providers in scope of the Order.</i>

Table 1: Explanation of potential modifications to the Draft Procedural Guidance

- 3.5 In addition to the potential modifications explained above, the JCRA will make appropriate minor changes to other parts of the Procedural Guidance needed to accommodate the Governments proposed changes.

Question 2: Do you support the JCRA’s approach to potential modifications to its Draft Procedural Guidance? If not, please explain why.

Question 3: Do you have any specific comments on the potential modifications to the Draft Procedural Guidance contained in Annex A of this document?

Approach to consultation

- 3.6 In view of the small number of potential modifications explained in this document, the JCRA has decided a reduced consultation period of four weeks is sufficient.
- 3.7 Responses received will be considered and may be used to inform any final JCRA decision on this matter alongside the Government deciding whether to go ahead with its proposed changes to the Draft Security Measures Order.
- 3.8 As noted in paragraph 2.10 (above), the JCRA will include any outcome of this consultation within the issuing of its final Procedural Guidance.

4 How to respond to this consultation

- 4.1 The JCRA invites written views and comments on questions raised in this consultation document. All responses to this proposal should be submitted in writing, clearly marked 'T-062 Telecoms Security', and received by the JCRA before 5.00 pm on 23 February 2026. Submissions can be sent by email to info@jcra.je or alternatively in writing to:

Jersey Competition Regulatory Authority
2nd Floor Salisbury House
1-9 Union Street
St Helier
Jersey
JE2 3RF

- 4.2 It would be helpful if any response includes direct answers to the questions asked in this consultation. It would also help if you can explain why you hold your views and how the JCRA's proposals would impact on you, supported by any quantitative or qualitative evidence that you possess.
- 4.3 Under JCRA policy, responses to the consultation may be made available on its website (www.jcra.je) unless the sender clearly indicates otherwise.

Annex A: Proposed Draft Procedural Guidance revision

The JCRA proposes to change Section 4 of its Draft Procedural Guidance as shown below (in markup text):

Compliance monitoring principles

Duty to seek to ensure compliance

- 3.3 The Amending Regulations significantly enhance the Law to add substantial additions to regulate security in the Island's telecommunications sector. Within this telecoms security framework, Providers have a greatly expanded range of security duties and the Authority has important new duties and associated powers including seeking to ensure compliance through proactive monitoring and, if necessary, enforcement with legal and regulatory requirements.
- 3.4 The Authority expects Providers to ensure that they understand and comply with duties placed on them by the telecoms security framework. This means being fully aware of the Law, associated Orders and relevant guidance given by the Minister in the Code and in regulatory guidance issued by the Authority, including guidance on the resilience of local communications networks and services.¹⁰
- 3.5 Article 24V of the Law places a general duty on the Authority to seek to ensure that Providers comply with security duties imposed on them by Articles 24K to 24N, 24S and 24T, which means taking a proactive approach to monitoring and ensuring compliance and carrying out positive enforcement activities if necessary.

Approach to monitoring providers

The approach to monitoring Providers within the scope of the Order

- 3.6 ~~While legal duties contained in the Law apply equally to all public telecoms providers, the Authority's compliance monitoring principles apply only to those Providers the Minister has specified in the Order. The rest of this section explains how the Authority intends to approach this monitoring.~~

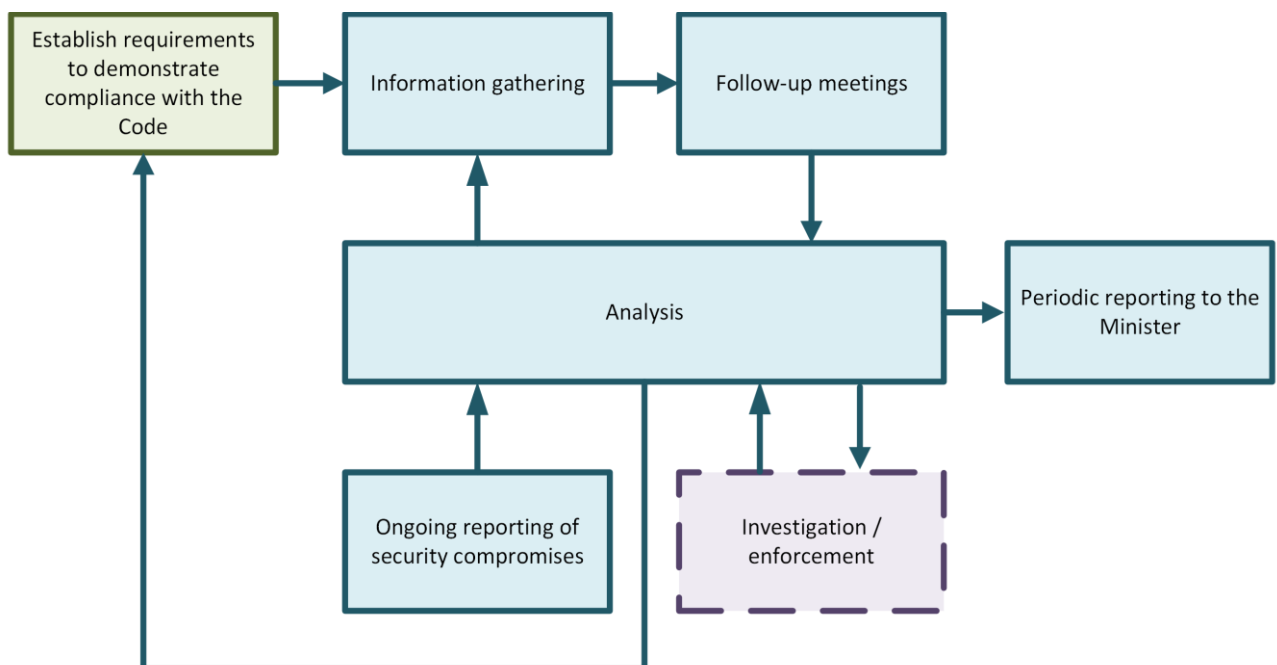
While legal duties contained in the Law apply equally to all public telecoms providers, the Order only applies to those with an annual relevant turnover of £1 million (or equivalent) or above. Consistent with the scope of the Order, the rest of this section explains how the Authority

¹⁰ JCRA: Resilience Guidance – see here for more information.

[intends identifying and notifying those Providers and the approach to monitoring their compliance with the Order.](#)

- 3.7 Due to the nature of the telecoms security framework, the Providers' implementation of telecoms security measures will evolve and the Authority expects to understand more about their networks, services and compliance approaches over time. For this reason, it sees compliance as an ongoing journey, which will ramp up in line with the phased implementation timeframes set out in the Code. An overview of the Authority's planned approach for the first few years is summarised in Figure 1 below and explained further in this section of the Procedural Guidance.

Figure 1: Compliance monitoring approach for Providers with scope of the Order



- ~~3.8 The Authority understands that the Minister may revise the Order and the Code from time-to-time based on ongoing analysis of the threats and risks faced by Jersey and the need to maintain the security and resilience of the Island's public telecoms networks and services. This may include adding or removing Providers from the list of those identified as having to demonstrate compliance with duties under the telecoms security framework.~~

Establish requirements to demonstrate compliance with the Code

- 3.8 [The Order defines relevant turnover as turnover from any relevant activity carried out wholly or partly in Jersey after the deduction of sales tax \(GST\). Relevant activity means:](#)

- [the provision of electronic communications services to third parties;](#)
- [the provision of electronic communications networks, electronic communications services and network access to communications providers; or](#)
- [the making available of associated facilities to communications providers.](#)

[Consistent with its established approach to assessing turnover for the purpose of calculating annual telecoms licence fees, the JCRA interprets relevant activity as meaning all a Provider's commercial activities except:¹¹](#)

- [Non-telecoms related business](#)
- [Services carried out entirely outside the Bailiwick](#)
- [Data centre hosting and services](#)
- [Mobile handsets and accessories](#)
- [Consultancy](#)
- [Sales of CPE and customer wiring](#)
- [Managed services](#)
- [Call Centre Services](#)
- [Other deductions for non-qualifying services¹²](#)

3.9 [The JCRA already collects data on relevant turnover based on the relevant activity criteria shown above for another purpose. The JCRA will use data it already holds to establish and notify Providers in scope of the Order, which it expects to do so by \[15 April 2026\]. Where a Provider already submits turnover statements to the Authority that demonstrate relevant turnover in excess of £1 million \(or equivalent\) it should presume that it will be in scope of the order, nonetheless the JCRA will notify them of the outcome of its assessment by the date given previously. Providers that do not receive any notification from the JCRA at this time can assume they are not within scope of the Order and therefore will not be required to demonstrate compliance with the Code.](#)

¹¹ For the avoidance of doubt, this definition of relevant activity relates solely to the calculation of turnover for the purpose of establishing the scope of the Order and not to the scope of regulatory principles or activities under the Law.

¹² Other services that a Provider can legitimately demonstrate as not being commercial activities considered relevant activities for the purpose of establishing the scope of the Order.

- 3.10 [From 2026, the JCRA will expand the use of data it collects to include establishing and notifying Providers in scope of the Order, including assessing movement in or out under the Order's qualifying criteria.](#)
- 3.11 [The telecoms security framework established by amending regulations¹³ encompasses Providers of electronic communications services that may not require a telecoms licence under the Law. Where the JCRA becomes aware of any Provider in this category, it will use information gathering powers under Article 24ZC of the Law to establish whether they are in scope of the Order and therefore required to demonstrate compliance with the Code.](#)

A supervisory model

- ~~3.13~~ 3.12 Through the telecoms security framework, the Minister introduced significant enhancements to help strengthen and protect Jersey's vital communications sector for the benefit of the Island, its economy, organisations and inhabitants. The Authority recognises it is likely to take time for Providers to make the improvements necessary to deliver the benefits intended by the telecoms security framework given the potential scale of change needed.
- ~~3.14~~ 3.13 The Authority further recognises that threats faced by Providers are continually changing as technologies and threats evolve. Risk management is therefore never complete and requires Providers to develop and maintain a strong internal security culture leading to continuous improvement.
- ~~3.15~~ 3.14 The telecoms security framework establishes the steps that Providers [within scope of the Order](#) ~~designated by the Minister~~ must take to achieve compliance with the Law and the Order. Through its supervisory model, the Authority will initially monitor progress that each Provider is making towards implementing appropriate organisational and technical measures with sufficient pace, as they continue to work towards full compliance. Where the Authority finds areas of concern, it will seek to work with Providers to ensure appropriate and proportionate measures are implemented in accordance with the telecoms security framework. The Authority expects that this collaborative approach will foster more compliant behaviours and reduce the volume of breaches under the Law, as well as reducing the need for regulatory investigations. As necessary, the Authority will also stand ready to engage

¹³ GoJ: States of Jersey: Draft Telecommunications Law (Jersey) Amendment Regulations 202- (P.47/2024), Comments – see [here](#) for more information.

its suite of enforcement powers with the approach to enforcement set out in Section 5 of the Procedural Guidance.