

# Brexit means Brexit (but what does Brexit mean? Issues for TMT)

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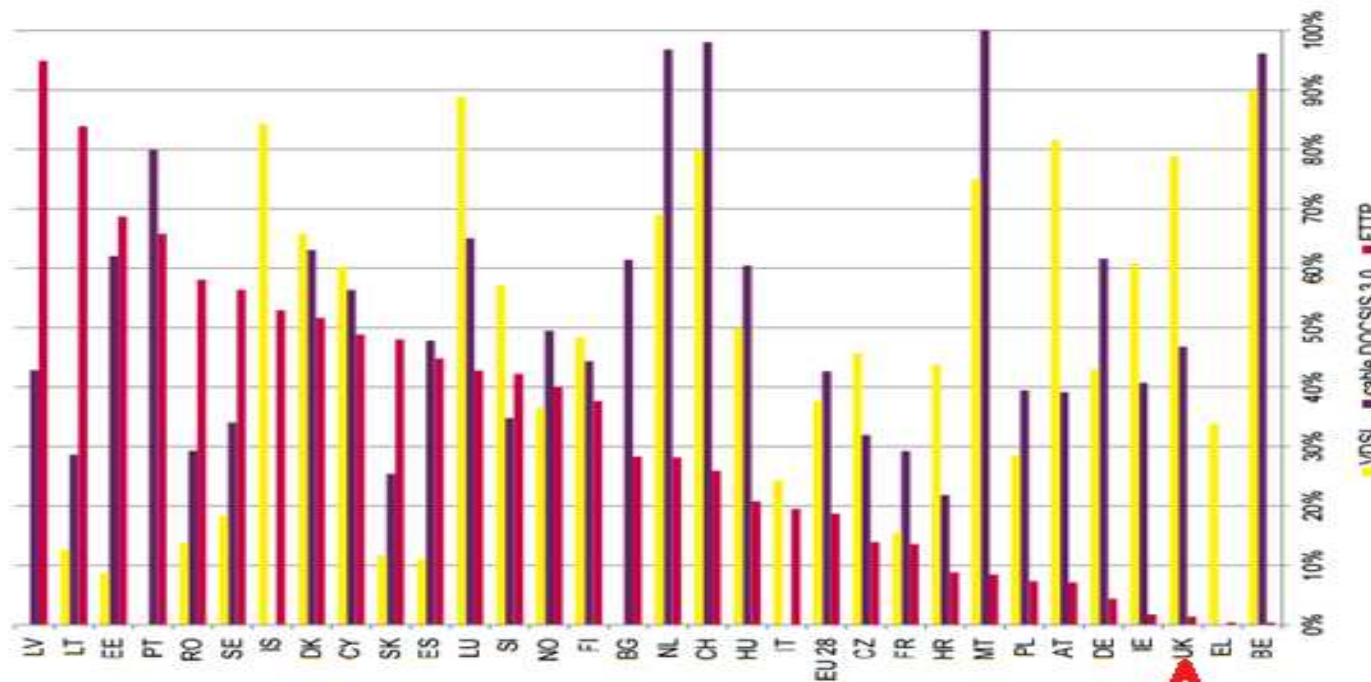
## Current debate

- **Law firm/ professional services firms briefing:** diligence and review all your contracts, check all EU based laws for risk of change; the world at an end?
- **Constitutional law:** the non legally binding nature of the referendum, the legally binding ECA 1972, the royal prerogative, the Sewell convention, the Good Friday Agreement. The “Reverse Greenland?” so we have time.
- **Politics:** Teresa May is making the political weather - where is the Labour party?

# A “national disgrace?”

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NGA coverage by technology in European countries as of 2014



Source: BEREC Report BoR (16) 96 Challenges and drivers of NGA rollout and infrastructure competition

## Issues ?

**EU Political:** Current EU system provides stability, predictability and benefits major companies: many in Brexit shock/ denial. (Seeking to limit change and risk over access to single market and reassurance to employees:).

**National political:** Elections in Germany France and Italy.

**Particular:** EU telecoms package being reviewed, Digital Agenda package continues. Underpinned by WTO telecoms agreement.

**Practical;** Who to negotiate with? What to say?



# Opportunities? PREISKEL & CO

## **New British Government policy priority:**

- **Competition and regulatory policy is broken ( e.g. outcomes in fibre connections, banking & energy).**
- **TMT is critical to economic growth: e.g. 50% of all productivity gains**
- **Infrastructure is a General Purpose Technology and cross sector GDP multiplier**



# Opportunities ?

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Industrial policy is on the agenda, but what does industry want (an achievable) policy to be?

- **Achievable** means within the existing legal and political framework.
- **Increase investment**; lower barriers to entry:  
Prioritise duct and pole access?
- **Promote market** and control for public interest outcomes means national champions? Or not?

# Opportunities ?

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## EU Digital Agenda:

- Single market access/rules of origin for goods and services
- Geoblocking? Major content trading issues
- Website restrictions?
- Net neutrality/ throttling and downstream discrimination
- E commerce rules: mere conduit defence?

## Telecoms package

- Regulation of Access, Oligopoly, Spectrum, Roaming?
- Walking slowly forwards?



# Opportunities? PREISKEL & CO

Strategically important EU Commission investigations:

Google:

- Search: self preference in rankings
- Android: self preference in apps
- Advertising : preferential deals

Facebook: regulation as a media company

Apple etc state aid

Merger control: compare BT/EE and O2/H3G / Vimpelcom?





# A way forward? PREISKEL & CO

## Listening and building alliances

- Digital Policy Alliance
- IIC
- ICOMP
- Open Computing Alliance
- Conservative technology forum

Identify “Quick wins” e.g. “duct access”

Before Conservative Party conference in October? Otherwise formulate?

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