EXPLANATORY MEMORANDUM TO

THE ELECTRONIC COMMUNICATIONS AND WIRELESS TELEGRAPHY (AMENDMENT AND SAVING PROVISION) REGULATIONS 2026

2026 No. 1119

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Digital, Culture, Media and Sport and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 The Rt Hon Ian Murray MP, Minister of State at the Department for Digital, Culture, Media and Sport (DCMS), confirms that this Explanatory Memorandum meets the required standard.

2.2 Holly Creek, Deputy Director for Markets and Consumer Policy, at the DCMS confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 The Telecoms Modernisation Team at the DCMS can be contacted by email at the following address with any queries regarding the instrument: parliamentaryteam@dcms.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument makes provision for emergency calls made using Next Generation eCall to be recognised in law as an emergency call type. It also makes saving provisions for legacy 2G eCall to continue to be treated as an emergency call while 2G mobile networks in the UK remain available, ensuring continuity of vehicle-based emergency calling during the transition to Next Generation eCall.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales, Scotland and Northern Ireland.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales, Scotland and Northern Ireland.

5. Policy Context

What is being done and why?

5.1 As Mobile Network Operators (MNOs) switch off 2G mobile networks, a significant safety-critical use case affected by that transition is eCall. eCall is a safety system installed in new types of cars and light commercial vehicles since 2018. eCall automatically dials emergency services in the event of a serious collision or allows vehicle occupants to call emergency services manually at the press of a button.

5.2 This instrument is being made to support the safe and orderly transition from legacy 2G-based eCall to Next Generation eCall, operating over 4G and 5G networks. The

retirement of legacy mobile networks including 2G and 3G is industry-led. 3G networks were retired in the UK by early 2026. The retirement of 2G networks is taking place by EE in 2029, Virgin Media O2 in 2029, and VodafoneThree in 2030. Without appropriate changes to the legal framework, emergency calls made using Next Generation eCall may not be recognised or handled consistently.

5.3 By law, most new types of cars and light commercial vehicles must have Next Generation eCall from January 2026, and most new car and light commercial vehicle registrations must have Next Generation eCall from January 2027. An equivalent requirement exists in the European Union. This means that NG eCall is already being rolled out in new vehicles and will be at scale from January 2027. Therefore, the legal framework and Public Safety Answering Points (PSAPs), which are the 24/7 emergency call centres that receive and route 999 calls to the appropriate emergency service, must be updated as soon as possible. BT is the sole operator of PSAPs across the UK.

5.4 The policy objective is to ensure the continued availability and effective functioning of vehicle-based emergency calling as mobile networks transition away from 2G. This instrument achieves that by ensuring that calls made using Next Generation eCall are recognised and treated in law as emergency calls, while maintaining recognition of 2G eCall for as long as 2G networks remain available.

5.5 This instrument sits alongside the infrastructure upgrades to the PSAPs and other elements being delivered by BT and the MNOs to enable the safe receipt, handling and routing of Next Generation eCall. This instrument will come into force on 31 March 2027. This is the date by which BT and MNOs will have made the necessary infrastructure upgrades and completed integration and testing so that Next Generation eCall can function as a complete and working solution. The instrument is being made before this date to provide sufficient notice to affected parties. The date of 31 March 2027 is the earliest date agreed by BT and the MNOs by which the necessary infrastructure upgrades and testing can be completed, enabling Next Generation eCall to be recognised and handled as an emergency call type from that date. Therefore, before 31 March 2027, Next Generation eCall in vehicles may not be operational and should not be relied upon in an emergency.

5.6 This approach provides legal certainty to BT, the MNOs, and vehicle manufacturers, while reducing the risk of disruption to a safety- and life-critical service during a period of technical transition. It also supports wider telecoms modernisation by enabling out-of-date, inefficient and unmaintainable networks to be retired in an orderly way, while maintaining access to emergency services.

What was the previous policy, how is this different?

5.7 The previous legal framework for eCall relied on EU-derived technical standards developed for 2G networks, which did not clearly account for emergency call functionality over 4G and 5G networks. As a result, PSAPs did not have clear legal provision for receiving and handling calls using Next Generation eCall. This instrument updates the legal framework so that Next Generation eCall has to be recognised and handled within the UK emergency call system, while also preserving continuity for legacy 2G eCall up until 31 March 2031, shortly after the end of the transition period in 2030.

6. Legislative and Legal Context

How has the law changed?

6.1 The principal legal framework governing eCall and PSAP infrastructure is contained in Commission Delegated Regulation (EU) No 305/2013, which forms part of assimilated law. Article 3 of that Regulation sets out the technical requirements applicable to eCall PSAPs, including requirements relating to the receipt and handling of eCalls and associated vehicle data. The existing framework was developed for first-generation eCall operating over 2G mobile networks and does not adequately provide for Next Generation eCall operating over 4G and 5G networks.

6.2 This instrument amends Commission Delegated Regulation (EU) No 305/2013 to update the technical standards referenced for eCall. In particular, it updates Article 3(1) to reference the standards required to support Next Generation eCall, namely EN 16454:2023, EN 17184:2024, EN 17240:2024, ETSI TS 123 167, ETSI TS 123 401 and ETSI TS 123 501. These standards establish the technical framework for Next Generation eCall communications, and the handling of emergency calls over modern mobile networks. The existing references to EN 16072, which specifies eCall general operating requirements, and EN 15722, which specifies the eCall Minimum Set of Data, are retained in the underlying legislation and therefore do not require further amendment.

6.3 The instrument also includes a savings provision so that legacy 2G eCall continues to be recognised and supported until 31 March 2031. This provides continuity of service for vehicles that continue to rely on first-generation eCall technology during the transition to Next Generation eCall. Some vehicles equipped with legacy 2G eCall capability are expected to remain in use after that date. The longer-term provision for maintaining eCall functionality in such vehicles is being considered separately through ongoing engagement between the Government and the mobile network industry.

6.4 No new offences, penalties, appeal rights or enforcement powers are required to support the instrument. Ofcom already has an appropriate regulatory framework and enforcement powers under the Communications Act 2003. In particular, under sections 45 and 46 of that Act, Ofcom may impose General Conditions of Entitlement on providers of public electronic communications networks and services. General Condition A3 includes obligations relating to access to emergency services, including eCall, and Ofcom may exercise its existing enforcement powers where appropriate.

Why was this approach taken to change the law?

6.5 The Government considers that amending Commission Delegated Regulation (EU) No 305/2013 is the most proportionate way to achieve the policy objective. The existing framework continues to operate effectively for eCall and therefore does not require replacement.

6.6 The instrument therefore makes only the targeted changes necessary to support the transition from legacy 2G eCall to Next Generation eCall over 4G and 5G networks, while preserving support for legacy 2G eCall during the transitional period through savings provisions.

7. Consultation

Summary of consultation outcome and methodology

7.1 The Department for Transport (DfT) conducted a public consultation in May 2025 on updating the eCall regulatory framework, which included seeking views on whether

eCall regulations should be updated to reflect new technological standards. The consultation can be found on GOV.UK.[1]

7.2 DfT's consultation found broad support for updating the eCall regulatory framework to reflect technological developments and the transition away from 2G/3G networks. Respondents generally supported alignment with international standards and future-proofing vehicle emergency call systems, with concerns raised by a minority relating mainly to wider issues of vehicle technology and mandatory safety features rather than the proposed eCall changes themselves.

7.3 DCMS has not undertaken a further public consultation because this instrument is limited and operational in nature. It does not introduce new policy on whether Next Generation eCall should be mandated in vehicles, which is already set out in law. Instead, it provides the legal clarity needed so that emergency calls made using Next Generation eCall can be handled appropriately on telecommunications networks and by PSAPs.

7.4 The Department has also engaged extensively with those stakeholders most directly affected by the instrument, alongside DfT. This includes BT, MNOs, vehicle manufacturers, Ofcom and other government departments. Engagement has focused on infrastructure upgrades, testing, communications and risk management, and has taken place through forums including the Next Generation eCall Assurance Group. The Department considers that this ongoing structured engagement is a more proportionate and effective mechanism for this instrument than a separate further public consultation.

7.5 The policy area is reserved, and the instrument has UK extent and territorial application. The Department is engaging the Devolved Administrations as part of the wider handling of the instrument.

8. Applicable Guidance

8.1 No separate DCMS guidance is planned for this instrument because it is a limited legal clarification and does not create a new operational regime. Existing telecommunications regulatory requirements, including Ofcom's emergency call obligations, continue to apply.

8.2 Separate communications to vehicle owners about the operational availability of Next Generation eCall have been developed and published on GOV.UK by DfT through the wider cross-government assurance programme. The link to the guidance can be found on the GOV.UK website.[2] The guidance states that Next Generation eCall is expected to be functional by no later than 31 March 2027. 2G eCall will continue to operate until 2G switch-off which will take place between 2029 and 2030.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because it does not introduce a new policy affecting behaviours, infrastructure deployment or environmental outcomes. The instrument is limited and technical in nature and provides legal clarity for emergency call handling during a transition that is already

[1] https://www.gov.uk/government/consultations/incorporating-international-rules-into-gb-type-approval-for-road-vehicles/incorporating-international-rules-into-gb-type-approval-for-road-vehicles
[2] https://www.gov.uk/government/publications/next-generation-ecall-in-cars-and-light-commercial-vehicles/next-generation-ecall-in-cars-and-light-commercial-vehicles

being delivered through wider telecommunications upgrades and existing vehicle regulatory frameworks. The decision to introduce Next Generation eCall in new vehicles, including migration from 2G/3G to 4G/5G, has already been made and consulted on by DfT. A De Minimis Assessment has been prepared and concludes that the Equivalent Annual Net Direct Cost to Business (EANDCB) is £0.

9.2 The Department considers that the instrument does not give rise to material direct net costs to business. The retirement of 2G networks is an industry-led programme and the decision to switch-off 2G networks between 2029 and 2030 has been taken by the MNOs as part of a wider modernisation of privately owned telecommunications networks. Telecoms providers are already subject to regulatory obligations relating to access to emergency services under General Condition A3 (Availability of services and access to emergency services), imposed by Ofcom under sections 45 and 46 of the Communications Act 2003. The instrument does not create new emergency calling obligations, require additional infrastructure investment, or impose new operational requirements. Rather, it provides legal clarity on the treatment of Next Generation eCall and legacy 2G eCall during the transition away from 2G networks. Existing obligations continue to apply. Accordingly, the Department does not expect business to incur additional costs as a result of the instrument.

Impact on businesses, charities and voluntary bodies

9.3 There is no, or no significant, impact on business, charities or voluntary bodies because the instrument does not impose material new policy requirements beyond clarifying how Next Generation eCall is to be treated within the existing emergency call framework.

9.4 The legislation does not impact small or micro businesses.

9.5 There is no, or no significant, impact on the public sector because the instrument does not impose new operational duties, funding requirements or infrastructure obligations on public bodies. Its effect is limited to legal clarity on the treatment of Next Generation eCall and legacy 2G eCall within the existing emergency calling framework.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is through ongoing stakeholder engagement and established governance structures, alongside DfT. This includes oversight through the Next Generation eCall Assurance Group, which brings together government and industry to manage the transition. Monitoring will track infrastructure upgrades, testing progress, sequencing dependencies and delivery milestones across industry and government.

10.2 The 999 Liaison Committee is a multi-stakeholder forum that supports the resilience and effectiveness of the UK emergency call system. While it has no formal regulatory responsibilities, it provides a mechanism for stakeholders to raise issues, share information and facilitate coordinated resolution activity between the organisations responsible for delivering emergency communications services, including in relation to eCall.

10.3 The instrument does not include a statutory review clause and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015, the Minister of State in the Department for Digital, Culture, Media and Sport, the Rt Hon Ian Murray MP has made the following statement: “The Department has assessed the net benefits to industry of this instrument as amounting to less than the £10 million De

Minimis threshold. It makes limited changes to the existing legal framework to support a technical transition. Its effects will be monitored through existing governance and regulatory oversight arrangements, and a separate statutory review is not considered necessary or proportionate. Given this, a statutory review clause has not been included."

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023. It does, however, relate to the withdrawal of the United Kingdom from the European Union because it updates the domestic framework governing an area of assimilated law derived from the former EU eCall regime, including Commission Delegated Regulation (EU) No 305/2013, ensuring that this framework continues to operate effectively in the United Kingdom.