



Jersey Competition Regulatory Authority

Consultation Document 2006-2

Aims and Objectives January To December 2007

13 November 2006

AIMS AND OBJECTIVES JANUARY TO DECEMBER 2007

Introduction

This document sets out the JCRA's proposed aims and objectives for 2007 across the various areas of its activity. The purpose of this document is to seek the views of the JCRA's stakeholders- in particular Jersey consumers and businesses- on what we are planning to do, and why we are planning to do it- so they can have a real say in what aims and objectives we set ourselves. The JCRA will keep its aims and objectives under review, and new aims or objectives, or actions to implement the objectives, may be added as the year progresses.

Views on the proposed aims and objectives are invited by **5pm on Wednesday 20 December 2006**. Once comments have been received and considered, we shall aim to publish the document in final form at the beginning of 2007.

The JCRA's Functions

Economic Regulation

In common with many jurisdictions in the European Union and further afield, the States of Jersey has decided to give its telecommunications and postal organisations, Jersey Telecom and Jersey Post, the freedom to act commercially in a fast moving environment, by incorporating them as companies, currently wholly- owned by the States. The States also decided to withdraw the statutory monopolies which Jersey Telecom and Jersey Post had previously enjoyed to allow for the possibility of competition in these sectors. The JCRA was given the task of ensuring that these organisations continue to satisfy all current and prospective demands for services, while promoting competition where possible. We do this primarily through the conditions of the licences granted to each organisation, which it is our responsibility to issue and enforce.

Competition Law

As well as its role as regulator of the telecommunications and postal sectors, the JCRA is responsible for administering and enforcing the new Competition (Jersey) Law, which entered fully into effect on 1 November 2005. The aim of the Competition Law is to promote competition for the benefit of consumers, by prohibiting anti-competitive or exploitative behaviour in the market, such as price-fixing and abuse of market power.

Advisory

We advise the Economic Development Minister and other Ministers and Departments, following their requests, from time to time on matters of economic regulation and competition. Under the Competition (Jersey) Law we have the ability to advise on whether any aspects of Jersey legislation sponsored by the relevant Minister/Department is producing anti-competitive effects which are harmful to consumers.

Aim 1: to promote the interests of telecommunications users in terms of quality, value for money, and (where possible) choice

<u>Objectives</u>	<u>Actions</u>	<u>Target Dates</u>
Facilitate new entry to telecommunications markets in Jersey	Assess any telecoms licence applications, award licences where appropriate	January to December
Ensure fixed and mobile interconnection between operators	Monitor negotiations between operators, intervene where appropriate	January to December
Ensure new mobile entrant(s) can compete with JT on a level playing field	Facilitate implementation of, and if necessary enforce, mobile number portability Direction	January to March
Investigate practices by operators which may contravene licences (and/or Competition Law) and take effective remedial action.	Investigate suspected infringements.	January to December
Ensure that JT publishes separated accounts for each of its businesses, helping us to ensure fair competition.	Monitor JT's compliance with the Direction on Accounting Separation, take action where appropriate	January to December
Promote innovation and competition in broadband services, with particular reference to the development of JT's Next Generation Network (NGN) and associated services	Review wholesale access issues and consider whether regulatory intervention appropriate	January to June
Review appropriateness of price caps on JT's fixed and mobile services	Issue Consultation Paper	April to July

Aim 2: to promote the interests of postal users in terms of quality, value for money and (where possible) choice

<u>Objectives</u>	<u>Actions</u>	<u>Target Dates</u>
Protect postal users from potentially excessive postal charges	Decide whether to impose a cap on Jersey Post's postal charges, and if so what services should be included and how the cap should be calculated.	March
Monitor JP's quality of service to postal users in Jersey	Assess JP's Development & Service Plans re: Quality Of Service targets	April to July
Assess scope for introducing competition in postal services (if and to the extent that this is consistent with the JCRA's duties under Article 8(1) of the PSL)	Review any applications for new licences	On-going
Investigate practices by operators which may contravene licences (and/or Competition Law) and take effective remedial action.	Investigate suspected infringements.	January to December

Aim 3: to ensure compliance by businesses with the Competition (Jersey) Law 2005

<u>Objectives</u>	<u>Actions</u>	<u>Target Dates</u>
Investigate suspected infringements of the Law following complaints, or on own initiative	Investigate cases in accordance with legal powers and duties, priorities and internal processes; take appropriate decision when investigation is complete.	January to December
Deal with applications for exemption of potentially anti-competitive agreements	As above	January to December
Deal with applications for approval of mergers and acquisitions	As above	January to December
Deal with requests for guidance on possible anti-competitive arrangements / abuse of dominant position	Process requests in accordance with legal powers and duties, priorities and internal processes; issue appropriate guidance.	January to December
Ensure understanding by consumers and businesses of Competition (Jersey) Law.	Review existing guidelines and need for further guidelines on various aspects of the Law, to help businesses comply with it, and to enable consumers and businesses to understand the remedies open to them.	January to March
	Seminars for businesses and consumers.	June to December

Aim 4: advising the States on competition and regulatory matters

Monitor proposed States legislation and review existing States legislation for potential effects on competition and advise relevant Minister	Deliver advice where appropriate to the relevant Minister, in accordance with priorities	January to December
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Aim 5: to implement our core values

Ensuring sufficient transparency to improve understanding of the JCRA's work	Publish further guidelines and explanatory material, conducting briefings and seminars	January to December
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