



**PROPOSED AIMS AND OBJECTIVES  
JANUARY TO DECEMBER 2008**

**CONSULTATION DOCUMENT**

**13 DECEMBER 2007**

## **Introduction to Consultation**

This document sets forth the proposed aims and objectives of the Jersey Competition Regulatory Authority ('JCRA') during the calendar year 2008 across its various areas of activity. The purpose of this consultation is to seek the views of the JCRA's stakeholders – in particular, Jersey's 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 our priorities should be in 2008. 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 **5 pm on Tuesday 15 January 2008**. Once comments have been received and considered, we shall aim to publish the document in final form by the end of January 2008.

## **Introduction & Overview**

This document sets forth the aims and objectives of the Jersey Competition Regulatory Authority ('JCRA') during the calendar year 2008 across its various areas of activity. The JCRA is an independent authority established by the States of Jersey in 2001. Its current responsibilities are to act as the regulator of Jersey's postal and telecommunication sectors and to enforce the provisions of Jersey's competition law. In each of these three main areas of activity, the overriding goal of the JCRA is the same: to promote consumer welfare through efforts that encourage lower prices and greater choice and innovation in the goods and services available in Jersey.

The JCRA also seeks to be a primary advocate for competition law and policy, both in Jersey and abroad. The Minister for Economic Development may call on us from time to time to provide advice on matters of economic regulation and competition. We also regularly provide advice to individuals, companies, States Members, and States Departments, on the laws we enforce. Internationally, the JCRA takes a leading role in the development of competition law and policy in small jurisdictions.

In the pursuant of all of our aims and objectives, we are guided by our core values of fairness, accountability, proportionality, and efficiency.

The aims and objectives set forth herein are in no particular order of priority. This is not a definitive statement of the JCRA's activities for 2008. 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.

## **Aim 1: Administer and Enforce the Competition (Jersey) Law 2005**

<b><u>Objectives</u></b>	<b><u>Actions</u></b>	<b><u>Target Dates</u></b>
Investigate and take appropriate action against 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 action when investigation is complete	January to December
Deal with applications for exemption of potentially anti-competitive agreements	Process applications in accordance with legal powers and duties, priorities and internal procedures	January to December
Deal with applications for approval of mergers and acquisitions	Process applications in accordance with legal powers and duties, priorities and internal procedures	January to December
Deal with requests for guidance on possible anti-competitive arrangements / abuse of dominant position	Process applications in accordance with legal powers and duties, priorities and internal procedures	January to December
Promote understanding by consumers and businesses of Competition (Jersey) Law 2005	Provide advice to businesses and consumers on matters concerning competition and markets  Finalize guideline on vertical restraints, assess need for further guidelines and publications	January to December
Assess whether any appropriate reforms can be made to the Competition (Jersey) Law 2005	Engage in public consultation, host a public workshop, advise the Minister for Economic Development accordingly	January to June
Facilitate the development of competition law and policy in small jurisdictions	Promote work through participation in the International Competition Network and other appropriate forums	January to December

**Aim 2: Administer and Enforce the Telecommunications (Jersey) Law 2002**

<u>Objective</u>	<u>Actions</u>	<u>Time Period</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
Facilitate competition and user choice in mobile telephony by introducing Mobile Number Portability	React as appropriate to outcome of current MNP appeal in Royal Court	January to December
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 and associated services	Review wholesale access issues and consider whether regulatory intervention appropriate	January to June
Review other access issues	Public consultation	February to June
Review appropriateness of price caps on JT's fixed and mobile services	Public consultation	January to March
Implement direction on mobile mast monitoring	Engage a third-party to conduct random testing, establish web-site	June to September

### **Aim 3: Administer and Enforce the Postal Services (Jersey) Law 2004**

<b><u>Objectives</u></b>	<b><u>Actions</u></b>	<b><u>Target Dates</u></b>
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 Postal Services Law)	Review any applications for new licences	January to December
Investigate practices by operators which may contravene licences (and/or Competition Law) and take effective remedial action.	Investigate suspected infringements	January to December
Assess cost of JP's Universal Service Obligation ('USO')	Work with JP to assess its costs in providing the USO in Jersey	January to May
Review the scope of the USO	Determine whether the current USO scope is cost effective and delivers consumer benefits to postal users	January to December
Review JP's quality of service	Ensure JP is providing a high quality of service to postal users in Jersey	January to December
Monitor JP's price control	Monitor JP's prices and its compliance with the Direction on price control. Take action where appropriate	January to December

#### **Aim 4: Advise on Competition and Regulatory Matters**

<b><u>Objectives</u></b>	<b><u>Actions</u></b>	<b><u>Target Dates</u></b>
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
Advise the Minister for Economic Development on matters relating to markets and competition	Respond to requests for advice on particular matters	January to December
Provide advice and assistance to other States Departments, States Members, and Scrutiny Panels	If and when requested	January to December

#### **Aim 5: Further Pursue Our Core Values**

<b><u>Objectives</u></b>	<b><u>Actions</u></b>	<b><u>Target Dates</u></b>
Ensuring sufficient transparency to improve understanding of the JCRA's work	Publish further guidelines and explanatory material, conduct briefings and seminars	January to December
Improve efficiency and accountability	Attempt to assess market impact of past actions	January to December