

JCRA Media Release

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JCRA Issues Guideline on Investigations

The Jersey Competition Regulatory Authority (JCRA) today issued a Guideline on how it conducts investigations under the Competition (Jersey) Law 2005. The Guideline also covers compliance investigations using the JCRA's sector-specific powers under telecommunications and postal services licences.

Key points in the Guideline are as follows:

- the JCRA must have a reasonable cause to suspect a breach of the Law before it can conduct a formal investigation. However, it can conduct informal, voluntary enquiries to assess whether there is reasonable cause to suspect a breach.
- the progress of investigations is confidential until the JCRA reaches a decision. However, the confidentiality may be lost if the business being investigated discloses the investigation to third parties.
- failure to co-operate with a Competition Law investigation is a criminal offence, which the JCRA is obliged to report to the Attorney General.

- the JCRA is prepared in certain cases to accept written commitments from businesses to take certain pre-emptive or remedial steps, as an alternative to opening a formal investigation or taking formal enforcement action.

Bill Brown, JCRA Executive Director, said:

“In common with competition regimes in other jurisdictions, the States of Jersey has allocated strong investigative and enforcement powers to the competition authority to ensure that the Law is effective. In the interests of transparency, this Guideline is designed to inform businesses how the JCRA intends to use these powers.”

ENDS

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