



12 November 2014

CICRA finds that JT has breached its telecoms licence

The Channel Islands Competition and Regulatory Authorities (CICRA) has found that JT breached its telecoms licence by seeking to win business by communicating with its competitor's customers in a manner which could give it an unfair advantage.

CICRA has decided not to fine JT in this instance.

CICRA chief executive Michael Byrne said: "During the fibre optic installation process JT's fibre installation team had cause to write to Sure customers informing them about their fibre switchover. This was an appropriate communication on JT's part.

"However at the same time JT took the opportunity to sell its own retail services to customers of Sure and, in doing so, placed Sure, who competes with JT, in a disadvantaged position as it was not able to contact JT's customers in the same way."

The provisions of the telecoms law allows CICRA to issue JT with a fine for breaching its licence in these circumstances. However CICRA acknowledged that JT has cooperated fully in the investigation of this matter.

"CICRA appreciates the steps JT has taken and we believe, in the circumstances, a fine is not the most appropriate way of resolving the matter," Mr Byrne said.

"In the best interest of customers we want to ensure that there is no repetition of this behaviour and we have sought and received agreement from JT that it will carry out a full and transparent review of its processes in this area."

JT is commissioning an independent report with the terms of reference being agreed by CICRA in conjunction with the other telecoms operators who will be invited to participate fully throughout.

CICRA will require JT to implement any recommendations set out in the independent report.

ENDS

NOTES TO EDITORS:

All enquiries should be directed in writing to CICRA chief executive, Michael Byrne, in Guernsey at the Guernsey Competition and Regulatory Authority, Suites B1 & B2, Hirzel Court, St Peter Port, Guernsey GY1 2NH or in Jersey at the Jersey Competition Regulatory Authority, 2nd Floor, Salisbury House, 1 - 9 Union Street, St Helier, Jersey JE2 3RF. Alternatively email info@cicra.je.

In line with CICRA's consultation policy, it intends to make responses to the consultation available on the CICRA website. Any material that is confidential should be put in a separate annex and clearly marked as such so that it may be kept confidential. CICRA regrets that it is not in a position to respond individually to the responses to this consultation.

About CICRA:

The Channel Islands Competition and Regulatory Authorities or 'CICRA' is the name given to the Jersey Competition Regulatory Authority (JCRA) and the Guernsey Competition and Regulatory Authority (GCRA) (formerly the Office of Utility Regulation). The JCRA was established under the Competition Regulatory Authority (Jersey) Law, 2001, and the GCRA was established under The Guernsey Competition and Regulatory Authority Ordinance, 2012. In Jersey, the telecoms and postal sectors are regulated by the JCRA, which is also responsible for administering and enforcing the Competition (Jersey) Law 2005. In Guernsey the telecoms, postal and electricity sectors are regulated by the GCRA, which is also responsible for the administration and enforcement of the Guernsey competition law since it came into force on 1 August 2012.

By working together and sharing resources and expertise between the islands, CICRA strives to ensure that consumers in all the Channel Islands receive best value, choice and access to high quality services.