



13 February, 2018

CICRA DECIDES NOT TO APPEAL JERSEY ROYAL COURT DECISION

In March 2016 The Channel Islands Competition and Regulatory Authorities (CICRA) issued a decision that ATF Fuels (ATF) contravened the Competition (Jersey) Law 2005 by refusing to allow Aviation Beauport to purchase fuel from ATF for the purpose of supplying their customers at Jersey airport.

This action by ATF then forced those customers to make their fuel purchase arrangements only with ATF. CICRA's decision also found that ATF unfairly discriminated in its pricing of aviation fuel to Aviation Beauport.

On 6 January, 2018 the Jersey Royal Court issued a judgment overturning CICRA's decision.

After giving the judgment serious consideration and reviewing the legal risks, CICRA has decided not to appeal the Royal Court decision. While there are important aspects of the judgment that merit an appeal, the legal costs (ultimately paid by the taxpayer) pose too high a risk should the appeal be unsuccessful. CICRA has therefore decided not to take the case further to the appeal court.

In light of this judgment, CICRA will engage with policy makers to consider revisions to the competition law where appropriate to ensure it is better able to protect businesses and business sectors as it is tasked to do by the States of Jersey.

ENDS

NOTES TO EDITORS:

All enquiries should be directed in writing to CICRA chief executive, Michael Byrne, in Guernsey at Suite 4, 1st Floor, La Plaiderie Chambers, La Plaiderie, St Peter Port, Guernsey, GY1 1WG 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.gg.

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.