



MEDIA STATEMENT

Date 6 APRIL 2020

STATEMENT FROM CICRA ON ENFORCEMENT OF COMPETITION LAW DURING THE CORONAVIRUS PANDEMIC

These are challenging times for the Channel Islands, and keeping communications going within the Island and connectivity to the Islands has never been more important for an island society. The areas that the Channel Islands Competition and Regulatory Authorities (CICRA) regulates will play a vital role in supporting families, businesses and individuals as we all adapt the way we live, work and communicate in the wake of the coronavirus.

Over the past few weeks many companies have been coming together to support the Guernsey and Jersey public and the economy, to keep governments, homes and businesses connected and supplied.

These initiatives are welcomed and we should all recognise that many people employed in these sectors have continued to work in challenging circumstances with children and family at home while they go out every day to ensure the Islands continue to function. We extend our thanks and support to them as they work to keep the Islands' communications going.

For CICRA, the priority through the coming months is to maintain support for consumers and businesses through the powers and functions assigned to us. We recognise that the challenges of the coronavirus are considerable with potentially far reaching and long term consequences for consumers as well as smaller businesses who are often a significant source of competition and choice. Given this, greater priority will be given to those aspects of our work programme that best secure the long-term interests of consumers and sustainable competition. We will however be more flexible in our approach, sensitive to the

demands placed on businesses at this time. Parties directly affected by changes to our approach will be contacted and informed if, for example, consultations are suspended or deadlines extended.

Our approach to enforcement will be pragmatic during this time. Compliance with regulatory obligations continues to be important. However, we recognise that the impact of the coronavirus means that it will not always be possible to meet these obligations. In such circumstances, industry should take decisions that support critical services, vulnerable people and those who are relying on communications services. We will support those decisions where they are in the interests of consumers and businesses.

CICRA is also very conscious of concerns that competition law enforcement could impede necessary cooperation between businesses to deal with the current crisis and ensure security of supplies of essential products and services, such as groceries.

Where agreements are not covered by legal relaxation, we can offer the following reassurance: CICRA has no intention of taking competition law enforcement action against cooperation between businesses or rationing of products to the extent that this is necessary to protect consumers – for example, by ensuring security of supplies. At the same time, this is not a license for businesses to exploit the crisis as a ‘cover’ for non-essential collusion. This includes exchanging information on longer-term pricing or business strategies, where this is not necessary to meet the needs of the current situation. CICRA’s guidance on this is available on its website.

ENDS

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About The Channel Islands Competition and Regulatory Authorities:

The Channel Islands Competition and Regulatory Authorities 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.