



COMMENT FROM JCRA IN RELATION TO THE CLOSURE OF THE JT-SURE MoU INVESTIGATION WITHOUT A DECISION, AND PROPOSED LICENCE MODIFICATIONS

In the light of the interest shown in the closure without a decision of the Authority's investigation into potentially anti-competitive action by JT (Jersey) Limited (**JT**) and Sure (Jersey) Limited (**Sure**), the Authority's CEO, Tim Ringsdore commented:

"Adhering to competition law is critical to ensure that consumers and the economy benefit from competitive markets. In line with its statutory duties, the Authority will continue to investigate possible breaches of the law, taking enforcement action where required, to protect and promote competition in Jersey.

"On this occasion, the Authority has decided to close an investigation into a potential breach of the competition law without coming to a final decision as JT and Sure both agreed to new licence and compliance conditions. These have been designed to reduce the risk of such issues arising in the future. The licence conditions impose clear obligations on JT and Sure to ensure that any use of shared assets or networks is fully compatible with healthy competition, benefiting consumers through lower prices and faster roll-out of new technology and include:

- a requirement to notify the Authority in advance of entering into any agreement with another operator to share network assets;
- an express requirement to comply with Jersey competition law when sharing such network assets; and
- a proportionate compliance regime.

"The Authority has stated that it intends to pursue a consultation process with the aim of introducing the same provisions into the licences of other telecoms providers on Jersey.

"We would like to point out that there has been no decision regarding the allocation of 5G spectrum or rollout of 5G networks in Jersey. As far as the Authority is aware, there are no network sharing agreements in place at this time. We will continue to work in conjunction with the government on the implementation of 5G in Jersey."

7 April 2021