



## **PRESS ADVISORY**

FAIR TRADING COMMISSION  
52 GRENADA CRESCENT, KINGSTON 5  
TELEPHONE: (876) 960.0120-4  
FAX (876) 960.0763  
E-MAIL: [ftc@cwjamaica.com](mailto:ftc@cwjamaica.com)

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### **Court of Appeal decision halts FTC's investigation of LIME's acquisition of Flow**

In November 2014 the Fair Trading Commission (FTC), pursuant to Section 17 of the Fair Competition Act, commenced an investigation into the likely competitive effect of the proposal by Cable & Wireless Communications PLC (parent company of LIME) to acquire 100% ownership and control of Columbus International Inc (parent company of Flow).

However, the FTC has since discontinued its investigation based on a Judgment delivered by the Court of Appeal in December 2014. The Court held that while the FTC has jurisdiction over telecommunications matters and all agreements that are or are likely to be anti-competitive, it does not have such jurisdiction over agreements relating to the transfer of telecommunication licence, where such transfer has been approved by the relevant Minister pursuant to the Telecommunications Act.

The FTC has applied to the Court of Appeal for conditional leave to appeal the Court's decision before the Privy Council. The FTC is committed to fulfilling its mandate to maintain, encourage and promote competition in Jamaica for the benefit of businesses and consumers.

**David Miller**  
**Executive Director**