



*FTCNewsLine* is an on-line quarterly newsletter of the **FAIR TRADING COMMISSION** that contains information on competition matters dealt with by the Fair Trading Commission as well as competition agencies from around the world. The aim is to provide insights into some of the matters that are prosecuted in other jurisdictions; and to assist persons in better identifying issues that may pose competition concerns.

Competition legislation is specific to each jurisdiction and activities that are prohibited in one jurisdiction are not necessarily prohibited in other jurisdictions. For information on the prohibitions under the Jamaica's competition legislation, the **FAIR COMPETITION ACT (FCA)**, please visit our website at [www.jftc.gov.jm](http://www.jftc.gov.jm).

*In this Issue we feature issues related to the period October 1, 2013 to December 31, 2013.*

## **FTC signs consent agreement with LIME**

In December 2013, the FTC entered into a consent agreement with LIME Jamaica. This arose from a complaint received regarding LIME's advertisement of its \$2.99 Talk EZ Plan. The FTC enters into Consent Agreements in situations where it believes that the FCA has been breached and the Respondents are amenable to settling the matter out of Court.

## **Complaints investigated during 2013**

During 2013, the FTC investigated a total of 418 complaints of breaches of the FCA. This comprises 164 cases that were unresolved at the end of 2012 and 254 cases which were received during 2013. The automobile and the telecommunications sectors triggered the largest number of complaints, accounting for more than 50% of the total complaints.

Of the 418 cases investigated, 328 were classified as matters concerning 'misleading advertising'; 39 as offences against competition; 11 as request for opinion; 6 as sale above advertised price; 1 as tied selling; and 1 as double ticketing. Thirty-two complaints were considered as being outside the purview of the FCA; and, where appropriate, were forwarded to other agencies.

## **FTC Competition Law course**

On October 28 - 29, 2013, the FTC hosted its first Intermediate level Course in Competition Law and Policy; which was conducted by Dr. Kevin Harriott, Competition Bureau Chief and Dr. Delroy Beckford, Senior Legal Counsel. The content covered included: objectives and benefits of Competition Law and Policy, economics of Competition Law, market power assessment and administration and enforcement of Competition Law.

The FTC will again be hosting the course on January 27 - 28, 2014. An Introductory level and an Advanced level Course in Competition Law and Policy are also offered. More information on the FTC's Courses is available at [www.jftc.gov.jm](http://www.jftc.gov.jm).

### **Consultancy with OECS**

In December 2013, the Fair Trading Commission (FTC) completed work under a consultancy agreement with the Organization of Eastern Caribbean States (OECS) to propose a structure and budget for an institution that will have oversight responsibility of competition, consumer protection, anti-dumping as well as subsidies and safeguard matters. The OECS Member States has agreed to establish a sub-regional authority that will be called the Eastern Caribbean Competition Commission (ECCC); and will enforce legislation in Antigua & Barbuda, Dominica, Grenada, Montserrat, St. Kitts & Nevis, St. Lucia, St. Vincent & the Grenadines.

The Consultancy was a ten-week project designed to assist the OECS Member States in agreeing upon a feasible structure for the ECCC, taking into consideration the expertise required in the focal areas, the anticipated volume of work, areas in which the major demands are likely to be made and projected increases in volume and complexity of work over the first five years of the ECCC's life.

The FTC will continue to make itself available to provide expertise in Competition Law to countries of the CARICOM region and other developing countries worldwide.

### **FTC Annual Magazine**

The FTC will release the 18<sup>th</sup> edition of its annual magazine in January 2014. In previous years, the magazine was circulated under the title, "Competition Matters". Going forward, the magazine will be published under the title "***Compete***". The magazine, themed *Competition 20/20: Looking back, looking forward*, highlights some of the FTC's main achievements for twenty years; as well as the FTC's focus and strategy for the medium to long term. ***Compete*** will be distributed to Government Ministries and Agencies, academic institutions, business enterprises and professionals, both local and overseas. It will also be available on our website [www.jftc.gov.jm](http://www.jftc.gov.jm).