



**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 other competition agencies from around the world. The aim is to provide readers with insights into some of the matters that are prosecuted in other jurisdictions; and to assist businesses and consumers 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, 2017 to December 31, 2017.*

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## **FTC participates in Microfinance Sector Conference**

Following on the FTC's study of the microfinance sector in May 2017, Senior Legal Counsel, Dr. Delroy Beckford presented a position paper on the proposed Micro Credit Bill at the Jamaica Micro-Financing Association's Annual National Microfinance Conference on December 6, 2017. The presentation outlined some of the findings of the study as well as recommendations for the microfinance sector. Two recommendations for the sector are: (i) Policymakers should develop a set of terms that should be included in contracts issued by moneylenders; and (ii) Consumers should be given access to programs designed to improve financial literacy.

The presentation also highlighted the concern of Micro-Credit firms who have been subject to closure of their accounts from particular banks and pointed to suggestions for alleviating this challenge under provisions of the Fair Competition Act.

## **FTC participates in CAC Press Briefing**

On November 30, 2017, the Executive Director of the FTC, Mr. David Miller participated in a Press Briefing that was hosted by the Consumer Affairs Commission with the objective of providing guidance to consumers for shopping during the holiday period.

Mr. Miller indicated that shopping activity increases in the holiday season and as such he advised consumers to: be aware of goods and services that are on offer, look closely on the terms and conditions of sale, exercise reasonableness in assessing choices, compare prices and to make appropriate enquiries.

The primary role of the FTC is the oversight of conduct of in market activities. As such Mr. Miller advised merchants to strengthen their customer service facilities, provide consumers with all relevant and material information and consult with the FTC where clarification is needed.

## Complaints investigated during 2017

Over the period January 1 2017 to December 31, 2017, the FTC investigated 183 complaints for breaches of the FCA. This comprises 126 cases that were unresolved at the end of 2016 and 57 cases which were received during 2017. For the period, 66 cases were resolved. The automobile and telecommunications sectors triggered the largest number of complaints.

Of the 183 cases, 139 are classified as matters concerning misleading advertising; 35 as offences against competition; two as request for opinion; and two as tied selling. Five complaints were considered as being outside the purview of the FCA; and, where appropriate, were forwarded to other agencies.

## FTC New Website

The FTC is pleased to announce that in November 2017, it launched a more user-friendly website. The new website has a directory on the bottom section of the homepage which allows users to readily identify the information they need without having to navigate through the entire website. About Us, News & Events, Enforcement, Tips & Advice, Publications and “I would like to” are the major tabs on the navigation bar.

The *About Us* category contains general information about the functions and powers, commissioners and organizational structure of the FTC. Under *News & Events* users will find press releases, articles, speeches and events calendar. Information as it relates to enforcing the FCA which outlines the rules governing competition in Jamaica is located in the *Enforcement* category. The *Tips & Advice* section is geared towards providing consumers and businesses with guidance as it relates to consumer and competition protection in Jamaica. Under *Publications*, users will find annual reports, FTC statistics, case reports, market studies, advisories, magazines, newsletters, ministry reports and staff opinions. Finally, “*I would like to*”, allows consumers and businesses to submit complaints and request information from the FTC.

## FTC Annual Magazine

The FTC will release the 22<sup>nd</sup> edition of its annual magazine **Compete** in January 2018. The theme, “Competition in agriculture: Does it bear good fruit?” explores the various opportunities and challenges in the local agricultural sector from a competition and development perspective. The magazine comprises several articles from the public and private sectors as well as highlights activities of the FTC. It will be distributed to Government Ministries, Departments and Agencies, academic institutions, business enterprises and professionals; and will also be made available on the FTC’s website at [www.jftc.gov.jm](http://www.jftc.gov.jm).