



# STRATEGIC BUSINESS PLAN 2021 - 2025

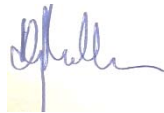
**FAIR TRADING COMMISSION**

*Promoting competitive markets*

This document has been approved as the official Strategic Business Plan and Budget of the Fair Trading Commission for the four-year period 2021/2022 – 2024/2025. The Strategic Business Plan and Budget has been prepared in consideration of the various relevant policies, legislation, and other mandates for which the Agency is responsible.

<b><i>Prepared by</i></b>	<b><i>Signature</i></b>	<b><i>Date</i></b>
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*DAVID MILLER*  
*EXECUTIVE DIRECTOR*



*December 21, 2020*

<b><i>Approved by</i></b>	<b><i>Signature</i></b>	<b><i>Date</i></b>
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*DERRICK MCKOY*  
*CHAIRMAN*

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*December 21, 2020*

# Contents

List of Tables.....	iii
List of Abbreviations .....	iv
Executive Summary .....	1
1. Introduction .....	4
2. Environmental Scan.....	11
3. Programmes & Sub-programmes.....	15
4. FTC Work Products & Services .....	18
5. Marketing Strategy.....	19
6. Human Resources Capacity Plan .....	20
7. Legislation .....	21
8. Current Organizational Performance .....	23
9. Strategy Map.....	24
10. Results Matrix & Operational Plan.....	26
11. Measurement & Evaluation of Performance .....	26
12. External Funding Support.....	27
13. Financial Model.....	29

## List of Tables

Table 1: Strengths Weaknesses Opportunities Threats (SWOT) .....	11
Table 2: Stakeholders & Interested Parties .....	12
Table 3: Stakeholders' Input into FTC & Requirements from FTC.....	12
Table 4: Interested Parties Input into FTC & Requirements from FTC .....	13
Table 5: Programmes & Sub-programmes.....	15
Table 6: Information Dissemination .....	19
Table 7: Human Resources Capacity Plan.....	20
Table 8: Current Performance .....	23
Table 9: Technical Capacity Strengthening Activities.....	27
Table 10: Medium-Term Expenditure Summary.....	29

## List of Abbreviations

CAC – Consumer Affairs Commission  
CPA – Consumer Protection Act  
CSME – CARICOM Single Market & Economy  
ECM – Electronic Case Management  
FAAA – Financial Administration and Audit Act  
FCA – Fair Competition Act  
FCGP – Foundations for Competitiveness & Growth Project  
FTC – Fair Trading Commission  
GOJ – Government of Jamaica  
ICN – International Competition Network  
ICT – Information & Communication Technology  
M&A – Mergers & Acquisitions  
MEGJC – Ministry of Economic Growth & Job Creation  
MIIC – Ministry of Industry Investment & Commerce  
MFPS – Ministry of Finance & the Public Service  
MOU – Memorandum of Understanding  
MSET – Ministry of Science Energy & Technology  
MSME – Micro Small & Medium Enterprises  
MTEP – Medium Term Economic Programme  
MTF –MediumTermSocio-EconomicPolicyFramework2018-2021  
OECD – Organization of Economic Co-operation and Development  
OUR – Office of Utilities Regulation  
PIOJ – Planning Institute of Jamaica  
PSTU – Public Sector Transformation Unit  
SWOT –Strengths Weaknesses Opportunities Threats  
UNCTAD – United Nations Conference on Trade and Development  
WBG – World Bank Group

## Executive Summary

This Strategic Plan covers the FTC's core activities, such as those relating to receiving and investigating complaints, executing competition advocacy initiatives, carrying out market studies, and public education activities. Support areas such as finance and administration, information and communication technologies (ICT), human resources, monitoring of internal processes and systems, and strategic planning ensure that the core activities are undertaken efficiently and effectively.

Internal systems are monitored closely to ensure that the FTC consistently provides services that meet the business community's, consumers' and stakeholders' needs as well as to meet applicable statutory and regulatory requirements. A constant periodic internal review is embedded in our culture and forms a part of operations. The monitoring mechanism includes systematic reviews of procedures and processes so that areas of improvement may be quickly identified and conformity to requirements are maintained.

The FTC serves the general public and interfaces with several stakeholder groups such as Government Ministries, Departments and Agencies, the business community, academia, and CARICOM member states. Products and services are both general in nature as well as specific to issues. The FTC's Environmental Scan was developed in a manner that addresses stakeholders needs; and describes the strengths of the FTC as well as weaknesses, opportunities, and threats. Among the strengths of the FTC are the Staff's experience, professionalism, and competence, the organization's sound processes, procedures, data management systems, and recognition as the leading competition agency in the region. Developing and implementing methods to address weaknesses and to mitigate threats are first and foremost within the managers' responsibilities, who at all times remain mindful of the need to make the best use of opportunities.

Public education and competition advocacy take a range of forms. The general public is reached through the FTC's website and mainstream, electronic, and social media. Confidential matters are discussed in one-on-one meetings and through letters. Workshops, conferences, and training courses are used to share information and facilitate discussion on specific areas of competition law and policy. Notably, the FTC has the capacity to facilitate online meetings through different platforms and has an established protocol and guidelines for conducting such meetings and for interfacing with internal and external stakeholders.

The FTC has set three primary objectives for the medium term. Firstly, improving consumer welfare and facilitating growth in the business environment through focused enforcement of the FCA mainly in the banking and finance, agriculture and energy sectors and in matters that affect MSMEs. Secondly, strengthening the competition culture in Jamaica among policymakers in MDAs related to

the work of MSET and the MEGJC. Our third primary objective is promoting pro-competitive policies in the ICT and related sectors, specifically in online platform services or initiatives impacting the digital economy. Performance indicators and targets have been developed over time. They are based on historical performance and consider changes in market conditions and firms' behavior. The Staff uses several monitoring mechanisms, which are reviewed periodically.

In the last six years, the FTC has seen an increased number of consolidations through mergers and acquisitions (M&A) in several markets. Without a pre-merger notification system, the FTC has increased its effort in identifying these transactions, and to carry out timely examinations into the competitive effects. Identification and examination of M&As have become a significant part of the Staff's work plan and will continue to be so in the medium term. Therefore, it is necessary that work on creating the formal Merger Review Framework that has been approved by Cabinet continues at a brisk pace and that the required provisions are included in the FCA in short order.

In the upcoming years, the Staff complement will be increased marginally, to include another Legal Officer, Competition Analyst and Research Officer. These increases will be necessary as it is anticipated that there will be an increase in the number of M&A assessments. Further, the COVID-19 pandemic has brought a different type of needs-awareness to the Staff, and health awareness will be treated as a priority. In summary, to preserve the Staff is to preserve the FTC's capacity.

A COVID-19 response mechanism to deal with issues and mitigate the risks as best as possible was implemented shortly after the pandemic disrupted Jamaica's economy in April 2020. The response mechanism will continue to evolve in the years to come and will be adjusted to suit present-day needs. Existing procedures have been modified, and new procedures and guidelines have been developed to take the impact of COVID-19 into account. For example, sharing information with the Staff and increased sensitization on health risks have become the norm and will be continued in a sustainable manner. Staff shall be kept aware of means and methods aimed at protecting their health as well as their personal environment. Concerning wellness within the office space, the FTC has undertaken plans and has adopted procedures directed at maintaining the office to conform with the established health and safety protocols that are disseminated by the Ministry of Health and Wellness. The Staff is kept aware of their responsibilities to maintain a safe work environment, including their interface with stakeholders and the public.

Improving ICT infrastructure to address risks related to COVID-19 goes together with dealing with the Staff on health and safety issues and is at the forefront of the planning process. The FTC has acknowledged the existing benefits of operating within the virtual space by rolling out several facilities that are new to the FTC. The use of online platforms and the implementation of Staff interface protocols to handle virtual meetings are but two of the improvements rolled out. The pandemic has amplified the need for a modern electronic case management system that should

include seamless document management facilities. This is one of the initiatives under the Foundations for Competitiveness & Growth Project (FCGP) set to come on stream in the 2021/2022 Financial Year. We will continue to explore and look for new benefits and opportunities with respect to using technology to make more efficient and effective all work processes, and to improve work output.

The process of amending the FCA will continue in the medium term. Amendments to address weaknesses and gaps in the FCA, and amendments to include a formal pre-merger notification review regime will remain on the table until the desired outcomes are achieved.

In 2017, the FTC began receiving capacity building support from the World Bank through the aforementioned FCGP. As of March 2020, one of three activities was completed, and the other two will continue over the upcoming two Financial Years. The FTC manages these activities under supervision from JAMPRO and monitoring from the Planning Institute of Jamaica.

Concerning financial requirements, the FTC will continue to receive only a Recurrent Budget, and year to year, the Budget is projected to increase by approximately 3½ percent to reach \$128,816,878 by the 2024/2025 Financial Year.



# 1. Introduction

## Executive Director's Message

As Jamaica's competition agency with the primary responsibility to promote competition in markets for the benefit and consumers and businesses, and ultimately for increased productivity and economic growth, the Fair Trading Commission (FTC) is critical to Jamaica's economic growth. The FTC must have the tools to properly enforce the Fair Competition Act (FCA) and to eliminate anticompetitive conduct so that the business environment may function effectively. The FTC's work is aligned with Vision 2030 National Goal #3, Jamaica's economy is prosperous; National Outcome #8, an enabling business environment; and National Outcome #12, internationally competitive industry structures.

The FTC's work encompasses several focal areas that, when brought together, facilitates the building of competition culture and behavioral change, which leads to economic growth through increased consumer welfare. It has been established that building a competition culture and behavioral change are ongoing processes that require constant attention. They are impacted by factors such as the evolution of business practices driven by technological changes and efficiency needs and globalization on markets.

Therefore, the FTC uses Enforcement mechanisms that are prescribed by the FCA and tools such as Market Studies, Competition Advocacy, and Public Education to achieve its objectives. Over time, the FTC has recognized that several sectors or markets impact Jamaica's economy and, by extension, consumers significantly. Activity in these markets has been robust and requires oversight. These markets include the fast-changing technology-driven information and communication technologies (ICT) sector, as well as the finance, energy, and retail sectors, which disruptive technologies and other technical developments are driving more and more. The digital economy is expanding rapidly worldwide and has been growing at a noticeable pace in Jamaica, especially during the COVID-19 pandemic. Increasingly, commerce has expanded to online platforms of varying types, and the FTC is fully aware of the potential effect that the digital economy can have on competition and on consumer welfare.

Our operations, day-to-day functioning, and Staff have been impacted by the COVID-19 pandemic and plans to 'soften' the impact and mitigate the risks are being developed and implemented continually. There is a recognition that COVID-19 may become perennial, and its impact is being felt in several ways. The total impact is still undetermined, but in these 'early days,' we have adjusted or are adjusting areas such as Staff work arrangements, method and mode of Staff and stakeholder interaction, and the use of ICT, which includes document and data management. The FTC's planning

is ongoing, and therefore a response mechanism has been established to deal with issues and mitigate the risks as best as possible.

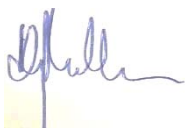
Competition advocacy - assessing and informing government policy -will always be one of the FTC's core activities, and together with our public education programme, we will continue to reach our stakeholders effectively. Being the largest member state of CARICOM and the most experienced in Competition Law and Policy, Jamaica sees the FTC playing its part in developing regional policy in the areas of competition, trade, and consumer protection. This is crucial as the region gets closer to functioning as a single economic market.

On strengthening internal capacity, modernizing the FTC's ICT infrastructure and environment, and obtaining ISO management systems certification, the Commissioners, the management team, and the Staff have prepared ourselves to operate with increased efficiency and effectiveness. A new customized electronic case, document, and data management system will be developed during the 2021/2022 Financial Year, and this tool will serve to bolster our investigative and research capabilities.

### **Accountability Statement**

For the four years commencing April 1, 2021, this Strategic Business Plan was prepared under my direction in accordance with the policy directives outlined by the Government of Jamaica and the authority delegated to me under Section 16 of the Financial Administration and Audit (FAA) Act. The Plan outlines the Agency's strategies that contribute to the achievement of the Government's agenda, specifically the programmes for which appropriate monitoring and evaluation mechanisms are being deployed to ensure their timely and cost-effective implementation.

The FTC's priorities outlined in this Business Plan were identified in the context of the Government's medium-term priorities and fiscal targets. I am, therefore, committed to achieving the planned results laid out in this Business Plan.



*Executive Director*

*Fair Trading Commission*

*December 21, 2020*

## Mission

To provide for the maintenance and encouragement of competition in the conduct of trade, business, and in the supply of services in Jamaica with a view to providing consumers with competitive prices and product choices.

## Vision

To facilitate increased productivity and sustained economic growth through competitive markets, thereby ensuring greater choice, lower prices, and better quality goods and services for Jamaican consumers.

## Core Values

The FTC uses international best practices determined by competition agencies worldwide as its performance guide; and mirrors its performance against established agencies. One performance measure used by the FTC is effectiveness, and it is generally accepted that every competition agency's effectiveness rests on several key points. In summary, these are:

- Long term strategic planning and prioritization
- Having an enforcement strategy
- Effective decision making and project delivery
- A culture of assessment and evaluation
- Using an effect-based-approach. That is, focus on the likely effects on consumer welfare.
- Strong human resource management
- Having senior officers whose competencies encompass technical and administrative skills.
- Advocacy
- Communication
- Effective knowledge management

Several core values are critical to agency effectiveness. Over time, the FTC has determined that its core values as listed below yield the best results given Jamaica's economic environment, culture, social factors, and the FTC's human and financial resources.

- Professionalism
- Accountability
- Confidentiality
- Transparency
- Independence
- Credibility

- Proficiency
- Commitment
- Team work
- Impartiality

## Overview

The FTC was established in 1993 as the administrative body of the FCA; and its purpose is to maintain and encourage competition in the provision of goods and services in Jamaica to do the following:

- promote economic efficiency.
- provide consumers with competitive prices and product choices.

The FCA contains two broad categories of prohibitions - those dealing with anticompetitive behavior and those dealing with consumer protection. Regarding anticompetitive conduct, the FCA addresses abuse of dominance, agreements that substantially lessen competition, exclusive dealing, market restriction, resale price maintenance, tied selling, price-fixing, and bid-rigging. Regarding consumer protection, the FCA addresses misleading advertising, sale above advertised price, double ticketing, and the unavailability of goods advertised at a bargain price.

To achieve its purpose, the functions of the FTC, as set out in section 5 of the FCA, are:

Function	Description
<i>Investigate</i>	To carry out, on its initiative or at the request of the Minister or any other person, investigations in relation to the conduct of business in Jamaica in connection with matters falling within the provisions of the FCA.
<i>Advise</i>	To advise the Minister on matters relating to the operation of the FCA.
<i>Educate</i>	To make available to businesses and consumers general information with respect to their rights and obligations under the FCA.
<i>Collaborate</i>	To collaborate with and assist any association in developing and promoting the observance of standards of conduct for the purpose of ensuring compliance with the FCA.
<i>Assess markets</i>	To undertake studies and publicize reports and information regarding matters affecting the interests of consumers.

## Governance

The FTC, a portfolio agency of the Ministry of Industry, Investment and Commerce is governed by a maximum of five Commissioners, who are appointed by the Minister. The Executive Director is an ex-officio Commissioner who is appointed by the Commissioners. As of April 1, 2020, the Commissioners are Dr. Derrick McKoy, Chairman, Mr. Stuart Andrade, Mr. Robert Collie, and Ms. Dorothy

Lightbourne. Mr. David Miller has served as the Executive Director since his appointment in November 2009.

Key management responsibilities are as follows:

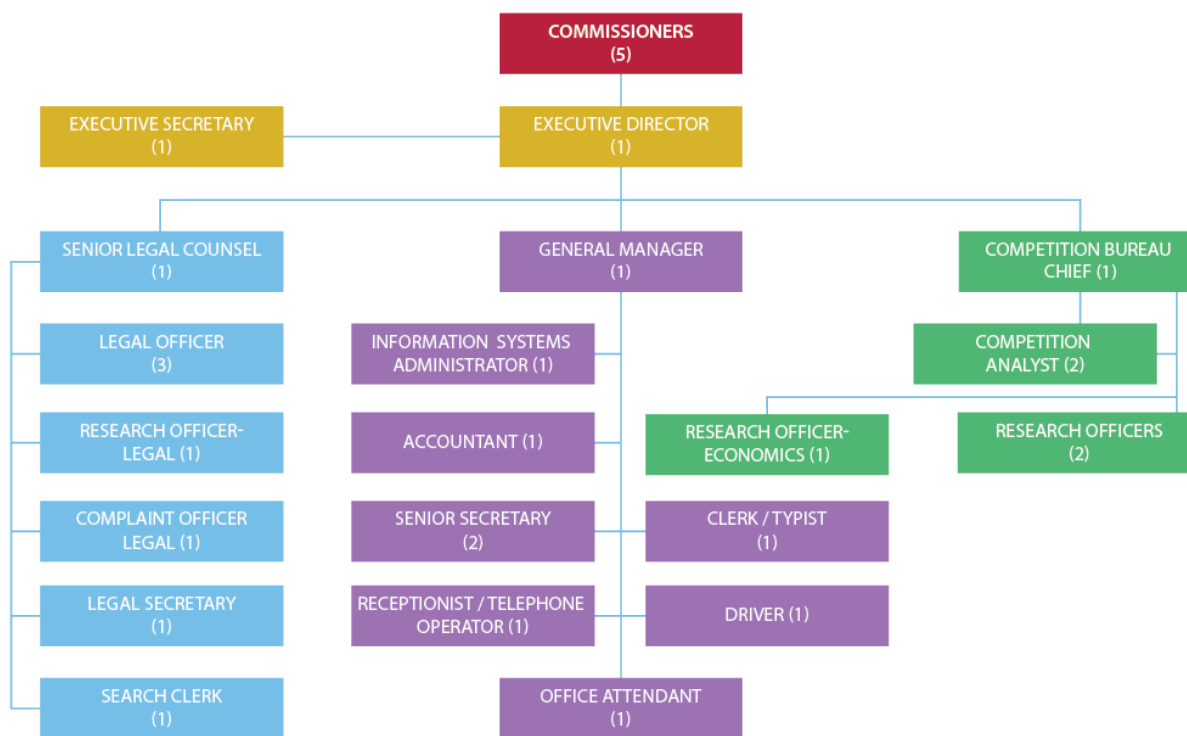
**Executive Director:** Responsible for the daily operation of the FTC. This includes directing the investigation of complaints, and the evaluation of evidence regarding anticompetitive business practices and making appropriate recommendations to the Commissioners and the portfolio Minister. Primary responsibility is for the enforcement of the FCA, which includes investigative, rule-making, and compliance functions.

**General Manager:** Responsibilities include budget and financial management, public relations, human resources management, and the development and maintenance of general administrative systems.

**Senior Legal Counsel:** Supervises the Legal Department's work, which includes investigation of complaints, litigation, legal strategies and the provision of general legal advice.

**Competition Bureau Chief:** Provides economic analyses of markets in relation to competition law enforcement, consumer protection, and regulation.

### Organizational Chart



## Roles & Responsibilities

### *Functions of the FTC*

The functions of the FTC as set out in section 5 of the FCA are to:

- Carry out, on its own initiative or at the request of the Minister or any other person, investigations in relation to the conduct of business in Jamaica in connection with matters falling within the provisions of the FCA;
- Advise the Minister on matters relating to the operation of the FCA;
- Make available to businesses and consumers general information with respect to their rights and obligations under the FCA;
- Cooperate with and assist any association in developing and promoting the observance of standards of conduct for the purpose of ensuring compliance with the FCA; and
- Undertake studies and publicize reports and information regarding matters affecting the interests of consumers.

The FTC provides products and services which benefit both businesses and consumers. Businesses and consumers are protected by the FTC identifying investigating and remedying anticompetitive practices. Investigations include economic analyses necessary for the enforcement of the FCA, thereby ensuring that businesses compete based on efficiency, innovation, and product choice, ensuring that consumer welfare is improved. The extent of effective competition in the Jamaican marketplace is monitored with a view to:

- removing artificial barriers to entry in markets;
- preventing dominant firms from using anticompetitive practices to oust their competitors from a market;
- preventing the creation or the strengthening of dominant firms through mergers and acquisitions; and
- increasing the proportion of consumers making well-informed choices.

## Strategic Objectives

For the next four Financial Years, the FTC's goal is to achieve demonstrable competitive outcomes in the economy through intervention in targeted industries and cases that are selected based on the Commission's comprehensive case selection criteria. The FTC has, in its plans, recognized the main priorities of its parent Ministry, the Ministry of Industry Investment & Commerce (MIIC), as well as the key outcomes which are set by the Planning Institute of Jamaica (PIOJ). These include enabling the business environment; economic growth and job creation; and facilitating the growth of internationally competitive industries.

The FTC's responsibilities are demarcated under the MIIC's Strategic Priority entitled "*Enhance Consumer Empowerment and Competitiveness*", listed under Consumer & Public Protection, specifically Protection of Competition(#183). The MIIC's sub-programme objective is: Increase consumer welfare through enforcing the FCA.

Accordingly, for each of the Financial Years 2021-2025, the FTC has set the following five broad policy programmes as its main priorities:

1. Improve consumer welfare and facilitate growth in the business environment by enforcing the FCA and reducing the incidence of anti-competitive business practices.
2. Build a competition culture by demonstrating the benefits of competitive markets and promoting a better understanding of the FTC's role and function in fostering a competitive economic environment.
3. Promote pro-competitive policies by assessing legislation and government policies to determine whether they restrict competition and retard economic growth. Advise policymakers on the implications of existing and proposed policies.
4. Maintain and enhance a presence in the international competition arena to provide advice on regional competition issues to other CARICOM member States; while facilitating the growth and development of the FTC.
5. Streamline and improve internal processes to enhance product and service delivery to all external Stakeholders as well as to the Staff and Commissioners of the FTC.

The outcomes from each of the five FTC policy programmes satisfy both the strategic priorities of the MIIC and the key outcomes set by the PIOJ.

The FTC strategically implements and carries out several activities to fulfill its vision of ensuring competitive markets, which will lead to increased productivity, sustained economic growth, and increased consumer welfare. Competitive markets and those that are open to competition generally lead to the efficient allocation of resources and are essential to attaining increased productivity and, therefore, economic growth. Further, competitive markets provide benefits to consumers through lower prices, greater choices, and better quality goods and services.

## 2. Environmental Scan

Table 1: Strengths Weaknesses Opportunities Threats (SWOT)

<b>Strengths</b>	<ol style="list-style-type: none"> <li>1. Jamaica’s Competition Agency – enforces the FCA.</li> <li>2. The FCA includes consumer protection provisions.</li> <li>3. Established policies geared at adherence to the GOJ Governance Framework as well as FTC’s governance systems.</li> <li>4. Knowledgeable, experienced, and competent Staff.</li> <li>5. Low Staff Turnover.</li> <li>6. Sound data and information management system.</li> <li>7. Documented &amp; structured internal procedures &amp; processes.</li> <li>8. Established policies and guidelines that address management of work-from-home system and remote teams as well as operating virtually.</li> <li>9. Capacity to engage with stakeholders through online/virtual means.</li> <li>10. Established training courses for various levels of competition policy.</li> <li>11. Experience in undertaking Consultancy arrangements as well as in procurement processes for Consultants.</li> <li>12. Recognized as the most experienced and leading Competition agency among CARICOM member states.</li> <li>13. Ability to provide support to CARICOM Secretariat &amp; other member states.</li> </ol>
<b>Weaknesses</b>	<ol style="list-style-type: none"> <li>1. Financial and human resources are insufficient to cover the scope of work that is seen as necessary.</li> <li>2. Limited Advocacy, Public Education &amp; Communication capabilities.</li> <li>3. Need for improved branding and image strengthening.</li> <li>4. Insufficient ICT infrastructure and tools to enable Staff to complete work tasks efficiently and facilitate effective communication with colleagues and stakeholders.</li> </ol>
<b>Opportunities</b>	<ol style="list-style-type: none"> <li>1. Strengthen Jamaica’s competition culture by employing an extensive broad-based social media campaign for public education activities.</li> <li>2. Use technological advancements to improve Staff’s capacity to conduct investigations and market studies and communicate with stakeholders.</li> <li>3. Partner with Ministries, Departments &amp; Agencies through Memoranda of Understanding (MOU) to facilitate the insertion of competition considerations in the development of legislation and policies.</li> </ol>
<b>Threats</b>	<ol style="list-style-type: none"> <li>1. Delay in completing amendments to the FCA including, but not limited to, the absence of a formal pre-merger notification regime</li> <li>2. Unavailability of data and information needed to complete investigations, market studies, and assessments in a shorter time frame.</li> <li>3. Training of new Staff given the “steep learning curve.”</li> <li>4. Staff’s susceptibility to health issues.</li> <li>5. Inability to undertake or implement technological advancements in a timely manner that will facilitate improvement in work processes and interface with stakeholders and the public.</li> </ol>



The Commission’s management team is responsible for utilizing and building on strengths, taking advantage of opportunities, and addressing weaknesses and mitigating threats. Through policy, the Commission guides the management team who deploys the necessary resources appropriately.

## Stakeholder Analysis

The FTC interacts primarily with the business community and ensures that key stakeholders recognize its responsibilities. Based on stakeholders’ needs and their potential effect on the FTC's ability to consistently carry out its core activities and meet its statutory and regulatory requirements, the FTC has determined that several parties are relevant to its functionalities. They are categorized as follows:

**Table 2: Stakeholders & Interested Parties**

Category	Group
<i>Internal Interested Parties</i>	<ol style="list-style-type: none"> <li>1. Commissioners</li> <li>2. Management</li> <li>3. Staff</li> </ol>
<i>Key Internal Stakeholder</i>	<ol style="list-style-type: none"> <li>1. Ministry of Industry, Investment and Commerce (portfolio ministry)</li> </ol>
<i>Key External Stakeholders</i>	<ol style="list-style-type: none"> <li>1. MOU Partners</li> <li>2. Other Government Ministries, Departments, and Agencies</li> <li>3. Business community, law firms</li> <li>4. Consumers</li> <li>5. Academia</li> <li>6. CARICOM Secretariat &amp; Member States</li> </ol>

**Table 3: Stakeholders’ Input into FTC & Requirements from FTC**

Stakeholder	Input	Requirements	Frequency
<b>Portfolio Ministry</b>	Funding & Policy Guidance	Competition Policy expertise: a. recommendations that limit anticompetitive conduct; b. recommendations that inform policies and legislation which strengthen the business environment.	Monthly
<b>Ministries Department &amp; Agencies</b>	Information & Data	Competition Policy expertise: a. recommendations that limit anticompetitive conduct; b. recommendations that	As requested/ necessary

		inform policies and legislation which strengthen the business environment.	
<b>Business Community, Academia &amp; Consumers</b>	Information & Data	Competition Policy expertise: a. enforcement of the FCA; b. recommendations that limit anticompetitive conduct; c. recommendations that inform policies and legislation which strengthen the business environment.	As requested/ necessary
<b>Attorney General's Chambers</b>	Legal opinions & guidance	Competition Policy expertise: recommendations of the most appropriate legislative framework.	As necessary
<b>Auditor General's Department</b>	Auditing services	Financial Information on FTC operations.	Bi-annually
<b>CARICOM Secretariat &amp; Member States</b>	Information & Data	Competition Policy expertise: recommendations on competition, trade & consumer protection issues affecting the CSME.	As requested/ necessary
<b>Suppliers</b>	Goods & services	Business: purchase of goods & services.	As required

**Table 4: Interested Parties Input into FTC & Requirements from FTC**

Interested Party	Input	Requirements	Frequency
<b>Commissioners</b>	Governance, Policy Directives & Decisions	Competition Policy expertise & sound management	Monthly
<b>Management</b>	Corporate strategy, leadership & oversight, finalized products & services	Necessary resources & directives.	Daily
<b>Staff</b>	Implementation of resources, draft products & services	Necessary resources & directives.	Daily

## Conclusion of the Scan

Integral to the internal control system is the management of risks. Risks are defined, documented, and categorized according to their level of seriousness, and preventive and protective measures are implemented. Risks are monitored within the existing constraints so that the desired output or results are achieved as best as possible.

Several risks are present in the organization. These risks manifest themselves during operations and in the discharge of responsibilities. The output may be affected, and therefore Management remains mindful of the risks and designs plans to mitigate these risks.

The FTC remains aware of the threats identified in the SWOT analysis. Work plans are created with these threats in mind as the FTC has little or no control over the factors that cause these threats. Therefore, the FTC collaborates with the relevant external stakeholders to mitigate the effects of the threats whenever and wherever they arise.

Several implementation risks or risks may arise in the discharge of responsibilities or from the execution of Staff's activities. These risks are described in the Risk Management Plan, which is attached in Appendix A.

### 3. Programmes & Sub-programmes

The FTC’s programmes are planned and developed with consideration to the National Development Plan Vision 2030, Jamaica; Medium Term Economic Programme (MTEP); Medium Term Socio-Economic Policy Framework 2018-2021(MTF); Medium-Term Results-Based Budgeting for Jamaica; and the Strategic Objectives and Priority Policies of the MIIC. With these in mind, the FTC’s medium-term policy programmes and sub-programmes are described in the table below.

#### Priority Policies

The FTC’s programmes and sub-programmes are within the context of the priority policies that have been highlighted for focus and for which approval is given by Cabinet to implement the FTC’s initiatives. The policy priorities that inform the development of the programmes over the medium term are:

1. Improve consumer welfare and facilitate growth in the business environment by enforcing the FCA and reducing anti-competitive business practices.
2. Build a competition culture by demonstrating the benefits of competitive markets and promoting a better understanding of the FTC’s role and function in fostering a competitive economic environment.
3. Promote pro-competitive policies by assessing legislation and government policies to determine whether they restrict competition and retard economic growth. Advise policymakers on the implications of existing and proposed policies.
4. Maintain and enhance a presence in the international competition arena to provide advice on regional competition issues to other CARICOM member States; while facilitating the growth and development of the FTC.
5. Streamline and improve internal processes to enhance the delivery of services to all external stakeholders, as well as to the FTC's Staff and Commissioners.

**Table 5: Programmes & Sub-programmes**

Programme	Sub-programme
<i>#1: Develop and implement an enforcement strategy that is based on: speed in completing investigations, prioritizing, deterrence v negotiation, and promoting a culture of results.</i>	<ol style="list-style-type: none"> <li>1. Initiating prompt action into complaints received</li> <li>2. Increasing the methods used in monitoring markets</li> <li>3. Shortening the time period between the initiation and the termination of investigations.</li> <li>4. Using guidelines for dealing with complaints of a similar nature.</li> <li>5. Prosecuting anti-competitive matters that are widespread and most egregious to the competitive process.</li> <li>6. Instituting corrective actions that have a deterring effect.</li> </ol>
<i>#2: Conduct market studies</i>	<ol style="list-style-type: none"> <li>1. Assessing the impact of the FTC’s intervention into markets.</li> </ol>

<p><i>on sectors that are most complained about, as well as those which, based on their structure, may be prone to market failures. Inform various groups on competition matters.</i></p>	<ol style="list-style-type: none"> <li>2. Analyzing complaints received on a quarterly basis to determine which sectors are most problematic.</li> <li>3. Implementing guidelines for research proposals.</li> <li>4. Maintaining a database of industry expertise and market studies conducted by other competition agencies.</li> <li>5. Carrying out research on selected sectors within an average time frame of 6 months.</li> <li>6. Assessing the impact of market developments and the effects on the state of competition in relevant markets.</li> <li>7. Publicizing results of studies in mainstream and social media.</li> <li>8. Hosting workshops and seminars for groups such as policymakers in MDAs, and the business and trade associations.</li> </ol>
<p><i>#3: Conduct analyses on the competition effects of current and proposed legislation and policies; and provide policymakers with policy solutions that are less restrictive to competition.</i></p>	<ol style="list-style-type: none"> <li>1. Monitoring legislative and policy changes that could have a negative competition effect.</li> <li>2. Reviewing legislation and policies that govern business conduct in select industries and undertaking research into their effect.</li> <li>3. Commenting on policies that speak to developing micro, small and medium enterprises.</li> <li>4. Consulting with persons in those industries and identifying the major competition concerns.</li> <li>5. Demonstrating the efficiency and welfare value of less restrictive policies.</li> <li>6. Coordinating with other Government Agencies such as the Consumer Affairs Commission, the Bureau of Standards Jamaica, the Trade Board Limited, and sector regulators in ensuring that relevant policies and procedures give due consideration to competition issues.</li> </ol>
<p><i>#4: Engage in discussions with international developmental institutions on global competition issues; and provide guidance and assistance to regional institutions on matters concerning trade within CARICOM.</i></p>	<ol style="list-style-type: none"> <li>1. Participating in discussions with developmental agencies such as the Organization of Economic Co-operation and Development (OECD), United Nations Conference on Trade and Development (UNCTAD), and World Bank Group (WBG) regarding the development of internationally recognized best practices in dealing with investigations and market behavior.</li> <li>2. Engaging in discussions with other competition agencies including the International Competition Network (ICN), regarding sharing of information specifically with respect to techniques used in conducting investigations into specific sectors or markets.</li> <li>3. Advising on matters affecting the enforcement of competition law and consumer protection within CARICOM.</li> <li>4. Providing guidance on trade-related issues that directly impact on the state of competition within the Jamaican economy.</li> <li>5. Providing advice on trade-related issues within the region.</li> </ol>
<p><i>#5: Create mechanisms and procedures to maximize the use of the organization's resources; and strengthen</i></p>	<ol style="list-style-type: none"> <li>1. Obtaining funding from international donor agencies to facilitate capacity building and professional development.</li> <li>2. Designing structured training programmes to ensure that the Staff possesses the requisite skills and abilities to perform their duties</li> </ol>

<p><i>systems to facilitate continued Staff training and development.</i></p>	<p>effectively.</p> <ol style="list-style-type: none"> <li>3. Enhancing Staff efficiency and productivity level.</li> <li>4. Ensuring that the most efficient and effective information communication technology, data storage, document management, and research facilities are available to the Staff.</li> <li>5. Standardizing internal procedures and using systems to ensure that all tasks are completed accurately within the predetermined timelines.</li> <li>6. Utilizing tools such as Case Selection Criteria, Investigation Manual, and an Electronic Case Management System (ECM) in the investigative processes.</li> <li>7. Aligning Project Management with Strategy, i.e., internal communication and coordination.</li> <li>8. Building on and maintaining the FTC's resources.</li> <li>9. Completing the process of amending the FCA to also include provisions for a merger control/review regime.</li> </ol>
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## 4. FTC Work Products & Services

The FTC's work products are in the form of reports, information, research papers, guidance and opinions created by the Commissioners and the Staff or in the form of Court Judgements or Consent Agreements with firms.

The FTC also offers services to the public and, in particular, to the aforementioned key stakeholders. Services are provided in accordance with the FCA and other statutory and regulatory requirements such as the Financial Administration & Audit Act (FAAA), the Access to Information Act, and the GOJ's Corporate Governance Framework. Accordingly, the FTC's leadership makes decisions appropriately in accordance with the designated scope of its authority.

The FTC's work is highly specialized, and significant focus is placed on developing the technical knowledge and capacity of the Staff. Over time, the FTC has determined the knowledge and skills necessary to manage the operations and carry out the duties and functions mandated by the FCA. Products and services are based on experience and expertise in Competition Law and Policy, the proper application of the FCA, lessons learned, international best practices, knowledge transfer mechanisms as well as documented procedures, guidelines, and processes.

In addition to the technical knowledge required to provide products and services, the FTC engages and professionally communicates with its stakeholders with openness and transparency through different means. The FTC guarantees that all work output is planned, controlled, and supervised to ensure that all deliverables are of the highest quality and are provided within required timelines. Completed documents must be approved by either the Chairman or the Executive Director before submission to 'customers.' Electronic and hard copies are stored. Where appropriate and necessary, products are disseminated through regular updates of the FTC's website and newsletters.

Consistency, objectivity, and transparency are critical ingredients in the FTC's products and services, and analyses are based on established best practices. The Management and Staff are committed to adhere to the approved policies and to perform their work following the prescribed procedures and processes.

More detailed Service Standards are described in the FTC's Citizens Charter.

## 5. Marketing Strategy

Work products are disseminated to the public and shared with stakeholders through a range of means or methods. Products requested by specific stakeholders are generally shared confidentially either through letters and one-on-one meetings.

The table which follows describes the methods of dissemination with the respective types of information.

**Table 6: Information Dissemination**

Means or Method	Type of Information
<b>1. Website</b> <b>2. Social media: Facebook, Twitter, Instagram</b>	1. General information on the FTC, the FCA & Competition Law 2. Reports & opinions pursuant to investigations & market studies
<b>3. Press Releases &amp; Advisories</b> <b>4. Public Lectures</b> <b>5. Radio &amp; television interviews</b> <b>6. FTCNewslne, quarterly electronic newsletter</b> <b>7. Email</b>	1. General information on the FTC, the FCA & Competition Law 2. Specific areas of Competition Law 3. Interface with other laws, policies 4. Reports & opinions pursuant to investigations & market studies
<b>8. Compete, annual magazine</b>	1. General information on the FTC, the FCA & Competition Law. 2. Specific areas of Competition Law 3. Reports & opinions pursuant to investigations & market studies 4. News articles 5. Articles from Staff, stakeholders, and international contributors
<b>9. Workshops, conferences, training courses (virtual or face-to-face)</b>	1. Reports & opinions pursuant to investigations & market studies 2. Specific areas of Competition Law 3. Interface with other laws, policies
<b>10. One-on-one meetings(virtual or face-to-face)</b>	1. Reports & opinions pursuant to investigations & market studies 2. Particular areas of Competition Law 3. Interface with other laws, policies
<b>11. Letter to specific parties</b>	



## 6. Human Resources Capacity Plan

The Executive Director is responsible for the day to day operations and is supported by the Administrative Department, Legal Department, and Competition Bureau, which are headed by the General Manager, Senior Legal Counsel, and Competition Bureau Chief, respectively. These departments comprise the following:

- *Administrative:* Executive Secretary, Accountant, Information Systems Administrator, Clerk/Typist, Receptionist/Telephone Operator, Office Attendant, and Driver.
- *Legal:* two Legal Officers, Legal Secretary.
- *Competition Bureau:* two Competition Analysts, two Research Officers, and Senior Secretary.

**Table 7: Human Resources Capacity Plan**

Departments	Staff Complement	Planned 2021/2022	Planned 2022/2023	Planned 2023/2024	Planned 2024/2025
Administrative Department	8	9	9	9	9
Legal Department	3	4	5	5	5
Competition Bureau	6	6	7	7	7

Management level and Technical Staff are employed under fixed-term Contracts of Employment, while support level Staff are permanent employees.

During the first year of medium-term employment, arrangements will be reviewed to consider issues such as flexible work hours, work-from-home arrangements, and the implications of the COVID-19 pandemic on the state of Staff’s health and wellness. The necessary consultation with relevant Ministries, Departments, and Agencies will be required before adjustments to the existing employment templates are made.

## 7. Legislation

The FCA was enacted in 1993 and was last amended in 2001. Since 2010 amendments to address weaknesses and gaps in several provisions are being pursued. Since 2017 a draft Bill has been with the Attorney General's Chambers for comments. The primary amendments being sought will address the natural justice issues that were exposed in the 2001 Judgement in *FTC v Jamaica Stock Exchange* and the inclusion of a pre-merger notification review regime in the FCA.

### Merger Review Framework

Cabinet Decision No. 2/15, dated January 2015, established a Ministerial Subcommittee to oversee the creation of the appropriate framework for a mergers and acquisition regime. The decision taken by the Cabinet underscores the urgency for a review of the FCA regarding the creation of a merger review regime for Jamaica. The World Bank Foundation for Competitiveness and Growth Project (FCGP) engaged a Consultant, and a framework with provisions was drafted. The draft Cabinet Submission describing the purpose of the regime and summarizing the framework was approved by the Ministry of Finance & the Public Service in 2018 but is awaiting the Attorney General's Chambers review and approval.

### Merger of the Fair Trading Commission and the Consumer Affairs Commission

Cabinet Decision No. 49/09, dated November 02, 2009, documented the Cabinet's decision to rationalize the public sector. To facilitate this process, the Public Sector Transformation Unit (PSTU) of the Ministry of Finance & the Public Service (MFPS), was established to, among other things, enable the restructuring interventions. By way of Cabinet Decision No. 20/18, dated June 4, 2018, the CAC and the FTC were identified for merger and creating a single public body to execute the functions of consumer protection and competition law enforcement.

Since 2019, the PSTU has been working closely with the FTC and the CAC primarily through a Steering Committee, which also includes MICAF, to create the new entity. As of March 2020, much work has been done to bring the new entity into being. The Steering Committee is managing the process from all angles giving due consideration to:

- Legislation - legislative and underlying governance issues must be addressed through legislation. Work includes creating new legislation and amending both the FCA and the Consumer Protection Act (CPA). This work is of significance to the new entity's functioning as both the FTC and the CAC are separate statutory bodies that enforce statutes. The FTC enforces the FCA, and the CAC enforces the CPA.
- Human resource issues - specifically, the transition of Staff from existing entities to the new entity.

- Financial issues - each entity maintains its own financial and accounting records and internal controls.
- ICT needs - both entities generally have similar needs, but there are differences with respect to data management.
- Change Management - managing the Staff's concerns, needs, and expectations in their present situation and assisting them as they move into the new entity.

The creation of the new entity, that is, the merged FTC/CAC, is being treated as a priority over the amendments to the FCA and the creation of the merger review regime. Accordingly, work on the last two items is awaiting the completion of the legislation for the new entity.

## 8. Current Organizational Performance

The FTC's performance is measured by the three programmes that speak directly to the FTC's core responsibilities of competition enforcement and competition advocacy.

**Table 8: Current Performance**

PROGRAMME							
Name of Programme	Performance Indicators	Major Achievements 2019/2020	End-of-year Target 2020/21	Actual Results (Apr-Sept 2020)	2020/21 Budget (J\$'000)	YTD (Nov. 2020) Expenditure (J\$'000)	Explanation / Comments
1. Improve consumer welfare & facilitate growth in the business environment. Enforce the provisions of the FCA.	Case resolution rate	76%	75%	61%	77,712,600	53,121,174	Appointed Commissioners are needed to close cases.
	Number of allegations of anticompetitive conduct	151	<186	75			
2. Build a competition culture by demonstrating the benefits of competitive markets.	Number of information dissemination activities	17	17	9	18,873,060	12,900,857	Impact of pandemic has slowed responses to requests for information.
	Number of market studies & competition advocacy activities	26	24	6			
	\$ benefit accrued from markets investigated (\$ billion)	\$6,319,000	\$3,830,000	\$3,100,000			
3. Promote pro-competitive policies by assessing legislation & government policies to determine whether they restrict competition & retard economic growth.	Number of legislation or policy-related activities	18	12	7	14,432,340	9,865,361	
	% of breaches of the FCA.	1.1%	1.8%	0%			

## 9. Strategy Map

The FTC's Integrated Planning & Implementation Strategy Map (on the following page) depicts the strategy for the medium-term planning period by systematically improving performance through an on-going process of establishing strategic performance objectives, measuring performance, collecting, analyzing, reviewing, and reporting on performance data and using that data to drive performance improvement. It outlines the strategic objectives being pursued by the FTC and considers the MIIC's priorities and objectives.

It covers all key elements of the FTC's business, taking into consideration the internal and external stakeholders, the environment, past and current performance, human and financial resources, as well as advancements through information and communication technology.

- The Financial Perspective describes the critical financial areas that the FTC will focus upon.
- The Stakeholder Perspective describes how the FTC will be viewed by its stakeholders in meeting their needs, the products and services that the FTC will deliver to stakeholders, and the extent of the FTC's professionalism.
- The Internal Business Process Perspective describes several of the internal operational goals, several core management principles that are embedded in the FTC's performance culture.
- The Learning and Growth Perspective describes effectiveness and growth and development capabilities through human resources, and information and communication technology.

## VISION

To facilitate increased productivity and sustained economic growth through competitive markets, thereby ensuring greater choice, lower prices and better quality goods and services for Jamaican consumers.

## STRATEGIC PRIORITIES

CONSUMER WELFARE AND ECONOMIC GROWTH

COMPETITION CULTURE

PRO-COMPETITIVE POLICIES

INTERNATIONAL ARENA

INTERNAL PROCESSES

### FINANCIAL PERSPECTIVE

#### FINANCIAL & BUDGET MANAGEMENT

- Expenditure Management
- Improved Value of Output
- Efficient Resource Management
- Compliance with Financial Regulation
- Adherence to GOJ Governance Framework

### STAKEHOLDER PERSPECTIVE

#### ENABLING A COMPETITIVE BUSINESS ENVIRONMENT

- Partnerships with MDAs, Sector Regulators
- Transparent Procedures & Processes
- Confidentiality of Information & Data
- Comprehensive Opinions
- Sound Legal & Economic Analyses
- Objective Investigative Reports & Market Studies
- Developed Competition Law Skills
- Effective Competition Advocacy

### INTERNAL BUSINESS PROCESS PERSPECTIVE

#### Improved Product & Service Delivery

- Rule of Law & Enforcement Capacity
- Current Economic & Research Tools
- Sound Investigation Planning
- Established Investigation and Market Studies Processes Procedures
- Competition Advocacy Procedures
- Regional Competition Policy, Consumer Protection & Trade Matters

#### Effective Policy, Programme & Project Management Implementation

- Project Management
- Procurement Policy
- Adherence to Finance & Budget Requirements

#### Performance & Process Management

- Results-based Performance Management
- Periodic Internal Review
- Standardised Internal Processes
- Monitoring and Management

#### Operational Excellence

- Strategic Planning & Budgeting
- Financial Risk Management Controls
- Compliance & Audit
- Resource Management
- Simplified & Friendly Bureaucracy
- Sound ICT Environment
- Prioritisation of Work Tasks

### LEARNING & GROWTH PERSPECTIVE

#### HUMAN, ORGANIZATIONAL & INSTITUTIONAL CAPACITIES

- Technical Capacity Development
- Skills Training & Upgrade
- Culture of Accountability
- Building Institutional Memory
- Succession & Transition Planning

#### ICT & INNOVATION

- Cost Effective & Efficient Data & Information Management
- Automated Workflow Management
- Adoption, Transfer & Creation of New Technologies
- Virtual Facilities

**CORE VALUES:** Professionalism | Accountability | Confidentiality | Transparency | Independence | Credibility

## 10. Results Matrix & Operational Plan

The realization of the FTC's priorities and strategic outcomes of programmes and projects requires that, over time, it shift its current level of performance to the planned targets and outputs in a sustainable and efficient manner. The Results Matrix, attached as Appendix B, sets out the strategic priorities, the planned high-level programmes, performance indicators, and the medium term's expected outcomes, together with the budget required.

## 11. Measurement & Evaluation of Performance

The FTC's Monitoring Plan and Evaluation Plan, attached as Appendix C and Appendix D, respectively, describes the progress being made over the medium term towards the established targets. The Monitoring and Evaluation Plan provides a guide as to what areas of each programme should be evaluated, when they should be evaluated, and any additional information or initiatives that may be needed.

## 12. External Funding Support

The Government of Jamaica (GOJ), under a loan agreement with the World Bank, is presently financing the FCGP. The GOJ has stated that *“the overall objective of the project is to promote broad-based private sector-led growth, improve the investment climate, strengthen infrastructure and logistics, and enhance entrepreneurship and competitive industries. The initiatives under the project are expected to strengthen the enabling environment for private sector competitiveness to help Jamaica unleash its potential for productivity and growth.”*

The FTC is benefiting from the FCGP for capacity building initiatives to strengthen the institutional framework for competition policy to drive economic growth through increased competitiveness in all sectors. The FTC initiatives must be consistent with the FCGP purpose, which states, inter alia, *“for the process of private sector growth to lead to sustained productivity upgrading in the economy, a framework must be in place to ensure competition between firms.”* Three initiatives or activities are earmarked for the FTC:

**Table 9: Technical Capacity Strengthening Activities**

Activity	Objectives
1. Creation of a framework for a merger review regime for Jamaica, together with draft legislative provisions.  <i>Cabinet Submission is awaiting the Attorney General’s approval since April 2018.</i>	1. Provide the FTC with technical assistance in drafting new provisions to be included in the FCA while ensuring that the law speaks directly to the operation of a merger review regime that is appropriate for Jamaica. 2. Ensure the efficiency of a merger review policy so that investment is facilitated in Jamaica while harmful concentrations are prevented. 3. Train FTC staff and conduct sensitization sessions with key stakeholders to support implementing the proposed regulations and guidelines.
2. Creation of a framework for more effective Competition Advocacy.  <i>Completed in 2019.</i>	1. Conduct an assessment of the effectiveness of FTC’s advocacy interventions. 2. Increase the effectiveness of competition advocacy in Jamaica by proposing well-sequenced and gradual recommendations to increase the likelihood that opinions and other interventions are accepted/implemented. 3. Build capacity within the FTC on the relevant competition advocacy tools to support the implementation of the recommendations.
3. Procurement of an Enterprise Content Management System  <i>Software development to</i>	1. Assist in the document capture and imaging and provide advanced indexing and search capabilities. 2. Enhance the ability of the FTC to identify trends. 3. Assist in setting service benchmarks 4. Assist in quality control.



*begin in 2021.*

5. Improve existing workflows and procedures.
6. Strengthen document management and facilitate more efficient information and document sharing by appropriate personnel.
7. Improve report generation and broaden the range of reports.

## 13. Financial Model

### Medium Term Expenditure

The FTC receives income solely from the Consolidated Fund through monthly subvention from MIIC. It does not charge fees for its products or services. It may receive costs upon completion of Court matters or Consent Agreements.

**Table 10: Medium-Term Expenditure Summary**

Item	Year 1	Year 2	Year 3	Year 4
	Estimates of Expenditure (2020/2021)	Projections (2021/2022)	Projections (2022/2023)	Projections (2023/2024)
Recurrent	111,018,000	117,654,000	121,195,476	124,915,220
Capital A	000	000	000	000
Capital B	000	000	000	000
Appropriations in Aid	000	000	000	000
<b>Total Funding Requirement</b>	<b>111,018,000</b>	<b>117,654,000</b>	<b>121,195,476</b>	<b>124,915,220</b>

The FTC has a single programme, that is, 4.1.1 Consumer & Public Protection through Protection of Competition. This is listed under Vision 2030's National Goal #3: Jamaica's economy is prosperous; National Outcome #8: An Enabling Business Environment; and National Outcome #12: internationally competitive industry structures.

The entire budget is recurrent and is for the single programme. There are no sub-programmes, projects, or policy initiatives that are designated separately for budget purposes.

## Appendix A: Risk Management Plan

<b>Programme :</b>	<b>Consumer &amp; Public Protection</b>								
<b>Sub-Programme:</b>	<b>Protection of Consumer Rights</b>								
<b>Sub-Programme Objective:</b>	<b>To promote and protect economic interests of consumers</b>								
<b>Name of Division/Agency/Project:</b>	<b>Fair Trading Commission</b>								
Risk Description	Opportunity or threat	Risk Indicator/ Trigger	Likelihood/Consequence			Management Controls	Response Category	Response	Risk Owner
			Likelihood (P)	Impact (I)	Risk Score (P x I)				
Enforcement through the Court system	Threat	Delays caused by the Court system.	3	3	9	Close management of the court process.	Acceptance	Take necessary steps immediately, at all stages of the case management process	Senior Legal Counsel (FTC Legal Dept.)
Amending the legislation	Threat	Delays caused by approving entities.	3	4	12	Collaboration with approving entities.	Acceptance	Frequent dialogue with key stakeholders in MDAs	Executive Director (FTC) & Senior Legal Officer (MICAf)
Obtaining market data & information	Threat	Identifying data sources	4	2	8	Establishing data sources for all sectors.	Reduction	Action Plan that includes viable options/alternatives	Competition Bureau Chief (FTC)
Obtaining information on policies before they are implemented	Threat	Limited knowledge of policies being developed.	3	3	9	Collaboration with other MDAs.	Sharing	Frequent dialogue with key stakeholders in MDAs	Executive Director (FTC) & Director of Commerce (MICAf)
Recommendations are implemented in a timely manner	Threat	Delays in implementing recommendations.	3	3	9	Collaboration with other MDAs.	Sharing	Frequent dialogue with key stakeholders in MDAs	Executive Director (FTC) & Director of Commerce (MICAf)

## APPENDIX B

### RESULTS MATRIX (FY2021/22 – FY2024/25)&OPERATIONAL PLAN 2021/2022

#### Results Matrix2021/22 – 2024/25

RESULTS MATRIX										
Strategic Priority	Programme/Sub-Programme/Activity and Budget #	Intended Results	Performance Indicator	Baseline 2019/20	2020/21 Outturn	Estimates	Projection (Forecast) & Costs (\$'000)			Functional Agency/Dept./ Div./ Project
						2021/22	2022/23	2023/24	2024/25	
Ensure Consumer Protection  <b>National Outcome #8:</b> An Enabling Business Environment	<b>4.1.1 Consumer &amp; Public Protection</b>	Improved efficiency (allocative) in the markets that are investigated.	Case resolution rate	76%	75%	75%	75%	75%	75%	FTC
			# of allegations of anti-competitive conduct in the economy	<151	<186	<176	<170	<170	<165	
	a. Enforce the provisions of the FCA in relation to the conduct of business, to reduce the incidence of anti-competitive business practices.			<i>Cost: \$88,338</i>	<i>Cost: \$91,508</i>	<i>Cost: \$94,809</i>	<i>Cost: \$97,807</i>			
	b. Demonstrate the benefits of competitive markets towards fostering a competitive economic environment.	Improved efficiency (productive) in the markets that are studied.	Number of information dissemination activities.	17	17	18	18	19	20	FTC
			Number of market studies & competition advocacy activities	26	26	22	22	24	24	
			\$ benefit accrued from markets	6,319,000	3,830,000	4,220,000	4,640,000	5,104,000	5,614,000	

**RESULTS MATRIX**

Strategic Priority	Programme/Sub-Programme/Activity and Budget #	Intended Results	Performance Indicator	Baseline 2019/20	2020/21 Outturn	Estimates	Projection (Forecast) & Costs (\$'000)			Functional Agency/Dept./ Div./ Project
						2021/22	2022/23	2023/24	2024/25	
			investigated (\$ billion)			<i>Cost: \$21,453</i>	<i>Cost: \$22,223</i>	<i>Cost: \$23,025</i>	<i>Cost: \$23,753</i>	
	c. Advise policymakers on the implications of existing and proposed policies to ensure that those policies facilitate a competitive environment.	Recommendations for less restrictive policies.	Number of legislation or policy related activities carried out.	18	12	14	14	16	16	<b>FTC</b>
		Breaches of the Fair Competition Act by business enterprises.	% of breaches of the FCA.	1.13%	1.8%	1.8%	1.8%	1.8%	1.8%	
						<i>Cost: \$16,406</i>	<i>Cost: \$16,994</i>	<i>Cost: \$17,607</i>	<i>Cost: \$18,164</i>	

## Operational Plan 2021/22

Major Activity/Initiative [projects, policies, etc]	Intended Results	Performance Measure/ [Outcome, Output and Input]	Target and expenditure (J\$'000)								Functional Agency/Dept./ Division/ Project
			QUARTER 1		QUARTER 2		QUARTER 3		QUARTER 4		
			1 <sup>st</sup> Quarter Apr - June	Cost	2 <sup>nd</sup> Quarter Jul - Sept	Cost	3 <sup>rd</sup> Quarter Oct - Dec	Cost	4 <sup>th</sup> Quarter Jan - Mar	Cost	
1. Improve consumer welfare and facilitate growth in the business environment.	Improved efficiency (allocative) in the markets that are investigated.	Case resolution rate	45%	\$22,084	55%	\$22,085	61%	\$22,084	61%	\$22,085	FTC
		Number of allegations of anti-competitive conduct in the economy	40		35		40		46		
2. Build a competition culture. Increase the volume and quality of information provided to all stakeholders.	Improved efficiency (productive) in the markets that are studied.	Number of information dissemination activities executed.	4	\$5,363	5	\$5,363	4	\$5,363	4	\$5,363	FTC
		Number of market studies & competition advocacy activities	4		2		5		5		
		\$ benefit accrued from markets that were investigated.	\$1,000,000		\$2,100,000		\$1,030,000		\$2,070,000		
3. Promote pro-competitive policies. Reduce the number of policies that restrict competition and economic growth.	Recommendations for less restrictive policies.	Number of legislation or policy related activities carried out.	3	\$4,101	4	\$4,101	2	\$4,101	3	\$4,101	FTC

**PROCUREMENT PLAN MATRIX**

**FOR GOODS (MATERIALS, EQUIPMENT AND SUPPLIES)**

Item description (What to buy?)	Month when needed (When to buy?)	Quantity (How many to buy?)	From where to buy?	Estimated cost	Procurement Method	Procurement Schedule				
						Advertise (Insert dates)	Submission of Bids (insert dates)	Bid Evaluation and recommendation approval (insert dates)	Contract award (insert dates)	Delivery (insert dates)
<b>YEAR 1 (2021/2022)</b>										
Office Supplies (consumables)	Bi-monthly		Various suppliers	\$4,272,613	Direct Contracting					
Insurance	May		NEM Insurance Co.	\$300,675	Direct Contracting					
Public Relations & Advertising	September		Gleaner, JIS & Observer	\$500,000	Direct Contracting					
Auditing service	June		Auditor General	\$220,000	Direct Contracting					

Item description (What to buy?)	Month when needed (When to buy?)	Quantity (How many to buy?)	From where to buy?	Estimated cost	Procurement Method	Procurement Schedule				
						Advertise (Insert dates)	Submission of Bids (insert dates)	Bid Evaluation and recommendation approval	Contract award (insert dates)	Delivery (insert dates)
<b>YEAR 2 (2022/2023)</b>										
Office Supplies (consumables)	Bi-monthly		Various suppliers	\$4,519,707	Direct Contracting					
Insurance	May		NEM Insurance Co.	\$317,212	Direct Contracting					
Public Relations & Advertising	September		Gleaner, JIS & Observer	\$527,500	Direct Contracting					
Auditing service	June		Auditor General	\$220,000	Direct Contracting					

Item description (What to buy?)	Month when needed (When to buy?)	Quantity (How many to buy?)	From where to buy?	Estimated cost	Procurement Method	Procurement Schedule				
						Advertise (Insert dates)	Submission of Bids (insert dates)	Bid Evaluation and recommendation approval	Contract award (insert dates)	Delivery (insert dates)
<b>YEAR 3 (2023/2024)</b>										
Office Supplies (consumables)	Bi-monthly		Various suppliers	\$4,696,182	Direct Contracting					



Insurance	May		NEM Insurance Co.	\$348,930	Direct Contracting					
Public Relations & Advertising	September		Gleaner, JIS & Observer	\$580,250	Direct Contracting					
Auditing service	June		Auditor General	\$266,200	Direct Contracting					

Item description (What to buy?)	Month when needed (When to buy?)	Quantity (How many to buy?)	From where to buy?	Estimated cost	Procurement Method	Procurement Schedule				
						Advertise (Insert dates)	Submission of Bids (insert dates)	Bid Evaluation and recommendation approval	Contract award (insert dates)	Delivery (insert dates)
<b>YEAR 4 (2024/2025)</b>										
Office Supplies (consumables)	Bi-monthly		Various suppliers	\$4,930,991	Direct Contracting					
Insurance	May		NEM Insurance Co.	\$366,377	Direct Contracting					
Public Relations & Advertising	September		Gleaner, JIS & Observer	\$609,262	Direct Contracting					
Auditing service	June		Auditor General	\$279,510	Direct Contracting					

## APPENDIX C MONITORING PLAN

Priority Policies & Programmes	Output Performance Indicator(s)	Baseline Data (2020/2021)	Departmental-level major tasks to realise the objective of the priority policy, programme or project	Monitoring Frequency						Monitoring Method(s)
				Year (2021/2022)		Year (2022/2023)		Year (2023/2024)		
				Target	Monitoring Timeline	Target	Monitoring Timeline	Target	Monitoring Timeline	
<b>1. Improve consumer welfare &amp; facilitate growth in the business environment. Enforce the provisions of the FCA.</b>	Case resolution rate	75%	1. Initiating prompt action into complaints received. 2. Increasing the methods used in monitoring markets 3. Shortening the time period to terminate investigations. 4. Using guidelines for dealing with complaints of a similar nature. 5. Prosecuting anti-competitive matters that are widespread and most egregious to the competitive process.	75%	Monthly	75%	Monthly	75%	Monthly	1. Weekly Case screening meeting. 2. Monthly internal review of matters. 3. Officers' work assignments reports.
	Number of allegations of anticompetitive conduct	<196	6. Instituting corrective actions that have a deterring effect.	<176	Quarterly	<170	Quarterly	<170	Quarterly	Monthly CIMS reports.
<b>2. Build a competition culture by demonstrating the benefits of competitive</b>	Number of information dissemination activities	14	1. Assessing the impact of the FTC's intervention into markets. 2. Analyzing complaints received	19	Monthly	20	Monthly	20	Monthly	1. Weekly determination of completed assignments & completed technical reports.

<b>markets.</b>	Number of market studies & competition advocacy activities	24	to determine most problematic sectors. 3. Implementing guidelines for research proposals. 4. Maintaining a data base of worldwide market studies.	22	Quarterly	22	Quarterly	24	Quarterly	<ol style="list-style-type: none"> <li>1. Weekly Case screening meeting.</li> <li>2. Monthly internal review of matters.</li> <li>3. Weekly review of Officers' work assignments reports.</li> <li>4. Impact assessment report.</li> </ol>
	\$ benefit accrued from markets investigated (\$ billion)	\$3,830,000	5. Undertaking research on selected sectors. 6. Periodically assessing the impact of competition effects on relevant markets. 7. Publicizing results of studies. 8. Hosting workshops and seminars for stakeholder groups.	4,220,000	Quarterly	4,640,000	Quarterly	5,104,000	Quarterly	
<b>3. Promote pro-competitive policies by assessing legislation &amp; government policies to determine whether they restrict competition &amp; retard economic growth.</b>	Number of legislation or policy-related activities	8	1. Monitoring legislative and policy changes. 2. Reviewing legislation and policies that govern business conduct & research their effect.	14	Quarterly	14	Quarterly	16	Quarterly	<ol style="list-style-type: none"> <li>1. Weekly Case screening meeting.</li> <li>2. Monthly internal review of matters.</li> <li>3. Weekly review of Officers' work assignments reports.</li> <li>4. Monthly CIMS Reports.</li> </ol>
	% of breaches of the FCA.	2%	4. Consulting with MSMEs to identify major competition concerns. 5. Demonstrating the efficiency and welfare value of less restrictive policies. 6. Coordinating with other MDAs & sector regulators to consider competition issues.	1.8%	Quarterly	1.8%	Quarterly	1.8%	Quarterly	

## APPENDIX D EVALUATION PLAN

Priority Policies & Programmes	Goal(s)	Expected Outcome(s)	Evaluation Type (Frequency)	Planned Evaluation Completion Date (mm/yy)	Evaluation Method(s)	Entity Responsible for Evaluation
<b>1. Improve consumer welfare &amp; facilitate growth in the business environment. Enforce the provisions of the FCA.</b>	To increase case resolution rate to over 75%.	More timely resolution of matters resulting from increased efficiency.	Mid-year	October 2021	Review of overall organization performance against Staff's assignments.	Fair Trading Commission
	To reduce the number of allegations of anticompetitive conduct to lower than 175.	Reduced number of complaints arising from a more informed public.	Mid-year	October 2021	Overall organization performance review.	
<b>2. Build a competition culture by demonstrating the benefits of competitive markets.</b>	To increase the number of information dissemination activities to over 15.	Increase stakeholders' awareness of competition matters.	Mid-year	October 2021	Overall organization performance review.	
	To increase the number of market studies & competition advocacy activities to over 24.	Topical/current issues are examined/analysed for impact on competition & consumers.	Mid-year	April 2022	Staff competence review.	
	To increase the \$ benefit accrued from markets investigated over \$5 billion.	FTC interventions are significant & noticeable.	Mid-year	October 2021	Review of completed investigation & market study reports.	
<b>3. Promote pro-competitive policies by assessing legislation &amp; government policies to determine whether they restrict competition &amp; retard economic growth.</b>	To increase the number of legislation or policy-related activities to over 14.	Competition issues are considered in the creation & development of policies & legislation.	Mid-year	April 2022	Overall organization performance review.	
	To have a 2% or lower rate of breaches of the FCA.	Reduced number of breaches.	Mid-year	January 2022	Staff assignments review.  Review of completed opinions & market study reports.	