Coordination between the Competition Authority and Sector Regulators

A Jamaica perspective

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Agenda

- Competition Authority and Sector Regulators
- The Need for Interaction and Collaboration
- Benefits of Collaboration
- Jamaica's Regulatory Landscape
- What Does This Look Like In Practice?
- Benefits to Government & Business
- Key Takeaways
- Question & Answer

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COMPETITION REGULATION AND SECTOR REGULATORS

Competition regulation protects competitive processes, prevents anti-competitive conduct, and fosters innovation.

Sector regulation ensures designated industries operate safely, efficiently, fairly, and in the public interest.

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THE NEED FOR INTERACTION & COLLABORATION

There should be interplay between competition regulations and individual sector regulators' objectives and responsibilities. Objectives are often:

- not aligned
- in conflict
- the regulator believes that its focus has 'primacy' over competition law and policy

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INTERACTION & COLLABORATION

The JFTC interacts/collaborates with the respective sector regulators for:

- Gaming
- Telecommunication
- Financial services
- Utilities
- Broadcasting
- Spectrum
- Airport services

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BENEFITS OF COLLABORATION

1. Better understanding or appreciation of each agency's role
    - MDAs
    - By stakeholders, including market participants
    - Media houses
2. More robust policy development or policy changes

JAMAICA'S REGULATORY LANDSCAPE

- " ......after consultation with the Fair Trading Commission and such participants in the telecommunications industry as it thinks fit and after consultation with the minister, make rules....."

Section 35, Telecommunications Act, 2000

WHAT DOES THIS LOOK LIKE IN PRACTICE?

- **Information sharing:** allowing regulators to exchange relevant market information while respecting confidentiality obligations;
- **Consultation on regulatory decisions:** ensuring that decisions with competition implications benefit from the expertise of both competition and sector regulators;

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WHAT DOES THIS LOOK LIKE IN PRACTICE? CONT'D

- **Joint investigations or assessments:** where conduct may fall within the jurisdiction of more than one regulator;
- **Memoranda of Understanding (MOUs):** establishing formal frameworks for cooperation and defining areas of responsibility.
- **Policy/legislation:** benefits from the FTC's position on strengthening competition.

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BENEFITS TO GOVERNMENT & BUSINESS

- INFORMATION SHARING BETWEEN THE FTC & SECTOR REGULATORS
- REDUCTION IN DUPLICATIONS
- COHESIVE APPROACH ON SIGNIFICANT POLICIES
- REASSURING THE BUSINESS COMMUNITY

KEY TAKEAWAY

- Competition and sector regulation are complementary frameworks that work together to achieve effective market outcomes.
- Collaboration between regulators through information sharing, consultation, and clearly defined roles enhances regulatory effectiveness.
- Coordinated oversight helps address complex market issues, promote innovation, protect consumers, and maintain competitive markets.

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Thank you

Any questions?

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