



Regulatory Consultation Process

Information Note

Channel Islands Competition and Regulatory Authorities

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1. In July 2018, CICRA published an information note¹ on an enhanced pre-statutory regulatory consultation process that, following a consultation² (the **Consultation**) and having taken into account responses from stakeholders, it intended to adopt.
2. On the basis of comments it has received in the course of operating this new procedure since July 2018, CICRA considers that it would be useful to issue the following short clarificatory information note to restate the purpose of the procedure and the way it is intended to operate to achieve that purpose.
3. As set out in the Consultation³, the purpose of introducing pre-statutory steps into the regulatory procedure was:
 - a. To increase flexibility in those cases where it was envisaged that respondents might wish to make substantial representations to CICRA on particular points; and
 - b. To reduce the administrative burden on businesses and CICRA in those cases by avoiding the need for respondents to make (and for CICRA to consider) lengthy, separate submissions in respect of each jurisdiction (Guernsey and Jersey).
4. Given the purpose of the procedure (i.e. to increase flexibility and reduce overall administrative burden), CICRA's view is that it would not be appropriate to apply it rigidly in all cases, irrespective of complexity. Rather, it should be used only in those cases which are complex and where its use would improve the smooth running of the regulatory process as described above.
5. CICRA is therefore issuing this information note to clarify that the regulatory consultation process set out in CICRA 18/29 will be used only where the complexity of a case requires it. In order to ensure that there is clarity around the procedural steps that will be taken in each case, CICRA will set out at the beginning of each case whether or not it intends to use the pre-statutory process described in CICRA 18/29.

¹ Regulatory Consultation Process – Information Note – CICRA 18/29

² CICRA 18/11

³ Paragraph 5