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Markets do not however function separately from the values and aspirations of the communities and society they operate in. Many of those values and aspirations are in fact supported by the application of competition rules of fair play, recognition of principles such as merit-based competition, and recognising the need for protecting consumers and competition by addressing circumstances where the usual market disciplines are absent. The reflection of the public interest in our markets through government policy plays a pivotal role in guiding direction and priorities in these areas which become more important as markets become increasingly complex. The health of Guernsey's markets is now even more of a critical success factor given the economic context.

On the following pages we restate the direction for the Authority over the 2022-2024 period as we set out at the end of 2021 (What we are here to do), explain our priorities and expand on what this means for the choices we make (Our Priorities). We then explain how we intend to conduct ourselves in delivering our work programme (How we will work).





Our priorities



We will remain alert to possible market failures which could require action, reviewing a range of evidence and engaging with relevant stakeholders in doing so



We will respond to all complaints about anti-competitive behaviour where the complaint is supported by evidence, but only take further action where this is consistent with our prioritisation principles



We will discuss with Government areas for investigation we propose to initiate



In respect of telecoms and electricity, we will enforce licence conditions in a proportionate way

We believe that trust in markets is supported when:

- ✓ the rules are applied equally and impartially
- ✓ consumer perception of value and choice is positive
- ✓ the regulatory framework is transparent, proportionate and adaptable.



How we will work



We will at all times recognise that a **small island economy** has distinctive features which influence the outcomes which are desirable and achievable; where this results in an approach different from that in a larger economy, we will make clear the reasons for this



We will **operate within the law** and adopt best practice in our procedures, but will **promote changes in the law** where there are perceived deficiencies



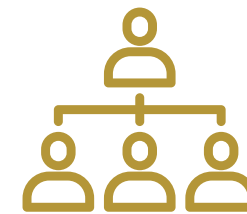
We will work to **clear administrative timetables**, and be **transparent** about the reasons for any necessary changes



We will be clear about the **principles** we will adopt in deciding whether to take action in a particular case



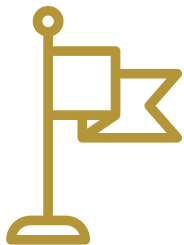
Where we take action, we will be **clear about the detriment resulting from inaction**, and the potential improvements that our action could bring



Where different **stakeholders have different objectives**, we will be clear about how we have taken those differences into account in our final decision



We will **engage with all relevant stakeholders**, including Government, businesses, and individual consumers to understand concerns and to ensure that there is proper understanding of our role and approach; but in return we will expect stakeholders to engage constructively with us



We will **report regularly** on our activities

Our prioritisation principles are:

- ✓ **Actionable.** We consider whether we have the necessary legal powers to properly assess and address the nature of the concerns that have arisen. The powers given by legislation as well as the absence of powers are all relevant in considering whether the Authority has the legal means to proceed in considering matters that may arise.
- ✓ **Realistic.** A small jurisdiction competition authority like the GCRA needs to carefully weigh up whether the benefits of prohibiting certain transactions are realistically achievable through enforcement action. Even where it has the legal powers to do so, the practicalities of carrying out investigations and taking action and whether our actions will have sufficient impact are factors we take into consideration in deciding whether to take a matter forward.
- ✓ **Meaningful.** We want to be as sure as we can that any action taken has a net positive benefit to the functioning of local markets, mindful of the fact that any intervention – or indeed not intervening at all - will have some cost.

There are a range of customer protection issues and assistance sought by consumers from time to time that are not within the GCRA's remit and other bodies provide the primary forum for dealing with these matters. In Guernsey, the States of Guernsey's Trading Standards Services, the Financial Ombudsman, and the Citizens' Advice Bureau have different purposes and powers which support consumers. The GCRA does not generally deal with individual consumer issues in the sectors it regulates, such as equipment failures or contractual disputes between consumers and providers. The setting of health and safety standards for mobile mast emission levels are for example set by the States of Guernsey and the GCRA's role is to conduct audits to ensure mobile providers comply with such standards. In some cases, the GCRA may act to protect consumers where it becomes apparent there is a systemic problem affecting the market, such as a pattern of issues that suggest the market is not working sufficiently well. On the other hand, certain areas of the GCRA's remit do not allow for discretion, for example, GCRA has a duty to investigate mergers and acquisitions that meet the relevant statutory tests, to undertake market investigations requested by relevant departments, to defend its decisions where there are regulatory appeals, and to consider and respond to complaints related to industries it regulates.

