



BUSINESS TELECOM LIMITED

T1699G

DECISION
(PROPOSED DIRECTION)

Date: 25/09/2026

Guernsey Competition & Regulatory Authority
Suite 4, 1st Floor,
La Plaiderie Chambers, La Plaiderie,
St Peter Port,
Guernsey, GY1 1WG
www.gcra.gg

Contents

1. Summary	3
2. Structure of this document.....	3
3. Legal background	3
4. Assessment	4
5. Decision	5

1. SUMMARY

- 1.1 This document sets out the Guernsey Competition and Regulatory Authority's ("**GCRA**") decision ("**Decision**") regarding a statutory direction it proposed to give to Business Telecom Limited ("**Newtel**") under section 27 of the Telecommunications (Bailiwick of Guernsey) Law, 2001 (the "**Proposed Direction**"; the "**Telecoms Law**") and which was published on 18 August 2026. A non-confidential version of the Proposed Direction is attached to this Decision as Annex 1.
- 1.2 The GCRA issued the Proposed Direction because Newtel had failed to comply with a requirement to provide to the GCRA responses to the questions set out in Annex A of an information request dated 5 August 2026 and imposed pursuant to s.5(1)(b) of the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001 (the "**Specified Information**"; the "**Statutory Information Request**"; the "**Regulation Law**"). The GCRA required the Specified Information to enable it to carry out its functions and/or exercise its powers¹ under the Telecoms Law in connection with the GCRA's ongoing assessment of the retail broadband market in the Bailiwick of Guernsey.²
- 1.3 In response to the Proposed Direction, Newtel provided the GCRA with the Specified Information. The GCRA will therefore not proceed to issue a final direction to Newtel.

2. STRUCTURE OF THIS DOCUMENT

- 2.1 This document is structured as follows:

Section 3	Outlines the legal background to the Proposed Direction
Section 4	Sets out the GCRA's assessment of whether to proceed to a final direction
Section 5	Contains the GCRA's Decision

3. LEGAL BACKGROUND

- 3.1 Pursuant to s.27 of the Telecoms Law:

"(1) Where the [Authority is satisfied that a licensee is or has been in contravention of -

- (a) any condition of a licence, or
- (b) any provision of, or any provision of a direction under, this Law or the Regulation Law,

[it] may give, and may publish, a direction under this section.

¹ Under s.5(2)(a) of the Telecoms Law

² [T1699G - Broadband Retail Market Review | The Guernsey Competition and Regulatory Authority](#)

[....]

- (3) Before giving a direction under this section to a licensee, the [Authority] shall give to the licensee, and may publish notice, -
- (a) stating that [it] proposes to give a direction under this section to the licensee,
 - (b) detailing the requirements of the proposed direction,
 - (c) Identifying -
 - (i) the condition of the licence, or
 - (ii) the provision of the direction, of this Law or of the Regulation Law,in respect of which, in the opinion of the [Authority], the licensee is in contravention.”
- (4) Notice under subsection (3) stating that the [Authority] proposes to give a direction under this section to a licensee shall specify the time (not being less than 7 days from the date of the giving of the notice, except in cases of exceptional urgency, in which case as much notice as it reasonably practicable shall be given) within which written representations or objections in respect of the proposed direction may be made by the licensee or (where the notice is published) by any interested party ; and the [Authority] shall -
- (a) before giving the direction, consider any representations or objections received within the relevant period from the licensee or (where the notice was published) from any interested party,
 - (b) having followed the procedure set out in subsection (3) and in this subsection, give the direction, or not give the direction, and publish notice of the fact.”

4. ASSESSMENT

- 4.1 For the reasons set out in full in the Proposed Direction, the GCRA proposed to direct Newtel to provide it with the Specified Information. In accordance with the procedure set out in s.27 of the Telecoms Law, the Proposed Direction was published, and notice of that fact given, on 18 August 2026, with a deadline for written representations or objections of 26 August 2026.
- 4.2 On 26 August 2026, Newtel provided the Specified Information to the GCRA. It follows that there is no reason for the GCRA now to direct Newtel to provide it with the Specified Information since Newtel has already done so.

5. DECISION

- 5.1. Having followed the procedure set out in s.27(3), (4) of the Telecoms Law, and for the reasons set out in paragraph 4.2 above, the GCRA has decided not to give the direction set out in the Proposed Direction
- 5.2. Notice of this Decision will be published in *La Gazette Officielle* and a copy of the Decision will be placed on the Authority's website: www.gcra.gg.

Annex 1



BUSINESS TELECOM LIMITED

T1699G

PROPOSED DIRECTION

NON-CONFIDENTIAL

Date: 18/08/2026

Guernsey Competition & Regulatory Authority
Suite 4, 1st Floor,
La Plaiderie Chambers, La Plaiderie,
St Peter Port,
Guernsey, GY1 1WG
www.gcra.gg

Contents

1. Summary 3

2. Structure of this document..... 3

3. Legal background 3

4. Reasons for the Proposed Direction 4

5. Proposed Direction 5

6. SUMMARY

- 1.4 This document sets out the Guernsey Competition and Regulatory Authority's ("GCRA") proposal to issue a statutory direction to Business Telecom Limited ("**Newtel**") under section 27 of the Telecommunications (Bailiwick of Guernsey) Law, 2001 ("**the Proposed Direction**"; the "**Telecoms Law**").
- 1.5 The GCRA is issuing this Proposed Direction because Newtel has failed to comply with a requirement to provide to the GCRA responses to the questions set out in Annex A of an information request dated 5 August 2026 and imposed pursuant to s.5(1)(b) of the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001 (the "**Specified Information**"; the "**Statutory Information Request**"; the "**Regulation Law**"). The GCRA requires the Specified Information to enable it to carry out its functions and/or exercise its powers³ under the Telecoms Law in connection with the GCRA's ongoing assessment of the retail broadband market in the Bailiwick of Guernsey.⁴

7. STRUCTURE OF THIS DOCUMENT

- 2.2 This document is structured as follows:

Section 3	Outlines the legal background to the Proposed Direction
Section 4	Sets out the reasoning for giving the Proposed Direction
Section 5	Contains the Proposed Direction

8. LEGAL BACKGROUND

- 3.2 Pursuant to s.5(1) of the Regulation Law:

"The [Authority] may, having regard to the provision of section 2, 3 and 4, do anything that appears to [it] to be necessary or expedient for the purpose of exercising [its] functions and powers [under this Law or any Sector Law] and, without prejudice to the generality of the foregoing, [it] shall have power –

[....]

- (b) to require the production of such documents, accounts or information from applicants for licences, licensees and other interested persons in

³ Under s.5(2)(a) of the Telecoms Law

⁴ [T1699G - Broadband Retail Market Review | The Guernsey Competition and Regulatory Authority](#)

relation to utility activities within such time periods or at such intervals as the [Authority] may require.”

3.3 Pursuant to s.5(2), (3) of the Telecoms Law, the Authority has the power to make a decision finding that a person has a dominant position in a relevant market.

3.4 Pursuant to s.27 of the Telecoms Law:

“(1) Where the [Authority is satisfied that a licensee is or has been in contravention of -

- (a) any condition of a licence, or
- (b) any provision of, or any provision of a direction under, this Law or the Regulation Law,

[it] may give, and may publish, a direction under this section.

[....]

(3) Before giving a direction under this section to a licensee, the [Authority] shall give to the licensee, and may publish notice, -

- (a) stating that [it] proposes to give a direction under this section to the licensee,
- (b) detailing the requirements of the proposed direction,
- (c) Identifying -
 - (i) the condition of the licence, or
 - (ii) the provision of the direction, of this Law or of the Regulation Law,

in respect of which, in the opinion of the [Authority], the licensee is in contravention.”

3.5 Licence Condition 5.1 of Newtel’s telecommunications licence (the “**Licence**”) provides that:

“In addition to the Conditions, the Licensee shall comply with:

- (a) any obligation imposed on it by the Law or by any law, regulation, rule or Ordinance; and
- (b) any direction duly issued by the GCRA under the Laws or by any law, regulation, rule, Ordinance or this Licence.”

9. REASONS FOR THE PROPOSED DIRECTION

4.1 The GCRA is currently undertaking a review of the retail broadband market in the Bailiwick. As part of that review, the GCRA is carrying out a forward-looking assessment of competition in the market, including for the purposes of determining whether any person holds a dominant position in a relevant market pursuant to section 5(2), (3) of the Telecoms Law.

- 4.2 On 11 June 2026, the GCRA wrote to Newtel requesting information relevant to that assessment. Newtel was asked to provide the information by 5.00 pm on 1 July 2026. The GCRA subsequently sent reminders and further correspondence to Newtel on 1 July, 8 July and 17 July 2026. Newtel did not provide the information requested or otherwise respond to those communications.
- 4.3 On 5 August 2026, the GCRA sent to Newtel the Statutory Information Request. The Statutory Information Request required the Specified Information to be provided to the GCRA by 5.00 pm on 12 August 2026. Newtel has not provided the Specified Information to the GCRA and has not otherwise responded to, or acknowledged, the Statutory Information Request.

10. PROPOSED DIRECTION

- 5.3. The GCRA hereby gives notice to Newtel that it proposes to give Newtel the following direction pursuant to section 27 of the Telecoms Law.

DIRECTION

1. The Guernsey Competition and Regulatory Authority hereby gives to Newtel the following direction pursuant to section 27 of the Telecommunications (Bailiwick of Guernsey) Law, 2001.
2. For the purposes of this Direction:
 - a. **“Authority”** means the Guernsey Competition and Regulatory Authority;
 - b. **“Direction”** means this direction;
 - c. **“Deadline”** means [DATE TO BE INSERTED];
 - d. **“Newtel”** means Business Telecom Limited, Registration Number CMP54966, of Mont Crevelt House, Bulwer Avenue, St Sampson, GY2 4LH, Guernsey;
 - e. **“Specified Information”** means the answers to the questions set out in Annex A to the Statutory Information Request;
 - f. **“Statutory Information Request”** means the information request dated 5 August 2026 and imposed on Newtel pursuant to s.5(1)(b) of the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001
 - g. **“Regulation Law”** means the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001
 - h. **“Telecoms Law”** means the Telecommunications (Bailiwick of Guernsey) Law, 2001.
3. The Authority directs Newtel to provide to the GCRA the Specified Information by the Deadline.
4. The Specified Information must be sent by e-mail to info@gcra.gg.

- 5.4. The GCRA proposes to give the above direction to Newtel because it has provisionally concluded that Newtel has contravened:
- a. an obligation imposed on it by s.5(1)(b) of the Regulation Law, namely the requirement to provide the Specified Information; and/or
 - b. condition 5 of its Licence, which requires it to comply with any obligation imposed on it by any law.
- 5.5. Interested parties may make written representations or objections in respect of the Proposed Direction. Any such written representations or objections should be sent to info@gcra.gg before 5 p.m. on 26 August 2026
- 5.6. Notice of this Proposed Direction will be published in *La Gazette Officielle* and a copy of the Proposed Direction will be placed on the Authority's website: www.gcra.gg.

A. ANNEX A

[X]