



COMPETITION POLICY AND CONSUMER PROTECTION IN SMALL DEVELOPING ECONOMIES

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ECTEL MEMBER STATES – A SINGLE ICT SPACE

- 5 Member States
 - Dominica, Grenada, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines
- 5 National Telecommunications Regulatory Commissions
- Regional Telecommunications Authority (ECTEL)
- Harmonized regulatory framework
 - licensing, price regulation, interconnection, universal service, spectrum management
- ECTEL to promote
 - open entry and competition
 - Increased telecom service penetration



ECTEL 2012

More information on
ECTEL can be obtained
at www.ectel.int



MERGER EXPERIENCE IN ECTEL STATES

- **No. of small mergers affecting only one Member State**
- **No real change in customer choice/no of service providers offering services**
- **Dominica – C&W/Marpin; Digicel/Sat; Digicel/AT&T (failing firm)**
- **St Kitts & Nevis – Digicel/CCC**
- **Saint Lucia – Columbus/Karib Cable**
- **St Vincent & the Grenadines - Columbus/Karib Cable**

MERGER EXPERIENCE IN ECTEL STATES

- **Major merger affecting a number of Member states**
- **Horizontal Merger**
- **Cable & Wireless and Columbus Communications**
 - **Affected services** – Fixed voice, fixed broadband and sub TV
 - **Concern** – creation of a monopoly provider of affected services
 - **Affected Member States** – Grenada, Saint Lucia, SVG

MERGER EXPERIENCE IN ECTEL STATES

- **Major merger affecting a number of Member states**
- **Vertical Merger**
- **Digicel and Southern Caribbean Fibre**
 - **Affected services** –submarine cable access
 - **Concern** – foreclosure of submarine cable access market
 - Impact on broadband market
 - **Affected Member States** – All 5 States

CHALLENGES IN ADDRESSING MERGERS



- No Competition Law or Authority in the ECTEL Member States
 - Draft Bill being finalized at OECS level.
- Limited Consumer Protection legislation.
- Provisions under Telecoms Act and Regulations for regulating monopoly/dominant service providers.
- Requirement for licensees to notify the Minister of a change of ownership.

REGULATORY RESPONSE TO MERGERS

Competition - future

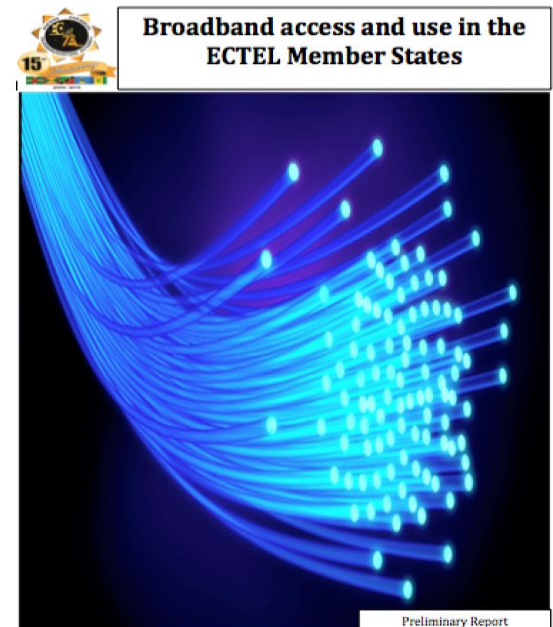
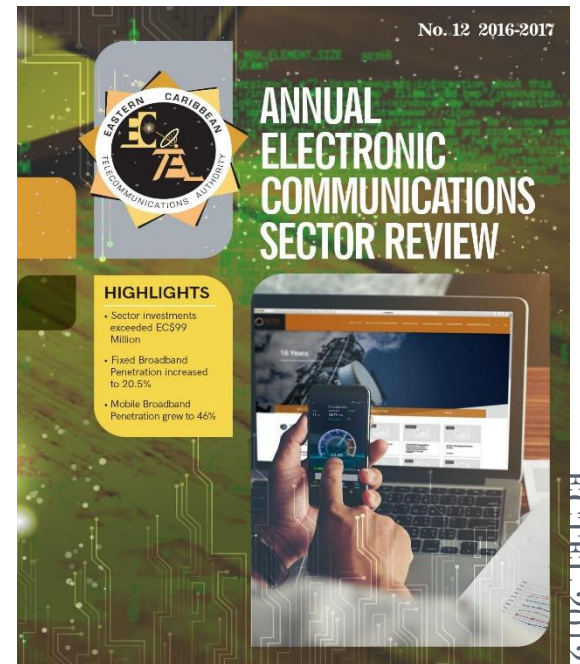
- Proposed changes to Telecoms Act
- New Electronic Communications Bill
- Competition provisions in Bill
- Co-operation with Competition Authorities
- Consumer protection rules

Regulation - now

- Assess affected markets
 - Guidelines for process
- Identify dominant provider
- Identify concerns with prices, QoS, customer choice, innovation
- Price Regulation for affected services with dominant service providers
- Review of customer Terms and Conditions

ECTEL PUBLICATIONS

- *The 2017 Annual Electronic Communications Sector Review*
- *2015 Broadband access and use in the ECTEL Member States*
- Both are available on ECTEL website
 - www.ectel.int
- Contact information: [chector@ectel,int](mailto:chector@ectel.int)





THANK YOU!

QUESTIONS???

COMMENTS!!

