

CARICOM COMPETITION COMMISSION 2017 WORK PROGRAMME – PERFORMANCE

Goal/Objectives	Input	Activities	Output	Outcome/Expected Outcome
PART A- COMPETITION LAW AND POLICY				
Article 173(1) (a) – “apply the rules of competition in respect of anti-competitive cross-border business conduct”	A. Monitoring business activity in the CSME.	<ol style="list-style-type: none"> 1. Continued investigation into the CWC/Columbus Agreement, by engaging <ol style="list-style-type: none"> (a) the National Telecommunication Regulatory Authorities (NTRCs) and ECTEL in the OECS Member States; (b) the parties to the CWC/Columbus Agreement; and (c) interested parties to the Agreement. 2. Extended the timeframe for the completion of the investigation due to delays in submission of data from some stakeholders. 3. Discussion between Barbados FTC and CCC on competition matters of mutual interest 	<ol style="list-style-type: none"> a) At the completion of the investigation, a recommendation will be made by the Investigating Panel to the Chairman regarding whether an offence has been committed, the nature of the offence. (a) Mutual agreement to support work of each agency (b) Exchange of information to support competition assessments 	<ol style="list-style-type: none"> 1. Greater awareness of the role of the Commission in prohibiting anti-competitive cross-border business conduct in the CSME. 2. Increased knowledge by both the public and private sector about anti-competitive business conduct in the CSME. 3. Potential anti-competitive business conduct in CSME addressed. 4. Jurisprudence in the area of competition law further enhanced in the CSME.

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<p>Article 173(1) (a) – “apply the rules of competition in respect of anti-competitive cross-border business conduct”</p>	<p>B. Monitoring business activity in the CSME - Query from regional organisation regarding possible extra-regional anti-competitive business conduct under the Economic Partnership Agreement (EPA)</p>	<p>Conducted research into:</p> <ul style="list-style-type: none"> (a) case law for sector (b) legislative and enforcement framework under EPA 	<ul style="list-style-type: none"> (a) Prepared and submitted written response to the query outlining the legislative, investigative and enforcement framework for matters under the EPA b) 	
	<p>C. Monitoring business activity in the CSME in Collaboration with the Barbados Fair Trading Commission and Jamaica Fair Trading Commission, relating to the beer sector.</p>	<p>4. Draft report submitted to members of CARICOM Competition Network (CCN) for consideration.</p>	<ul style="list-style-type: none"> a) The Commission has a better understanding of the factors driving competition in the beer sector in the CSME. 	<p>1. Competition enforcement guidance for national competition authorities and the Commission for future investigations relating to the beer sector.</p>

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<p>Article 173(1) (b) – “promote and protect competition in the Community and co-ordinate the implementation of the Community Competition Policy;”</p>	<p>D. Collaboration between the CCC and CCN</p>	<p>a) Reviewed the timeframe for conducting research on Product Market Regulatory Indicators (PMIs) in the CSME. b) Discussed preparation of technical proposal for funding of research on PMIs, for submission to the OECD/IADB.</p>	<p>a) Revised scope of the project proposal for funding with OECD/IADB. b) Prepared a draft proposal seeking technical/financial support from the OECD /IADB in order to conduct research into PMIs in the CSME.</p>	<ol style="list-style-type: none"> 1. The development of a database of regulatory practices that affect product market competition in the CSME. 2. The identification of trends in the application of the regulatory practices that impact product market competition in the region. 3. The extent to which the regulatory arrangements in CARICOM impact on the region’s economic growth will be assessed. 4. The indicators will be subject to peer review by national administrators in the Member States as a transparency mechanism.
	<p>E. Report on Intra-CSME domestic exports requested by CCC Commissioners</p>	<p>An analysis of trends in intra-regional domestic exports was conducted by staff of the Commission.</p>	<p>(a) A report of the analysis was drafted for comments by Commissioners.</p>	<ol style="list-style-type: none"> 1. A methodology for identifying priority sectors for market studies using trade data was developed.

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<p>Article 173 (2) (c) - “promote the establishment of institutions and the development and implementation of harmonized competition laws and practices by the Member States to achieve uniformity in the administration of applicable rules”</p>	<p>F. Collaboration between the CCN, and the banking sectors in Suriname and Guyana.</p>	<p>a) Analyzed data received from the banking sectors in Suriname and Guyana.</p>	<p>a) Draft Report completed for internal review by the Commission.</p>	<p>1. Increased knowledge and understanding about the state of competition in the commercial banking sector in Guyana and Suriname.</p>
	<p>G. Collaboration between the Commission and the Guyana Competition and Consumer Affairs Commission (CCAC).</p>	<p>a) Discussions held with the Director of CCAC regarding training for staff and Commissioners of the CCAC, on CCC’s Rules of Procedure, as well as legal doctrines supporting Rules in CARICOM Member States.</p>	<p>a) Completed presentation for training of staff and Commissioners of the CCAC on CARICOM Competition Policy specific to Guyana.</p>	<p>1. Increased awareness by the CCAC regarding the CC’s Rules of Procedure, and CARICOM Competition Policy.</p>

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	H. Review of the progress made by the Member States in the implementation of the legal and institutional framework for the enforcement of competition policy.	a) Research undertaken to identify and collate technical reports to support approval and establishment of the OECS Eastern Caribbean Competition Commission (ECCC).	a) Technical reports submitted to OECS Commission.	1. OECS Commission in a better position to make a determination about the establishment and operation of the ECCC.
	I. CARICOM Competition Network Meeting convened	The 4 th CCN meeting was held in May 2017. During the meeting the CCN had dialogue with the US Federal Trade Commission (FTC) and the US Department of Justice (DOJ).	(a) A detailed proposal to be prepared by the CCN and submitted to the US FTC and US DOJ regarding areas for knowledge sharing and experiences, using an online platform.	1. Increased opportunities for collaboration with the US FTC and US DOJ; and 2. Opportunities for capacity building for the CCN in competition law enforcement.
Article 173 (2) (e) “cooperate with competent authorities in the Member States	J. Coordinated actions between the Commission and the NCAs through the forum of the CCN on collection of data from commercial banks in their respective member states.	a) Prepared papers for the 2017 Annual Meeting of the Latin American and Caribbean Competition Forum (LACCF) in Nicaragua on the following themes: i. Addressing competition challenges in financial markets.	a) Papers submitted to the LACCF Secretariat for publishing on meeting web page. i. Financial markets https://one.oecd.org/document/DAF/COMP/LACF(2017)26/en/pdf	1. Strengthening the relationship between CCN members in CARICOM.

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<p>Article 173 (2) (e) Cont'd</p>	<p>K. Interaction with OECD/LACCF Secretariat to get feedback on submissions from CCN</p>	<p>ii. Merger Control in Latin America and the Caribbean - Recent Developments and Trends.</p> <p>b) Prepared PowerPoint presentation highlighting major findings of the research into competition in the commercial banking sector and the interactions between competition authorities and sector regulators in CARICOM</p>	<p>ii. Mergers and Acquisitions</p> <p>https://one.oecd.org/document/DAF/COMP/LACF(2017)26/en/pdf</p> <p>iii) PowerPoint on research findings into commercial Banking sector</p> <p>https://www.slideshare.net/OECD-DAF/interactions-between-competition-authorities-and-sector-regulators-in-caricom-kusha-haraksingh-2017-latin-american-and-caribbean-competition-forum</p>	<p>L. Strengthening the relationship between NCAs in CARICOM and Latin America through knowledge sharing.</p>

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<p>Article 173.2 (h) “develop and disseminate information about competition policy, and consumer protection policy”</p>	<p>L. CARIFORUM Secretariat EPA implementation unit 10th EDF project “ Capacity Building within the CARIFORUM in the areas of competition, public procurement, and customs and trade facilitation in support of the implementation of the CARIFORUM-EU Economic Partnership Agreement (EPA)’ project.</p>	<p>a) Prepared training materials on the basics of competition law and policy, and delivered Level 1 Training to Parliamentarians in Guyana in February 2017.</p> <p>b) Completed presentation for prepared for Level 1 Training for the Bahamas</p>	<p>a) Parliamentarians sensitized/trained in the basics of competition law and policy as it pertains to national and regional development.</p> <p>b) Commission prepared to deliver training workshop in the Bahamas, when a date is agreed by the stakeholders.</p>	<p>1. Increased awareness about the importance of competition for the proper functioning of national and regional markets.</p>
	<p>M. Collaboration between the Commission and the Suriname Chamber of Commerce (KKF).</p>	<p>a) Convened a meeting with representatives of KKF to discuss the needs of its members with respect to training in the area of Community Competition policy</p>	<p>a) Prepared presentation for future training of KKF members.</p>	<p>1. Increased awareness by the Commission about the needs, concerns and interests of the business community in Suriname.</p> <p>2. Members of the business community in Suriname trained/sensitized in the area of competition law and policy.</p> <p>3. Strengthened relationship between the Commission and the business sector in Suriname.</p>

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	<p>N. Collaboration between the Anton De Kom University of Suriname Economics Department and the Commission.</p>	<p>(a) Presentation prepared about the role of the Commission in promoting the CSME .</p> <p>b)</p>	<p>(a) Presentation delivered to students and lecturer of the Anton De Kom University of Suriname</p> <p>(b) Question and Answer session regarding presentation and the role of Commission in the CSME</p>	<p>1. Greater awareness of the role of the Commission in prohibiting anticompetitive cross-border business conduct in the CSME and from extra-regional sources.</p> <p>4.</p>
	<p>O. Queries from various stakeholders emanating from the Level 1 training in competition policy delivered in 12 Member States in 2016 by the Commission</p> <p>P. Query from the Caribbean association of Banks regarding competition in banking sector</p>	<p>a) Compiled and placed on the Commission’s website, a list of frequently asked questions (FAQ) about the interaction between competition policy and trade policy.</p> <p>b) http://www.caricomcompetitioncommission.com/en/faq</p> <p>a) Conversation on the impact of the non-bank (micro-lenders) on the financial sector</p> <p>b) Provision of information to the CAB on competition in the banking sector developed by the CCN</p>	<p>a) Stakeholders now have greater knowledge with respect to the similarities and differences between competition policy and trade policy.</p> <p>a) Commitment to further discussion regarding the influence of non-bank financial sector on commercial banks and the impact and effect on consumer</p>	<p>1. Stakeholders better equipped to handle matters pertaining to competition policy and trade policy, with respect to seeking redress.</p> <p>1. Greater awareness of the role of the Commission in prohibiting anticompetitive cross-border business conduct in the CSME and from extra-regional sources.</p>

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PART B- CONSUMER WELFARE AND PROTECTION				
Article 186 – “provide support in the promotion of consumer welfare and protection of consumer interests”.	P. Collaboration with national government consumer organisations and consumer NGOs in Member States to promote World Consumer Rights Day (WCRD) 2017.	<ul style="list-style-type: none"> a) Prepared, and published on the Commission’s website , a statement for WCRD 2017 based on the theme “Building a digital age consumers can trust”. b) Compiled, and published on the Commission’s website, a list of regional activities executed by National Consumer Organisation and NGOs in support of WCRD 2017. c) Participated in a celebration for WCRD 2017 in Suriname, hosted by Consumentenkring in cooperation with the Telecommunications Authority of Suriname (TAS) and the Ministry of Industry and Commerce, Suriname. 	a) Raised awareness in Suriname and the CARICOM Member States about the importance of consumer rights, specifically about the importance of the rights of consumers in a digital environment.	1. The need to implement/strengthen measures nationally and regionally, relating to consumer issues in a digital environment.

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PART C – REGIONAL/INTERNATIONAL COOPERATION				
Article 173(1) (b) – “promote and protect competition in the Community and co-ordinate the implementation of the Community Competition Policy;”	Q. Latin American and Caribbean Competition Forum	Attended and presented at the Latin American and Caribbean Competition Forum held in Nicaragua from 4-5 April, 2017.	(a) Presented Power Point on banking and interaction between competition and sector regulators https://www.slideshare.net/OECD-DAF/interactions-between-competition-authorities-and-sector-regulators-in-caricom-kusha-haraksingh-2017-latin-american-and-caribbean-competition-forum (b) The Commission received a letter of recognition from the OECD and IDB for its contribution to the session on competition challenges in the financial sector.	1. Increased opportunities for collaboration between the competition agencies in the region and those outside of the region, e.g. US FTC and the national competition authorities of Mexico and Brazil.
	R. Proposal for IDB-OECD Competition Law and Policy Peer Review of National Competition Authorities (NCAs) in Barbados and/or Guyana	The Commission held discussions with the OECD and IDB on the possibility of peer reviews of the competition frameworks of Barbados and/or Guyana, for the 2018 Latin American and Caribbean Competition Forum.	(a) A detailed report on the state-of-play regarding competition enforcement in the selected country and recommendations on strengthening the enforcement activities of the national competition authority.	1. Strengthening of competition framework of the selected countries.