

[NAME AND ADDRESS]

SUBJECT: CASE NO ____; [PRODUCT/SERVICE]

REQUEST FOR INFORMATION

DEAR SIR,

AN INVESTIGATING PANEL OF THE COMMISSION IS CURRENTLY INVESTIGATING ALLEGED ANTI-COMPETITIVE BEHAVIOUR WHICH HAS CROSS-BORDER EFFECTS WITHIN THE CARICOM SINGLE MARKET AND ECONOMY (CSME). IF THE EXISTENCE OF SUCH BEHAVIOUR WERE TO BE CONFIRMED, IT MIGHT CONSTITUTE AN INFRINGEMENT OF [STATE THE RELEVANT NATIONAL LEGISLATION IMPLEMENTING ARTICLE 177 OF THE REVISED TREATY OF CHAGUARAMAS ESTABLISHING THE CARIBBEAN COMMUNITY INCLUDING THE CARICOM SINGLE MARKET AND ECONOMY (“THE TREATY”)].

THIS LETTER IS A FORMAL REQUEST FOR INFORMATION MADE PURSUANT TO RULE 5 OF THE CARICOM COMPETITION COMMISSION RULES OF PROCEDURE 2011 AND THE FOLLOWING NATIONAL LEGISLATION [SET OUT RELEVANT NATIONAL LEGISLATION GIVING THE COMMISSION POWER TO REQUEST INFORMATION]. THESE PROVISIONS EMPOWER THE COMMISSION TO REQUIRE ENTERPRISES AND ASSOCIATIONS OF ENTERPRISES TO PROVIDE ALL NECESSARY INFORMATION WHETHER OR NOT THEY ARE SUSPECTED OF AN OFFENCE.

THE INFORMATION YOU ARE REQUESTED TO PROVIDE IS SET OUT IN ANNEX I, WHICH FORMS AN INTEGRAL PART OF THIS FORMAL REQUEST. THIS INFORMATION WILL ENABLE THE COMMISSION TO ASSESS WHETHER A BREACH OF THE TREATY HAS BEEN COMMITTED IN FULL KNOWLEDGE OF THE FACTS

AND IN THEIR CORRECT ECONOMIC CONTEXT. YOU ARE INVITED TO MAKE ANY REPRESENTATION YOU CONSIDER APPROPRIATE TO ASSIST THE INVESTIGATING PANEL IN FORMULATING ITS ASSESSMENT.

YOUR REPLY TO THIS REQUEST MUST REACH THE INVESTIGATING PANEL NO LATER THAN [DATE].

YOU ARE ASKED TO INDICATE WHICH PARTS OF YOUR REPLY CONTAIN CONFIDENTIAL INFORMATION WITHIN THE MEANING OF ARTICLE 170(4) OF THE TREATY. WE MAY CONTACT YOU LATER FOR A NON-CONFIDENTIAL ABRIDGED VERSION OF SUCH INFORMATION IF WE NEED TO PRODUCE IT IN A PUBLIC HEARING BEFORE AN ADJUDICATING PANEL OF THE COMMISSION.

PLEASE CONFIRM RECEIPT OF THIS REQUEST WITHOUT DELAY BY [TELEFAX/EMAIL/ ETC. GIVE DETAILS]

PLEASE ADDRESS YOUR REPLY TO [NAME AND ADDRESS] BY [SEALED MAIL PACKAGE/OR OTHER DETAILS].