CARICOM COMPETITION COMMISSION 2016 PERFORMANCE

Goal/Objectives	Input	Activities	Output	Outcome
	FITION LAW AND POLICY Monitoring business activity in the CSME.		At the completion of the investigation, a	1. Greater awareness of the role of the Commission in prohibiting anticompetitive crossborder business conduct in the CSME. 2. Increased knowledge by both the public and
			held into the matter.	private sector about anti-competitive business conduct and its consequences in the CSME. 3. Potential anti-competitive business conduct in the CSME addressed. 4. Jurisprudence in the area of competition law further enhanced in the CSME.

Goal/Objectives	Input	Activities	Output	Outcome
Article 173(1) (b) - "promote and protect competition in the Community and co-ordinate the implementation of the Community Competition Policy;"	A. 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.	 Level 1 Sensitization workshops: held in the following 12 CARICOM Member States: Antigua & Barbuda, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, Saint. Lucia, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago. Level 2 sensitization workshop held in Trinidad and Tobago for representatives of a) Bahamas b) Barbados c) Jamaica d) Trinidad and Tobago. 	(i) 378 participants trained in competition law; trade policy including the EPA; CCC rules of procedure; legal and institutional framework for competition law enforcement in CSME. 37 % from the private sector, academia and NGOs; and 63% from the public sector.	 Commission received an increased number of queries and complaints from stakeholder groups about markets as a result of the training. Cross-border complaints arising from the EPA agreement explained.
			(ii) Media interviews on television in Member States broadcast on television and media websites.	Raised the profile of the Commission through national media exposure of training events.

Goal/Objectives	Input	Activities	Output	Outcome
Article 173(1) (b) cont'd	B. Monitoring business activity in the CSME.	Research into the applicability of leniency programmes in the CSME for anti-cartel enforcement.	A document prepared and published by the OECD which highlights the requirements for the region to implement an effective leniency programme for anticartel enforcement.	The need for a policy paper to inform discussion about the implementation of leniency programmes in the CSME.
	C. Monitoring business activity in the CSME. Collaboration with the Barbados Fair Trading Commission and Jamaica Fair Trading Commission.	Market research into the beverage sector of the CSME viz. a) Examination of beer consumption and consumer reaction to changes in beer prices. b) Application of price tests to delineate the relevant product market for beer. c) Survey of the views of beverage companies in the CSME.	A better understanding of the factors driving competition in the beer sector in the CSME.	Competition enforcement guidance for national competition authorities and the Commission for future investigations relating to the beverage sector.
	D. Consultancy to strengthen CSME regulatory and market regimes project.	Meeting to discuss the options for the OECS Member States to meet their obligations under Chapter 8 of the RTC for the establishment of a national competition authority.	The legal, administrative, political and economic challenges which the various options pose for OECS Member States in meeting these national obligations were highlighted.	The Commission expects that a decision regarding a competition regime for the OECS will be made by the final quarter in 2016 and that the legal, institutional and administrative arrangements will be in place in 2017 to facilitate a fully functional competition regime.

Goal/Objectives	Input	Activities	Output	Outcome
Article 173(1) (b) cont'd	E. Invitation by Suriname's Chamber of Commerce (KKF) to a panel discussion on "Trade and Competition"	The Commission participated in a panel discussion on "Trade and Competition" along with representatives from the Ministry of Trade and Industry in Suriname.	Participants gained a better understanding of the Commission's role in regulating intra-regional trade, and the fact that the Commission's jurisdiction is limited to anti-competitive cross-border business conduct of enterprises, whereas policy matters relating to trade between countries is the sole responsibility of Member States.	1. With respect to a live example which was provided by a member of the audience and which affected trade between Suriname and another CARICOM Member State, The Commission advised that the matter be referred to the COTED for consideration, given that the parties were unable to reach a resolution through bilateral consultations. 2. The need for greater advocacy about the differences between the application of competition law and trade policy- This was addressed in the Level1 Training.

Goals/Objectives	Input	Activities	Output	Outcome
Article 173(1) (b) cont'd	F. Request by the Guyana Competition and Consumer Affairs Commission (CCAC) for information regarding the mechanism for transferring cases of a cross-border nature to the Commission.	Discussions were held with the staff of the (CCAC) regarding the mechanism for transferring cases with a possible cross-border effect to the Commission, using a document prepared by the Commission entitled "Draft Guidelines for National Competition Authorities on Referring Cross- Border Cases."	The staff of the CCAC now better equipped to transfer potential cases of a crossborder nature to the Commission.	 The "Draft Guidelines for National Competition Authorities on Referring Cross- Border Cases" will be discussed and amended as necessary through consultations with other NCAs and competent authorities in the CSME. More cases with a possible cross- border effect will be brought to the attention of the Commission.

Goal/Objectives	Input	Activities	Output	Outcome
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"	A. In collaboration with the CARICOM Secretariat CSME Unit, the Commission completed the final working document to guide the establishment and operation of the CARICOM Competition Network (CCN).	1. The inaugural virtual meeting of the CCN was held in July 2016. 2. A second meeting was held in September 2016. An update was given on developments in Community Competition Law viz. proposed amendments to Chapter 8 of the RTC; Merger Review Policy; Possible Rules of Procedures for NCAs; Administrative and procedural practices for enforcement of Community Competition Law.	Consultation, research, and development and sharing of best practices for competition enforcement among NCAs and competent authorities with responsibility for competition policy and law in Member States in the CSME, and the Commission.	1. Promotion of the harmonization of competition enforcement in the region to minimize incompatible outcomes in CARICOM Member States. 2. Anti-competitive business conduct in the CSME better addressed. 3. Predictability for businesses with regard to competition enforcement in the CSME.

Goals/Objectives	Input	Activities	Output	Outcome
Article 173 (2) (c) cont'd	B. Informal information/requests from NCAs regarding business conduct with the potential to infringe upon provisions contained in Chapter 8 of the RTC.	The Commission prepared Draft Guidelines with a view to ensuring that alleged anticompetitive crossborder cases are not injudiciously referred to the Commission by NCAs, but are instead based on the required and sufficient legal and economic evidence which suggests that an infringement under Articles 177 or 179 of the RTC has occurred, or is occurring, and is therefore under the jurisdiction of the Commission.	(i) The Draft Guidelines have already been discussed with the Guyana CCAC, regarding the transfer of cases with a possible cross-border effect to the Commission. (ii) The Draft Guidelines will be circulated to the Member States for feedback before being finalized and placed on the Commission's website.	 Greater clarity and predictability regarding the economic and legal analysis required by the NCAs prior to referring an alleged anticompetitive crossborder case to the Commission. The Guidelines will enhance the competition enforcement process in the region, as it pertains to the management of crossborder cases.

Goal/Objectives	Input	Activities	Output	Outcome
PART B- CONSUMER Article 186 – "provide support in the promotion of consumer welfare and protection of consumer interests".	•		Raised awareness in Suriname and the CARICOM Member States about the importance of consumer rights, specifically about the theme for WCRD 2016 "Antibiotics off the menu".	The need to implement measures both at the national and regional levels to address the overuse of antibiotics in food animals, and monitor food of animal origin.

Goal/Objectives	Input	Activities	Output	Outcome
Article 186 cont'd	B. Consultations with Member States regarding a mechanism to deal with the enforcement of cross-border consumer matters.	The Commission drafted and circulated a Cooperation Agreement ("the Agreement") for the consideration of national consumer protection agencies in the CSME.	Creation of a formal mechanism to deal with cross-border consumer protection matters.	Clarity and transparency in handling consumer protection matters of a cross-border nature.
	C. Collaboration with the CSME Unit.	Meeting of the CARICOM Consumer Working Group on Policy.	Participants gained a better understanding and provided feedback on the following policy documents: a) Revised CARICOM Consumer Protection Policy; and b) CARICOM Regional Policy on the CARREX (CARICOM Rapid Alert System for the Exchange of Information on Dangerous (Non-Food) Consumer Goods.	Development of policies to guide consumer welfare and protection in the CSME.

Goal/Objectives	Input	Activities	Output	Outcome
Article 186 cont'd	D. CARICOM Secretariat CSME 10th EDF Consultancy Projects to strengthen the CSME Regulatory and Market Regimes.	Meeting of the Project Review Committee (PRC) to review submissions on the following research papers: a) Study on Price Controls in the CSME. b) Market Transparency Study.	 (i) A comprehensive assessment of how, and to what extent price control on consumer goods is implemented in the CSME, and the economic impacts of price control. (ii) An analytical report of how and to what extent the CSME Member States are enhancing market transparency in the region including recommendations to improve market transparency. 	 Implementation of comprehensive recommendations to enhance consumer protection policies aimed at ensuring fair prices for consumers and producers in the region. Implementation of appropriate policies for the mitigation of unfair trade practices, and the harmonization of approaches across the CSME in order to enhance consumer welfare in the region.
	E. Collaboration with the CARICOM Secretariat CSME Unit, government consumer agencies, national consumer NGOs.	 Second Regular meeting of CARICOM Consumer Officials including National Consumer NGOs and National Consumer Protection Agencies (NCPAs). Fourth Meeting of Consumer Officials. 	 (i) Information from individual Member States regarding needs assessments was collected to finalize a comprehensive needs assessment of all government and NGO Consumer Groups in the CSME. (ii) Draft Table of Contents for the Consumer Protection Manual. 	 Finalized Needs Assessment Report used by some Member States to support access to 10th EDF funds for the provision of technical assistance and equipment, to support NCPAs execution of their mandates. Consumer Protection Enforcement Manual which reflects a CARICOM Perspective on practices and methods to facilitate consumer redress.

Goal/Objectives	Input	Activities	Output	Outcome				
PART C- REGIONAL/II	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;"	A. Collaboration with the World Bank Group and the Regional Center for Latin America (CRCAL).	Distributed questionnaire to BFTC and JFTC, and collated responses for submission to the World Bank.	(i) A Regional Comparative Study on the Regulatory Frameworks for Competition Policy in Latin America and the Caribbean outlining the legislative and enforcement practices in Latin American and Caribbean countries. (ii) Development of a comprehensive database on national laws and enforcement practices in Latin America and Caribbean countries.	Strengthening of competition policy enforcement framework in Latin America and the Caribbean.				
	B. International Competition Network Agency Effectiveness Working Group (AEWG) Project.	The Commission joined the AEWG Website and Social Media Project 2016-2017, to examine how competition agencies communicate externally via social media and their websites.	The aim of the project is a comparative overview addressing questions such as what types of social media are used, how are they used, what value do the agencies get from their use, and what are common, useful components of agency web sites.	Guidance for competition agencies in CARICOM on their use of social media to promote competition law and policy in the CSME.				

Goal/Objectives	Input	Activities	Output	Outcome
	C. Collaboration with the Organisation for Economic Cooperation and Development (OECD) and the Inter American Development Bank (IADB).	A conference call was initiated by the Commission with officials of the OECD and IADB.	The need for a greater participation of the NCAs in the activities of the Latin America and Caribbean Competition Forum (LACCF).	Preparation of a project proposal to fund capacity building for the technical staff and Commissioners of the NCAs in the CSME, and the Commission.

CARICOM COMPETITION COMMISSION 2017 WORK PROGRAMME

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
JANUARY - MARCH			
January	A. Continue to provide support to Member States throughout the year, in the establishment of their Competition Regimes-Article 173.2 (c) and (d).	Provide technical assistance to the relevant authorities in the Member States towards the establishment and full functioning of their National Competition Authorities: i) Belize i) Guyana –merger control regulations, rules of procedures for competition and consumer protection investigation and adjudication ii) OECS - The Eastern Caribbean Competition Commission (ECCC) iii) Suriname iv) Trinidad and Tobago	Enhancement of the competition enforcement process in the CSME.
	B. In accordance with Article 173.2 (h) to keep the public informed on competition and consumer protection policy.	 i) Deliver Level 1 Training to Parliamentarians in the Member States. ii) Deliver in-country and online region wide Level 2Training programme in Competition Policy to key stakeholder groups such as business, government ministries/agencies, consumers, professional organisations, media and the legal community on: (a) Developments in Community Competition Policy and Law (b) Internal Guide to CCC Administrative Procedures in the Assessment and Investigation of Competition Complaints (c) Economics of Competition and case analysis (d) Enforcement procedures - CCC Rules of Procedure (e) Training on specific areas of interest to each Member State. 	 Increased awareness by all stakeholder groups about the importance of competition for the proper functioning of markets. Increase in the number of complaints of a cross-border nature brought to the attention of the Commission.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
FRAME		iii) Deliver Level 1 Training to the Bahamas – 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.	3. Support the Bahamas in raising awareness of the CARIFORUM-EU Economic Partnership Agreement (EPA)" project and the competition provision under the EPA.
February	C. Co-operation with competent authorities in the Member States as required under Article 173	 (i) Meetings of the CARICOM Competition Network to consider: (a) Harmonization of investigation procedures. (b) Administrative and legislative barriers to efficiency in competition investigations. (c) Information exchange among national competition authorities and between NCAs and the Commission. 	 Promotion of harmonization of competition enforcement in the region to minimize incompatible outcomes in CARICOM Member States. Predictability for businesses with regard to competition enforcement in the CSME.
		(ii) Coordinate participation of the NCAs in the annual meeting of the Latin American and Caribbean Competition Forum.	Strengthen relationships between the NCAs in Latin America and CARICOM.
	D. To carry out functions under Article 173.2 (e) and (h)	Continue to participate as a member of the Project Steering Committee (PSC) on the 10 th EDF funded "Strengthening the CSME Regulations and Market Regimes" project for: (a) Development of Consumer Policies in CARICOM. (b)The Re-convened Task Force on merger policy for CSME; amendments to Chapter Eight of the RTC; and implementation and enforcement of provisions of Chapter Eight.	 Harmonization of consumer policies in CARICOM. Development of updated best practice in the areas of competition law and policy and consumer protection and welfare.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
	E. Promote and protect competition in the Community and coordinate the implementation of the Community Competition Policy under article 173.2(b)	(i) Continue work towards development of Product Market Indicators (PMI) for CARICOM Member States with the support and collaboration of the Caribbean Competition Network, government institutions and key stakeholder groups from private and nongovernment sectors.	 The development of a database of regulatory practices that affect product market competition in Member States. The identification of trends in the application of the regulatory practices that impact on product market competition in the region. The extent to which the regulatory arrangements in CARICOM impact on the region's economic growth will be assessed. The indicators will be subject to peer review by national administrators in the Member States as a transparency mechanism.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
		(ii) Examine competition in the banking sector of Guyana and Suriname.	Increased knowledge and understanding about the state of competition in Guyana and Suriname. This knowledge can be compared with other Member States where competition assessments of the banking sector have already been completed, in order to gain further insights about the financial services sector in the CSME.
March	F. Facilitate the exchange of relevant information and expertise under article 173.2 (g)	(i) Continue to write and publish articles on Competition law and policy and consumer protection for publication in national and regional newspapers and online media, websites and international media. (ii)Public service announcements via different media streams.	 Increased awareness by all stakeholder groups about the importance of competition for the proper functioning of markets. Increase in the number of complaints being reported to both NCAs and the Commission with respect to possible anti-competitive business conduct. Raise the profile of the Commission in the region.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
FRAME	OBJECTIVES	(iii) Execute training sessions with media workers and media companies in CARICOM Member States to develop awareness and increase knowledge about Community and national competition law and consumer protection via video conference or in-country where possible.	Improvement in the reporting standard of articles which address competition issues in the CSME with regard to competition cases and allegations.
APRIL TO JUNE			
April	G. Facilitate the exchange of relevant information and expertise in Consumer Protection and Welfare under Article 173.2 (f), (g) and (h)	Online Webinars with the Consumer Research Working Group and the Regular Sessions of Consumer Officials on topics of interest (a) Financial services (b) Price control mechanisms (c) CARREX (d) Utility regulation	Further development of regional capacity and expertise in consumer protection and welfare in the CSME.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
May	H. Conduct research and collect and collect and collate information in respect of matters affecting the interests of consumers -Article 186.1 (h)	Chair the Consumer Research Working Group to promote the elements of Article 185 in Member States through data driven advocacy on: (a) Establishment of a Regional Complaints Database (b) Presentations using web-based platforms from NCAs and NGOs to share experiences on data collection, analysis, and dissemination of consumer protection information. (c) Development of a manual for handling data on consumer complaints – CARICOM Consumer Protection Data Collection Manual	 Development of policies to guide/enhance consumer protection and welfare in the CSME. Further development of standard operating procedures for handling consumer complaints.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
June	I. Towards building regional capacity and expertise in Competition Law and Consumer Protection under Article 173.2 (g) and (h).	 (i) Review and evaluate existing regional consumer protection research proposals: (a) Determine the relevancy or priority of areas of research (i.e. agreeing on whether the research should be conducted and time line for doing so. (b) Refine research goals and methodology; and (c) Identify ways to bring the research to fruition including funding of research, and support from Research Working Group Members on participation in the research process, etc. (ii) Deliver region wide in-house and online Level 2Training programme in Competition Policy to key stakeholder groups such as business, government ministries/agencies, consumers, professional organisations, media and the legal community on: (a) Developments in Community Competition Policy and law (b) Internal Guide to CCC Administrative Procedures in the Assessment and Investigation of Competition Complaints (c) Economics of Competition and case analysis (d) Enforcement procedures (e) Training on specific areas of interest to each Member State 	Development of policies to enhance consumer protection and welfare in the CSME. 1. Increased awareness by all stakeholder groups about the importance of competition for the proper functioning of markets. 2. Increase in the number of complaints of a cross-border nature brought to the attention of the Commission.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
JULY TO SEPTEMBER			
July	J. Conduct research and collect and collect and collate information in respect of matters affecting the interests of consumers- Article 186.1(h).	Meeting of the Consumer Research Working Group on: (a) Financial Services – Service fees, financial education (b) Utility regulation – standards of service.	Development of policies to guide/enhance consumer protection and welfare in the CSME.
August	K. Co-operation with competent authorities in the Member States as required under Article 173.2 (e) and (f).	Meetings with the Re-convened Taskforce on Chapter Eight of the Revised Treaty of Chaguaramas (a) CSME Merger Policy (b) CSME Merger provisions (c) Chapter 8 of the RTC – amendments to competition Provisions.	 Development of updated best practice in the areas of competition law and policy and consumer protection and welfare. Finalized amendments Presented to COTED on: (a) Chapter 8 of the RTC incorporating merger provisions. (b) CSME Merger guidelines.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
September	L. Towards building regional capacity and expertise in Competition Law and Consumer Protection under Article 173.2 (g) and (h).	 (i) Deliver region wide in-house and online Level 2 Training programme in Competition Policy to key stakeholder groups such as business, government ministries/agencies, consumers, professional organisations, media and the legal community on: (a) Developments in Community Competition Policy and law (b) Internal Guide to CCC Administrative Procedures in the Assessment and Investigation of Competition Complaints (c) Economics of Competition and case analysis (d) Enforcement procedures (e) Training on specific areas of interest to each Member State (f) Enforcement-CCC Rules of Procedure. 	 Increased awareness by all stakeholder groups about the importance of competition for the proper functioning of markets. Increase in the number of complaints of a cross-border nature brought to the attention of the Commission.
		(ii) Internship Programme for University Law Student from a CARICOM Member State in the areas of Competition Law and Policy.	 Support for the research work of the Commission. Expands cadre of professionals with an interest in and knowledge of competition law enforcement in CARICOM.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
OCTOBER TO DECEMBER			
	M. In accordance with the Commission's mandate under Article 173	Commission meeting	 Review of the Commission's work in the area of competition law and policy, and consumer protection and welfare. Development of a strategy for handling challenges facing the Commission, and ways to maximize the opportunities available, given the Commission's scarce resources.
	N. To carry out functions under Article 173.2 (g)	(i) Collaborate with other national/regional competition authorities in the Dominican Republic and European Union as required under the Economic Partnership Agreement.	 Increased cooperation among national, regional and extra-regional authorities. Reduction of jurisdictional hurdles in the enforcement of competition law.

TIME FRAME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
		 (ii) Participate in international competition fora: (a) Meetings of the Working Groups of the International Competition Network (ICN) (b) Annual meeting of the ICN (c) UNCTAD's – Inter-Governmental Group of Experts on Competition and Consumer Protection (d) Latin American and Caribbean Competition Forum . 	 Knowledge transfer to technical staff of the Commission. Participation in discussion forums that influences policy formulation about best practices. Build relationships with agencies outside of the region which can provide technical assistance and funding.
BI- MONTHLY	O. Co-operation with competent authorities in the Member States as required under Article 173.2 (b) and (c).	Meetings with CARICOM Competition Network and competent authorities to discuss: (a) Relationship between NCAs and the Commission. (b) Strengthening collaboration and information sharing among national competition authorities and the Commission. (c) Improving coordination between NCAs and sector regulators at the national and regional levels. (d) Finalizing amendments to Chapter Eight of the RTC	 Promotion of the harmonization of competition enforcement in the region to minimize incompatible outcomes in CARICOM Member States. Anti-competitive business conduct in the CSME better addressed. Predictability for businesses with regard to competition enforcement in the CSME.

TIME	OBJECTIVES	ACTIVITIES	EXPECTED OUTCOME
FRAME			
	P. Protection of consumer interests in the CSME. Advocacy for the harmonization of Consumer Protection in Member States- Article 185	Discussions with Consumer Protection Agencies and Consumer NGOs through the mechanism of Meetings of Consumer Officials (Regular Sessions) to promote the adoption of best practices in consumer protection enforcement.	 Enhance the effectiveness of each jurisdiction's consumer protection enforcement framework and operations. Facilitate procedural and substantive convergence in addressing consumer protection issues in the region.