
STATES OF JERSEY



JERSEY COMPETITION REGULATORY AUTHORITY: RE-APPOINTMENT OF NON-EXECUTIVE DIRECTOR

Presented to the States on 6th September 2013
by the Minister for Economic Development

STATES GREFFE

REPORT

Under Article 3(3) of the Competition Regulatory Authority (Jersey) Law 2001, the Minister for Economic Development is required to notify the States of appointments of members of the Jersey Competition Regulatory Authority (JCRA).

Members will recall that Dr. Philip Marsden was appointed by the Minister to be a Non-Executive Director of the JCRA in 2010. He has subsequently been recommended to serve as Non-Executive Director for a further term of 5 years.

A major achievement during his first term has been the effective merger of the Jersey and Guernsey regulatory bodies, now operating under the banner of the Channel Islands Competition Regulatory Authorities (CICRA). There has been a direct cost saving to regulated businesses in Jersey of over £100,000 a year as a result of the merger, and because the Jersey and Guernsey authorities each have access to a wider range of resources and expertise, the merger has also produced a significant gain in efficiency and effectiveness.

Three years ago, there was valid criticism of the JCRA, in that it appeared to devote substantial resources to theoretical studies of international mergers that had little or no relevance to Jersey. Dr. Marsden's initial tenure has overseen a re-prioritisation of the JCRA's work with respect to competition enforcement, away from dealing with such mergers and towards studies of local markets which are not operating in a way that provides maximum benefits to local consumers.

Market studies on road fuel and heating oil have produced positive outcomes for consumers, action has been taken to introduce extra competition in the provision of school uniforms (with consequent reductions in prices paid by parents and carers), and the Authority has published a report on the local taxi market that Transport and Technical Services is currently considering. The JCRA's current work programme includes market studies on tobacco and groceries.

Dr. Philip Marsden is a Non-executive Director on the Board of the Office of Fair Trading in London and Editor of the European Competition Journal. A Canadian and English lawyer, he has practiced in Toronto, Tokyo and London, and worked as an official in the Canadian Competition Bureau. He has a particular interest in competition and consumer policy, and is currently the Director and Senior Research Fellow at the British Institute of International and Comparative Law in London, with responsibility for its Competition Law Forum.

Dr. Marsden chairs or advises various committees and has the following affiliations –

- Advisory Council, Advocates for International Development
- Visiting Faculty, CUTS Institute of Regulation and Competition, India
- Member, Advisory Board, Loyola Antitrust Institute
- Committee Member, European Competition Lawyers Forum
- OFWAT Future Regulation Advisory Panel
- Civil Justice Council, Consumer Committee
- Visiting Faculty, World Trade Institute (Masters of International Law and Economics), Berne.