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# STATES OF JERSEY



## JERSEY COMPETITION REGULATORY AUTHORITY: RE-APPOINTMENT OF NON-EXECUTIVE MEMBER

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Presented to the States on 27th August 2024  
by the Minister for Sustainable Economic Development

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STATES GREFFE

## REPORT

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

After consultation with the Chair of the Authority, Ms Stephanie Liston, the Minister appointed Professor Ian Walden to the Board of the Authority for a further term under powers conferred by Article 3(1)(b) of the Law. The period of appointment is from 7 October 2024 for a term of three years, to expire on 6 October 2027.

### **Background**

Members will recall that, following a competitive recruitment process, Professor Walden was first appointed to the Board of the Authority as a Non-Executive Member in 2020 for a period of 4 years, commencing on 7 October 2020 (R.113/2020).

The end of Professor Walden’s current term of office is now approaching and on 5<sup>th</sup> April 2024 the Chair of the Authority wrote to the Minister to recommend the re-appointment of Professor Walden as a Non-Executive Member to the Board of the Authority. The Chair recommended that he is re-appointed to the Board of the Authority for a further term of 3 years.

The Chair of the Authority also recommended that Professor Walden is appointed as the Authority’s Senior Independent Member, in addition to his role as a Non-Executive Member at the end of the current incumbent’s term in February 2025.

Article 4(2) of the Law allows re-appointment of members of the Authority stating that “[a] member shall be appointed for a period not exceeding 5 years and upon expiry of such period shall be eligible for reappointment”. In accordance with this provision, at the end of Professor Walden’s second term of office, he will have served a total of 7 years on the Board of the Authority.

### **Recommendation of Professor Ian Walden**

Dr Walden is Professor of Information and Communications Law at the Centre for Commercial Law Studies at Queen Mary, University of London. He was the Director of this Centre until 2022.

Dr Walden also founded Queen Mary’s qLegal initiative and is a principal investigator on the University’s Cloud Legal Project, which undertakes research in complex areas of law and regulation that are essential to the successful development and use of cloud computing services. He is a co-author of *Cloud Computing Law* (2nd ed., 2021).

Professor Walden has a depth of knowledge and practical experience of the regulatory frameworks for which the Authority is responsible, particularly telecommunications, as well as those areas of emerging concern for the JCRA, including consumer protection and data protection.

His roles as Board member and Trustee of the Internet Watch Foundation (2004-2009), on the Executive Board of the UK Council for Child Internet Safety (2010-12), Lay

Member of the Press Complaints Commission (2009-2014) and on the Code Adjudication Panel of the Phone-paid Services Authority (2016-2021) have given him a strong exposure to the concerns of the public when consuming information services and the difficulties they can face when trying to protect themselves and their families.

As an academic and solicitor, Professor Walden has researched, taught, trained and advised a range of stakeholders on most aspects of policy, law and regulation applicable to the telecommunications, media and technology sectors. He also has a strong knowledge and understanding of the economics that underpin competition law and drive cost-based regulation.

His publications include *Media Law and Practice* (2009), *Free and Open Source Software* (2013), *Computer Crimes and Digital Investigations* (2nd ed., 2016) and *Telecommunications Law and Regulation* (5th ed., 2018). Dr Walden has been a visiting professor at the universities of Texas, Melbourne and KU Leuven. He has been involved in law reform projects for the World Bank, European Commission, Council of Europe, Commonwealth and UNCTAD, as well as numerous individual states.

In addition, Professor Walden was an ‘expert nationaux détaché’ to the European Commission (1995-96) and a member of the European Commission Expert Group to support the application of the General Data Protection Regulation (2017-21).

Taking into consideration Professor Walden’s valuable contribution to the work of the Authority during his first term as a Non-Executive Member, the Minister agreed to extend his appointment as a Non-Executive Member of the Authority by 3 years and, in addition, appoint him to the role of Senior Independent Member of the Authority when the current incumbent retires from the Board.

#### **Balance of the Board**

There will be no change to the balance of the Board of the Authority as a result of Prof. Walden’s re-appointment. The current Board consists of:

- two long standing Jersey residents (Mr Paul Masterton and Mr Tim Ringsdore);
- two women (Ms Stephanie Liston and Dr Lara Stoimenova);
- two lawyers who have a broad legal knowledge (Ms Stephanie Liston and Professor Ian Walden); and
- one economist who is expert in regulation and competition (Dr Lara Stoimenova).

#### **Resource implications**

The Department for the Economy provides the Authority with an Annual Grant to administer the Competition (Jersey) Law 2005 and conduct market studies.

Fees payable to Non-Executive Members of the Authority are sourced from the Annual Grant made to the Authority, as well as from the Authority’s own accounts.

There are no other resource implications for the Government of Jersey arising from this appointment.