



Fair Trading Commission

Citizens Charter

Minister's Message

The Government of Jamaica accepts that a free market system holds the best prospect for a country's economic development and the improvement of the welfare of its citizenry. We believe that a competitive market will increase the efficiency of competing firms thus delivering the optimal combination of the lowest possible prices and the highest possible quality of goods and services to consumers.

The move towards a liberalized market economy often times brings with it not only fierce and vigorous competition, but also some amount of anti-competitive practices, as firms jostle for economic advantage. As part of the free market infrastructure the Fair Trading Commission (FTC) ensures that the “rules of the game” are observed, so that powerful players are not allowed to use their market power to deny other players an opportunity to compete. Importantly also it ensures that the economic gains which are derived from productive activity are not diverted away from consumers to firms which are able to distort market structures.

I am confident that the Commission will continue to be the relentless watchdog of the Jamaican market place, securing relief for individual consumers who have been wronged, while increasingly seeking to ensure that business conduct is such that no action taken by any business will deny consumers all the possible benefits which a free and fair market can deliver.

Chairman's Message

The Fair Trading Commission is committed to playing its part in the drive for overall improvement in the provision of service by entities of the State. This Citizen's Charter is a formal articulation by the Commission and its Staff to the citizenry of Jamaica of the intent to strive for the highest possible standards.

The Government of Jamaica is working towards attaining world standards in the public sector. A key component of this drive is the improvement in customer service within the public sector. It is now clear to everyone that globalization requires firms to compete with each other more intensely than before. For Jamaican firms to complete successfully with the firms from the rest of the world, the environment in which Jamaican firms operate must be comparable to that in

which the most successful foreign firms operate. A very important part of that environment is the effectiveness of State entities. Competition of businesses aside, it is very important that if we are to build the kind of society which we all want, then the organs of the State must treat with the citizenry of the country in a manner which is consistent with that vision of society.

The Commission and its Staff are committed to providing the highest possible quality of service to the people of Jamaica, in whose name we operate. The Commission has introduced a number of service standards to which it will hold itself and its Staff.

Mission Statement

The Fair Trading Commission is mandated to provide for the maintenance and encouragement of competition in the conduct of trade, business and in the supply of services in Jamaica with a view to providing consumers with competitive prices and product choices.

Role of the Agency

The Commission undertakes to enforce the Fair Competition Act (FCA) and to continuously educate the public about breaches of the FCA and the Functions and powers of the Fair Trading Commission, by Press Releases and Advisories, issuing brochures, hosting public lectures and seminars and posting relevant information about the Commission on the Commission's Website.

We believe that it is important to know what businesses, consumer organizations and other interests think about our work. We therefore stay in touch with the business community through bodies such as trade associations, as well as through meetings with individual firms. Similarly, we liaise with consumer organizations and trading standards departments.

It is our job to provide a service which benefits both businesses and consumers. We protect businesses and consumers by exposing and remedying anti-competitive practices. The Competition Bureau provides the economic analyses necessary for the enforcement of Jamaica's competition policy, thereby ensuring that businesses compete on the basis of efficiency, thereby enhancing innovation and product choice and consumer welfare.

We are always willing to discuss with businesses and consumers any problems they may find in understanding what is required of them.

We aim to increase the extent to which the Jamaican market place is effectively competitive by:

- removing artificial barriers to entry in a market;
- preventing dominant firms from using anti-competitive practices to oust their competitors from a market; and
- increasing the proportion of consumers making well-informed choices.

Service Standards

All complaints will be thoroughly and objectively investigated. The Commission undertakes to acknowledge receipt of written complaints within twenty-one (21) working days; and commence investigations within that period, if such investigations are warranted.

We will respond quickly and fairly when complaints are brought before us. On completion of the investigation we will advise the parties to the complaint of our findings. If the Complaint does not fall under the Fair Competition Act (FCA), the Informant will be advised accordingly.

Whenever we receive enquiries from businesses and consumers about the FCA or our procedures under the different areas of the Act we will endeavour to provide the requested information within fifteen (15) working days.

The Commission is accessible to members of the public Monday to Friday between the hours of 9:00 a.m. and 3:00 p.m.

We will:

- Answer the telephone within five (5) rings; direct calls immediately; record messages precisely and forward to the relevant Officer in a timely manner. We shall identify ourselves by name when communicating with our "customers". We will not pass a call on unless we are sure that the person taking the call is competent to deal with the matter; and "customers" will not be put on hold for longer than two (2) minutes.
- Ensure that Informants receive attention within five (5) minutes. If a Complaints Officer is unavailable, request that a Complaint Form be completed in its entirety with all relevant details being supplied. "Customers" will be attended to within ten (10) minutes of the agreed time of any appointment. "Customers" who visit our Offices unannounced will be attended to within thirty (30) minutes.
- Conduct seminars and workshops.
- Issue Press Releases on events relevant to the Commission's work.

What is expected of our "Customers"

- Give proper and accurate address and other contact information. In order to facilitate prompt contact, telephone numbers or e-mail addresses ought to be included.
- Give accurate and complete information.
- Submit the necessary documentation to support the complaint.

- Inform us immediately of any change in the status of the matter or of any changes or adjustments to the relevant information.

We expect the public to submit complaints and queries using the prescribed form. Complaints and queries will also be accepted by letter or e-mail. Complaints should give accurate and full information to support allegations and where available, it is expected that supporting documents will be provided. We also ask that Informants remain accessible to us during the course of our investigation, informing us of any change of address, etc..

How Complaints are Handled

The Staff investigates complaints that are made by way of telephone, facsimile transmission, in person or by e-mail.

Informants have a right of private action under Section 48 – for any injury suffered as a result of any breach of the Fair Competition Act (FCA).

If a complaint is made by telephone, and appears to be a breach of the Fair Competition Act, upon the first objection by the Respondent, the Informant will be requested to forward the complaint in writing, failing which the investigation will be terminated. If documents are needed to support the allegations, the Informant will be informed immediately that the Staff might be proceeding with the investigation until there is a written complaint with the supporting documents.

We are committed to conducting our investigations objectively and with transparency and integrity. Anonymous reports will not be entertained.

We respect the confidentiality of information given to us by businesses and consumers. Statutory provisions such as contained in Section 53 of the Fair Competition Act will ensure that commercially sensitive information or information/advice obtained or tendered in confidence will be protected.

Some of the techniques employed by the Competition Bureau during investigations are:

- conduct industry studies to assess the level of competition in an industry;
- develop remedies which will restore, retain or improve the level of competition in an industry;
- analyze competition complaints and monitor the extent to which complaints recur -the target is to ensure that once we recommend a remedy, it is effective in deterring similar behavior in the future;
- conduct public surveys to gather statistical information, or to find out public opinion on competition related matters; and

- prepare economic reports for publication upon request from relevant Government Agencies.

Feedback on our Performance

Your suggestions and comments may be forwarded to us by way of telephone, facsimile transmission, e-mail or may be placed in our Suggestion Box located in our office.

If you are dissatisfied with the service provided, your complaint will be handled by one of our senior managers. If you are still dissatisfied, your complaint may be sent in writing to the following in the order outlined:

- The Ministry of Commerce Science & Technology
36 Trafalgar Road
Kingston 10
- The Standards and Monitoring Unit
Cabinet Office
2a Devon Road
Kingston 6
- The Public Defender
78 Harbour Street
Kingston

Contact Information

Address: 52 – 60 Grenada Crescent
Kingston 5
Jamaica

Telephone: 960-0120 to 4

Fax: 960-0763

E-mail: ftc@cwjamaica.com

Website: www.jftc.com

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