

**FAIR  
TRADING  
COMPETITION  
ACT  
&  
THE  
FAIR  
COMPETITION  
ACT**

## INTRODUCTION

**The objective of the Fair Competition Act is to promote competition in markets within Jamaica. Competition should result in:**

- more efficient businesses; and
- a wider choice of goods and services for consumers at competitive prices.

**The Fair Trading Commission is responsible for encouraging all businesses to comply with the Act.**

It does this by:

- educating business people and consumers about the requirements and effects of the Act;
- investigating possible breaches of the Act; and
- taking enforcement action where appropriate.

THE FAIR TRADING  
COMMISSION  
&  
THE FAIR COMPETITION ACT

CONTENTS

- 1 Framework of the Fair Trading Commission
- 2 Functions of the Commission
- 3 Powers of the Commission
- 4 Appeals against Findings of the Commission

## **1. Framework of the Fair Trading Commission**

The Fair Trading Commission is the administrative body responsible for Implementing Jamaica's Fair Competition Act.

The Commission, to be appointed by Government, will consist of three to five persons, including a chairman. An Executive Director will be specifically appointed as the Commission's chief operative officer with responsibility for its day to day management.

Initially the Commission will be located in Kingston, but will eventually establish an office in Montego Hay. Whenever the need arises, it will hire additional services.

The Commission will be served by a highly skilled and qualified staff of approximately 20 professionals. This is intended to make it a streamlined, efficient and responsive agency in keeping with the importance -of its role.

## **2. Functions of the Commission**

The functions of the Commission are:

- (a) To Investigate anti-competitive practices in trade and business, either on its own initiative or in response to information brought before it
- (b) To take necessary action in relation to its findings
- (c) To inform and advise business persons as well as the general public on matters relating to competition
- (d) To assist public groups in developing standards of operation consistent with the Fair Competition Act
- (e) To carry out studies and publish reports on issues affecting consumers

(f) To make reports to the Minister of Government responsible for matters related to fair competition

(g) To grant authorizations for business practices which are normally prohibited by the Fair Competition Act

### **3. Powers of the Commission**

The Commission will have the power to:

- (a) Summon and examine witnesses
- (b) Call for and examine documents
- (c) Administer oaths
- (d) Take to court any business or individual found guilty of uncompetitive practice.

### **4. Appeals against Findings of the Commission**

Any individual or business enterprise which disagrees with a finding of the Commission may appeal to the Supreme Court within 15 days. While the appeal is under consideration, the Commission's directive will remain in force unless the Court orders otherwise.

*A Fair Deal, Your ,Right By Law*

**Written and Edited by  
Ideas & Images Co. Ltd.**

**Published by  
The Trade Hoard Limited.  
Kingston . Jamaica**