

**2.7 Deputy T.A. Vallois of the Minister for Economic Development regarding the implementation of the recommendations contained with the LECG report on the 'Review of regulatory powers, resources and functions of the Jersey Competition Regulatory Authority as a telecommunications regulator':**

In respect of the report completed by LECG on the review of regulatory powers, resources and functions of the Jersey Competition Regulatory Authority as a telecommunications regulator, could the Minister advise what work, if any, has been done by the Economic Development Department to implement the recommendations made in this report?

**Senator A.J.H. Maclean (The Minister for Economic Development):**

The LECG report focused on the J.C.R.A.'s function as Jersey's telecoms regulator. The report's recommendations will be captured in proposed amendments to the Telecommunications (Jersey) Law 2002. Specifically these are: streamlining of the law's consultation procedures, providing the J.C.R.A. with the ability to fine operators in breach of a license condition, and to provide a mechanism to formally clarify license conditions for telecom operators. Law drafting instruction and law drafting time are required to realise the key recommendations. The law drafting process is underway and I intend to bring the amendments to the law that implement the recommendations of the LECG report to the States during 2010.

**2.7.1 Deputy T.A. Vallois:**

The Minister mentioned about a couple of the recommendations being taken into account. There was one in particular, recommendation 2, where the review showed that increased transparency and accountability would enhance the effectiveness of the regulatory process. Would the Minister be able to advise exactly how that is being implemented?

**Senator A.J.H. Maclean:**

The intention at the moment, through the law drafting process, is that recommendations 3, 4, 6 and 9 are currently included. If the Deputy has concerns regarding further recommendations that have not been included in full then I am more than happy to discuss them with her.

**2.7.2 Deputy G.P. Southern:**

But would the Minister accept that the review of regulatory powers was one of the recommendations made by a Scrutiny Panel, I think back in 2006, and does he accept that this is an example of good co-operation between Scrutiny and a Ministerial government?

**Senator A.J.H. Maclean:**

I am delighted to say that I do agree on this occasion with Deputy Southern. This is almost a rare occasion, I know we support similar football teams but apart from that there are very few other areas that we reach agreement on. I should also point out of course, seeing it is the Deputy's moment in the sun, that he was in fact the chairman of the Scrutiny Panel at the time but I have to say that it was my predecessor, Senator Ozouf, who was the Minister at the time at Economic Development and I do accept that the 2 of them did not always work as closely as perhaps they could have done. But in this instance I would say that they worked extremely well together and this is a good example, so I do agree with the Deputy there.

**2.7.3 Deputy T.A. Vallois:**

The Minister mentioned that there were only 4 recommendations taken into account out of the 9 that was recommended by the report. Could the Minister, therefore, undertake to provide us with the reasons why the other recommendations have not been implemented and whether they will be in future?

**Senator A.J.H. Maclean:**

I will certainly give that undertaking to the Deputy. I should point out, aside from the recommendations that I have mentioned that are going to be contained within the amendment when they come forward, the J.C.R.A. have, themselves, since the report came out taken on board a number of the comments that were raised. They have, for example, published procedural guidelines on telecommunications regulation. They have revised their annual aims and objectives and so on.

**The Bailiff:**

Sorry, Senator, I think I am going to have to stop you. According to my calculation we are not all quorate. So could you summons Members please? Now we are quorate. Very well, yes.

**Senator A.J.H. Maclean:**

I am very disappointed, Sir, I thought I was more interesting than that. I was just summarising to say that aside from what is being brought forward with the amendments to the Telecommunications Law in light of the LECG report, the J.C.R.A. have, themselves, implemented a number of the recommendations. They have, for example, published procedural guidelines on telecommunications regulation. They have revised their annual aims and objectives into the Strategic Plan. They have adopted key performance indicators for competition law enforcement. They have broadened their statistical analysis of Jersey Telecom markets and they are currently looking at other matters related to the separation of accounts for Jersey Telecom.