

STATES OF JERSEY



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

**Presented to the States on 18th September 2007
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 (J.C.R.A.).

The Minister has appointed, for a term of 3 years, with effect from 2nd August 2007, Mr. Robert Foster and Mr. Christopher Bright as non-executive members of the J.C.R.A.

Robert Foster

First appointed as non-executive member of the J.C.R.A. in 2004, Mr. Foster has been instrumental in establishing the modern governance structure that now frames the work of the Authority. He is also Vice-Chair of the King's College Hospital NHS Trust and, since 2005 has sat as a Commissioner of the National Lottery Commission, chairing their Competition Project Board for award of the new licence. Prior to his appointment to the J.C.R.A., Mr. Foster was Chief Executive of the U.K. Competition Commission, taking the Commission through a major period of change, planning and implementing legislation as an independent determinative body on mergers, monopolies, and regulatory appeals.

Christopher Bright

Mr. Bright has practised as a competition and regulatory lawyer for 20 years and has substantial experience of the law and economics of competition and regulation in the context of the U.K., E.U., and the U.S. A member of the J.C.R.A. Board since 2004, Mr. Bright is also a member of the U.K. Competition Commission since 2006. Other current roles include member, OECD Business and Industry Advisory Committee (Competition) (since 1996), Editorial Board, Utilities Law Review (since 2001); Advisory Board, Oxford Law Foundation (since 1999) and as part of the Advisory Board, Oxford Institute for European and Comparative Law (since 1996).

Members may recall that the existing Board of the J.C.R.A. were selected in 2004 after a rigorous and demanding selection process, involving the use of specialist search consultants and the Appointments Commission. Of particular importance was an ability to understand complex commercial, legal and economic regulatory issues and an ability to be responsible for taking forward and maintaining momentum on priority projects. The Corporate Governance of the J.C.R.A. and, in particular, the good management of the Competition Law Grant were also significant factors.

After 3 years with the current Board, the J.C.R.A. has regained its stature and has played an important part in the development of a progressive and proportionate competition regime. Significant progress has been made in the development of the telecommunications market and Jersey Post has been licensed as an independent trading company.

The J.C.R.A., however, still has much to achieve. Further work is needed on mobile number portability and competition issues on such matters as milk marketing need to be brought to a satisfactory conclusion. Many of these matters are highly sensitive and require skilled, light, but firm handling. It is my belief that both Robert Foster and Christopher Bright are the right people to deliver these objectives and after consultation with Lord Kingsland, the Chairman of the J.C.R.A., I believe that it is in the best interests of the J.C.R.A. and the wider Jersey economy that they be re-appointed.