

Island of



Guernsey

Ordinance of the States

XII
2020

Made 22nd April, 2020

Coming into Operation 1st May, 2020

The Guernsey Competition and Regulatory Authority (Amendment) Ordinance, 2020

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THE STATES, in pursuance of their Resolution of the 18th July, 2019^a, and in exercise of the powers conferred on them by sections 1, 5 and 6 of the Competition (Enabling Provisions) (Guernsey) Law, 2009^b and all other powers enabling them in that behalf, hereby order:-

Amendment of 2012 Ordinance.

1. The Guernsey Competition and Regulatory Authority Ordinance, 2012^c is amended as follows.

2. In paragraph 13(1)(b) of Schedule 1 immediately before the words “any function which” insert “subject to the provisions of subparagraph (3),”.

3. After paragraph 13(2) of Schedule 1 insert the following subparagraph

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“(3) Notwithstanding the provisions of item (b) of subparagraph (1), the following functions may be the subject of an arrangement of the Authority under subparagraph (1) and are accordingly not excluded by item (b) from the application of that subparagraph -

^a Article 4 of Billet d'État No. XIII of 2019.

^b Order in Council No. XV of 2009; amended by Ordinances No. XIII of 2012; and No. IX of 2016.

^c Ordinance No. XIII of 2012; amended by No. IX of 2016.

- (a) to serve a notice on an undertaking under section 23(1), (2) or (3) of the Competition Ordinance requiring the furnishing or production of information or documents,
- (b) to refuse an undertaking consent for the provision of copies of documents under section 26 of the Competition Ordinance instead of originals or to impose, vary or rescind any term, or condition in respect of any such consent,
- (c) to give an undertaking a direction under section 27(1) of the Competition Ordinance,
- (d) to refuse an undertaking access to documents or to allow an undertaking to copy documents under section 28(2) of the Competition Ordinance or to impose, vary or rescind any term or condition in respect of any such access or copying,
- (e) to exercise any relevant power in relation to an undertaking (to the extent that the power is one of the functions specified in any other item of this subparagraph) at the request of an overseas competition authority (within the meaning of section 60 of the Competition Ordinance) under section 30(1) of that Ordinance,

- (f) to omit, pursuant to the provisions of section 45(2) of the Competition Ordinance, any matter from a statement of reasons given to the undertaking, and
- (g) without prejudice to item (f), to exercise any function set out in sections 43, 44 and 45 of the Competition Ordinance in relation to any function specified in any other item of this subparagraph;

and in this subparagraph the “**Competition Ordinance**” means the Competition (Guernsey) Ordinance, 2012.”.

4. In paragraph 14 after the words “or any other enactment” insert “(including, for the avoidance of doubt, any functions delegated to him by the Authority under paragraph 13(1))”.

Citation.

5. This Ordinance may be cited as the Guernsey Competition and Regulatory Authority (Amendment) Ordinance, 2020.

Commencement.

6. This Ordinance shall come into force on the 1st May, 2020.