

# The Competition (Time Limited Exemption) (Guernsey) Ordinance, 2024

THE STATES, in pursuance of their Resolution of the 26<sup>th</sup> day of September, 2024<sup>a</sup>, and in exercise of the powers conferred on them by sections 1 and 5 of the Competition (Enabling Provisions) (Guernsey) Law, 2009<sup>b</sup> and all other powers enabling them in that behalf, hereby order:-

## Time limited exemption.

1. Any agreement between Sure (Guernsey) Limited ("**Sure**") and Guernsey Airtel Limited ("**Airtel**"), both of which are companies licensed under the Telecommunications (Bailiwick of Guernsey) Law, 2001<sup>c</sup> ("**the Telecommunications Law**"), for Sure to acquire Airtel is exempt from section 13 of the Competition (Guernsey) Ordinance, 2012<sup>d</sup>, provided the following conditions are met –

- (a) such agreement is concluded in 2024, and
- (b) Sure and Airtel give the Authority one month's written notice in advance of the completion date of such agreement ("**the Completion Date**").

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<sup>a</sup> Article IX of Billet d'État No. XVI of 2024.

<sup>b</sup> Order in Council No. XV of 2009; this enactment has been amended.

<sup>c</sup> Order in Council No. XIV of 2001; this enactment has been amended.

<sup>d</sup> Ordinance No. XXXI of 2012; this enactment has been amended.

**Imposition of licence conditions where there is an exempted agreement.**

2. (1) Where the Authority is likely to be notified of an agreement pursuant to section 1, the States may by Resolution direct that after such notification the Authority shall impose conditions on the licence of Sure, by making modifications to that licence.

(2) Where the States by Resolution directs that the Authority shall impose conditions in accordance with subsection (1) –

- (a) the Authority shall do so within 14 days of being notified in accordance with section 1(b),
- (b) the conditions imposed shall take effect from the Completion Date and in accordance with section 8 of the Telecommunications Law, and
- (c) section 8(2) of that Law does not apply to such conditions.

**Enforcement of licence conditions where there is an exempted agreement.**

3. Where the Authority has imposed conditions pursuant to section 2, section 27(3) of the Telecommunications Law does not apply to any such conditions imposed and the Authority may instead give directions under section 27 relating to those conditions upon 14 days' notice.

**Interpretation.**

4. In this Ordinance, "**Authority**" means the Guernsey Competition and Regulatory Authority.

**Citation.**

5. This Ordinance may be cited as the Competition (Time Limited Exemption) (Guernsey) Ordinance, 2024.

**Commencement.**

6. This Ordinance shall come into force on the day on which it is made by the States.