CARICOM competition commission

CELEBRATING 15 YEARS ANNIVERSARY

Strategic Plan 2024-2026

Second Draft

Strategic Plan 2024-2026

Consultation copy

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Chairman’s Message

Mr. Justice Christopher Blackman, Chairman

As we stand at the cusp of the next strategic cycle for the Commission which commences in 2024, it is both my privilege and responsibility to introduce our second strategic plan: a testament to our unwavering commitment to building a regional competition regime in accordance with the aspirations and terms of Chapter VIII of the Revised Treaty of Chaguaramas. This plan is not just a blueprint for the Commission’s future; it is a reflection of our collective learnings learned through experience with implementing the first strategic plan from 2019 – 2023.

In taking stock of those learnings, it is appropriate to recall the numerous achievements of the Commission despite challenges in the previous cycle 2019 – 2023. Among those many achievements, I am proud of the Secondary School Essay Competition that was successfully staged by the Commission under the challenging circumstances of the global outbreak of the COVID-19 Pandemic in early 2020. This initiative represented the Commission’s pledge to support future generations of the region in building a much needed culture of competition; efforts at which will no doubt continue in our second strategic plan. We successfully chaired and collaborated with the regional competition and consumer fraternity via Steering Committee during the pandemic, to ensure monitoring and surveillance of anti-competitive conduct and consumer protection during that trying time. Our first ever “State of Competition Report” was published as well as key market studies in air transportation and data protection.

While implementation of the first strategic plan was by and large successful, formidable hurdles remain. The institutional environment in which the Commission operates is intricate, marked by cross-cutting challenges that necessitate continuous adaptation and resilience. Financial sustainability has been a longstanding concern, further intensified by the worsening economic climate of our Member States. This is exacerbated by recommendations from the Consultants of the Review of Community Institutions which would halt the growth experienced by the Commission in the last five years and ground its core mandate to a halt.

However, challenges are but precursors to opportunities. It is with a spirit of introspection and forward-thinking that we have crafted this second strategic plan that aims to address our challenges head-on. Critical in doing so, is a CARICOM Competition Commission that is sufficiently resourced and supported in order to advance regional competition and consumer protection as twin drivers of effective credible economic integration and sustainable human development.

I invite each one of you to join us on this journey, which is both old and new. The path ahead, while challenging, holds some promise on the horizon. With collective resolve, institutional collaboration, and support from the Member States, we can and will, chart a course towards better implementation of the Community Competition Policy for the benefit of the CSME.

Mr. Justice Christopher Blackman
Chairman of the Commission

Message of the Executive Director

Nievia Ramsundar
Executive Director

Strategizing in the face of crisis is never a simple task, as core functions of an organization can be lost in crisis management. I am pleased to say that the Secretariat of the CARICOM Competition Commission proved to be agile and resilient, persisting and achieving despite the restraints of the pandemic and financial uncertainty.

Despite what lacks, the past five years have seen many 'firsts': our State of Competition report (2019-2021), the Commodity Price Report (2019-2021), the Airline Study 2021, and our recently concluded Data Protection Study. We have created online training solutions for competition and consumer law advocacy, sensitized bar associations and business communities, and forged cooperation agreements with international and regional strategic partners to assist our future endeavours.

Our mandate under the Revised Treaty of Chaguaramas, as important as it is, has been tested by the absence of requisite competition legislation in many Member States of the Caribbean Single Market and Economy (CSME), leading to jurisdictional challenges and, at times, questions about our viability and credibility.

A priority of this second strategic plan, therefore, is *"Promoting Member State Compliance"* with the Community Competition Policy under Chapter VIII of the Revised Treaty. Our renewed focus on *"Value-Driven Stakeholder Engagement"* and *"Safeguarding Competition and Consumer Welfare"* underscores our commitment to not just internal resilience but also to fostering robust external partnerships. Indeed, our longstanding, mutually beneficial relationships with international development partners remain a cornerstone of our strategy going forward. We also recognize the importance of meaningful collaboration within the Community and are dedicated to strengthening these ties for the collective good of the Community.

At the heart of our strategy is the recognition of a broader challenge – the need to cultivate a robust consumer-centric competition culture across the CSME. This is not just a Commission challenge; it is a regional one. And it is with this understanding that our second strategic plan continues the emphasis on education, advocacy, and awareness-building, ensuring that the benefits of regional competition policy are understood, appreciated, and championed by policymakers, businesses and consumers.

We hope that you will partner with us as we continue on, so that this second plan will be even more successful than the first - with the Commission welcoming new Member States into legislative compliance, increasing the ability of the CSME to respond to exogenous shocks with the agility and resiliency it deserves.

Nievia Ramsundar
Executive Director

1.0
Where We Were?

A review of the first strategic plan (2020 – 2022)

Where we were? A review of the first strategic plan (2020 – 2022)

As the next strategic planning cycle commences in 2024, the Commission found it imperative to evaluate the previous strategic plan (2020 – 2023) to generate an evidence-based analysis of its performance and guide future planning.

In addition to the known issues surrounding financial sustainability, the Commission, as every other regional institution, found itself having to deal with three new environmental factors: (i) an unforeseen pandemic and its financial and social impact on an already vulnerable region, (ii) a changed landscape with new national administrations and priorities, and (iii) the Review of Caribbean Community Institutions Consultancy ("**RCCI**") which called for immense human resources from the Commission.

The strategic evaluation approach taken was a 360 degree performance and needs assessment through surveys completed by the Commission's key stakeholders and funding partners, resulting a robust data based approach to the planning of the next phase.

In the context of our constrained environment, this strategic review commences with a consideration of what the Commission achieved despite the challenges experienced, which are discussed in subsequent sections of this Plan.

(a) Commission Achievements 2019 – 2023

The Commission has a broad treaty mandate under Chapter VIII of the RTC, which includes monitoring, enforcement, research, policy advice, and providing technical assistance on competition and consumer policy to Member States. This informed the previous strategic plan, which leveraged the skills and talents of the Commission Secretariat to tackle existing issues and execute agile responses to dynamic challenges such as the COVID-19 Pandemic.

This was achieved under the three (3) strategic pillars of the plan, viz. (1) Building Institutional Resilience; (2) Value-Driven Stakeholder Engagement; and (3) Safeguarding Competition and Consumer Welfare. Key findings of the operational review and stakeholder survey presented in subsequent sections show that the implementation of the first plan was strong and consistent, even at the height of the COVID-19 pandemic.

Table 1 in this section formally maps various achievements of the Commission in the period 2019 – 2023 under the strategic pillars, taking in the first developmental year of 2019 and the transition year of 2023.

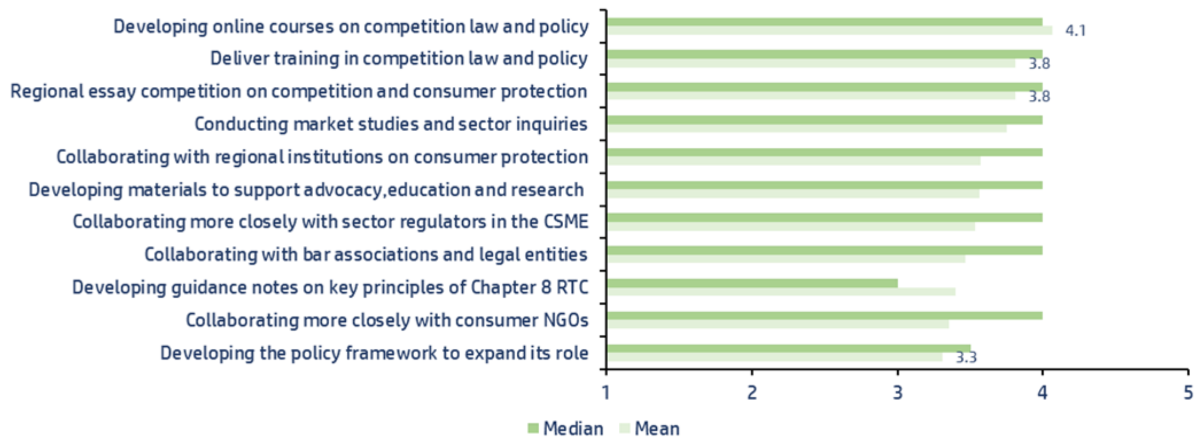
Table 1. Summary of Key Commission Achievements (2019-2023)

Pillar 1 Building Institutional Resilience	Pillar 2 Value-Driven Stakeholder Engagement	Pillar 3 Safeguarding Competition and Consumer Welfare
✓ First Strategic Plan developed and implemented	✓ Capacity building workshops both face and face and virtual hosted with partners (ICN, USFTC, USDoJ, UNCTAD, UNECLAC, OECD, CTU, BFTC, TTFTC)	✓ Preliminary assessments conducted and advice provided to relevant Member States' competent authorities
✓ Dual Role policy work completed, with participation in Reconvened Task Force on Competition Policy	✓ Legal advice to Member States and international partners on competition law and policy and consumer protection law and policy	✓ Investment Climate Reform Facility funding for settlement of CCC guidelines on cross border jurisdiction; and to strengthen the enforcement of competition law and policy (by way of legal guidelines for core functions under Chap, VIII)
✓ Staff rules revised to include provisions for CCAT and paternity leave	✓ Publications of scholarly contributions in Concurrences and other international journals	✓ Cooperation Agreements executed with CXC, COFECE, COMESA and OOCUR
✓ Financial SoPs established	✓ Webinars conducted with Member State Bar associations, private sector	✓ Airline Market Study 2021 published
✓ Critical software implemented for economic and accounting core functionalities	✓ Webinars, presentations to national, regional and international forums on competition and consumer protection	✓ Provision of advice and support for CSME Merger Policy and EDF funded consultancy for subsidiary legal frameworks
✓ The RBM and internal Performance Management Framework established and implemented	✓ Online courses on competition (CCC funded) and consumer protection (Commonwealth Secretariat funded) established	✓ Bank merger study (country specific) completed
	✓ Inaugural Secondary Schools Essay Competition (UNICEF assisted, CXC and BFTC), development of education videos (UNICEF funded) and lectures for secondary schools and universities	✓ Data Protection Study (funded by Commonwealth Secretariat) completed
	✓ COVID-19 Steering Committee and leadership in competition and consumer protection	✓ Legislative review of requesting Member State competition policy and draft legislation
	✓ Commodity Prices Report 2019-2021 published	
	✓ Outreach to OECS Member States	

As part of its evidence-based analysis, the Commission surveyed its critical stakeholders in the region regarding the implementation of the first strategic plan. These stakeholders included government ministries responsible for trade and commerce in each Member State and national competition and consumer protection authorities.

Overall, stakeholder perceptions were positive regarding the Commission's implementation of the first strategic plan. This is borne out by data extracted from responses to the question on rating the Commission's implementation of 11 key activities under the first plan. Analysis of those responses shows that on average the Commission score of 3.6 out of 5 (or 72%) across all the key activities. **Figure 1** presents the average scores given by the respondents for each key activity.

Figure 1: Average scores for each key activity implemented under the first strategic plan



Given the feedback received, the first strategic plan had a successful impact on the Member States and fair trade commissions in the region – and is perceived as such by them – in the twin treaty mandates of competition and consumer protection. This was despite the formidable challenges identified in the next section.

(b) Challenges 2019 – 2023

The Commission operates in an environment of complex, cross-cutting challenges. This necessitates continuous risk management, which significantly consumes institutional resources. The challenges vary, with some longstanding and others looming. Longstanding challenges include those expected to continue from the first strategic plan, such as financial sustainability and structural concerns.

In this regard, the late or non-payment by Member States of budgetary contributions, combined with declining GDP across the region, has posed a significant financial risk to the Commission. This risk may lead to a reduction in the institution's capacity to execute its mandate and the loss of key functionalities built up in the previous strategic planning cycle.

Other existing challenges and risks include the perceived unwillingness of more than half of the Member States of the CSME to enact national competition legislation. Without jurisdiction in many cases, CCC often cannot fully investigate cases of suspected cross-border anti-competitive conduct beyond a mere identification of issues or concerns. This situation has exacerbated a ‘crisis of credibility’ for the Commission that has already arisen from the RCCI recommendations, which are discussed separately below.

The Commission recognises its significant successes under the first strategic plan; but is also cognizant of the areas which were not fully met. These challenges arose across all three pillars of the first plan.

From an implementation perspective the weakest pillar was the first, viz: “*Building Institutional Resilience.”* This is not surprising given the implementation deficit for the headline strategic initiative of this pillar, which was *“1.1 to optimise the organisational structure of the CCC.”* The initiative proposed treaty amendments aimed at addressing relevant gaps in the institutional, legal, and governance frameworks of the Community Competition Policy as formulated under Chapter VIII RTC and administered by the Commission.

Following a 2018 directive of the Conference of Heads of Government (CHOG), the Commission Secretariat developed technical proposals that focused on revamping Chapter VIII of the RTC, CCC constitutional instruments and the organisational structure of the Commission to undertake the dual roles of regional and national competition law enforcement. If this initiative had been achieved, it would have been game-changing for the Commission and the region as a whole, creating new precedent and reducing costs for competition enforcement across the CSME. However, the success of this initiative was always contingent on decision-making that resides beyond the institution’s control. As such, the process for securing high level approvals has stalled despite several regional consultations and targeted outreach by the Commission Secretariat to key decision-makers both at the individual Member State level and to COTED as a collective.

In the next strategic planning cycle, therefore, the Commission will focus on collaboration with non-compliant Member States to create innovative solutions that can meet the Treaty mandate, enhance CCC’s functionality and ensure that the benefits sought from the establishment of the CSME are not frustrated. First, the non-approval of the dual role as the headline initiative of the first pillar had a cascading negative effect for the other projects under the pillar. Accordingly, consequential treaty amendments and organisational structures (both those required for a dual role and those necessary to enable the CCC to efficiently conduct its competition and consumer protection mandate) were not implemented. The result is that the Commission has built its resilience through ensuring internal procedures are in place and strengthening its core capacity but has not achieved the wider resiliency which would come through fulfilment of Member States’ obligations.

Second, the dual role proposals advanced but not approved have signalled to the region that Member State compliance with the Community Competition Policy remains at the margins of the Heads’ agenda. This is yet another ‘crisis of credibility’ that has fed into a ‘crisis of viability’ as can be inferred through the RCCI recommendations. This challenge requires careful and continuous management during the next strategic planning cycle.

Although the second pillar of the previous plan, viz: *“Value-Driven Stakeholder Engagement”* was considerably more successful than the first pillar; a notable shortcoming was with respect to the strategic initiative *“2.2 to strengthen relationships with other Regional Institutions”* The relationship between the Commission and the CARICOM Secretariat presents a unique challenge in terms of projects and initiatives undertaken by the CARICOM Secretariat which fall within the mandate of the CCC. The main driver of this opacity is the unclear role of the CARICOM Secretariat in regional competition and consumer policy spaces. Specifically, the Commission believes it is tasked with advising the Community on the execution of competition and consumer protection policy, providing competition assessments to general trade, industrial and sector-specific policy making initiatives and contributing to better data driven decision making governance at the regional level. As with other regional integration movements, competition assessments, advice and opinions should be considered in the inception, planning and realisation of related projects and initiatives, including those led by the Secretariat. This is currently not the case.

The issue is compounded by a lack of access to regional decisions which may impact the Commissions operations coupled by the inherent ambiguities in the RTC, which grants the Secretariat and the Secretary-General broad mandates to assist the Community with implementation of its objectives and to provide technical assistance thereon[1] but then carves out a specific policy advice mandate to the Commission. This is complicated by the absence of recourse for the Commission under the RTC to obtain a resolution of this ambiguity from the guardian of the treaty, the Caribbean Court of Justice.

Another implementation deficit under the previous strategic plan concerns the third pillar, viz: *"Safeguarding Competition and Consumer Welfare."* Although implementation was largely strong and consistent under this pillar, shortcomings still existed in non-reporting by national competition authorities to the CCC of suspected cross-border anti-competitive conduct. It was also noted that there was prioritisation of national assessments to the exclusion of regional. The second phase will build on this and formally address cross border jurisdictional guidelines and establish a monitoring system for national to regional commission reporting.

The challenges identified above are symptoms of a deeper ailment arising from a limited appreciation among critical stakeholders on both the benefits of regional competition policy and the necessity for it to be reasonably resourced, despite work done in the assessed period and even prior.

These challenges require a strategic approach to management to ensure the continued viability of the Commission in the next planning cycle. Ultimately, these central challenges coming out of implementation of the first strategic plan will shape the responses by the Commission in its second strategic plan.

(c) Rationales for a second strategic plan

Notwithstanding the challenges arising from implementation gaps under the first plan, strategic planning remains critical for the Commission because it enables the institution to align its activities with its legal mandate, organisational vision and mission and to the needs of the wider CSME. By identifying specific strategic initiatives, the Commission can prioritise its activities, allocate resources efficiently, and focus on areas that have the greatest impact.

In light of financial sustainability concerns, this second strategic plan offers an opportunity to further utilise existing staff capacities for execution of projects and further the partnerships between the Commission and international development partners to ensure the viability of projects and initiatives to be programmed for the next three (3) years.

[1] See Articles 24 and 25 RTC.

It is well established that competition assessments and enforcement contributes to economic recovery. Economic literature shows the contribution to economic growth of competition enforcement.[2] The following diagram illustrates the relationship between effective competition enforcement and economic growth[3]:

Figure 2: Regional and national competition enforcement and economic growth

Given the absence of competition legislation in most Member States of the CSME, this second strategic plan is essential for designing targeted approaches for offering technical assistance to Chapter VIII non-compliant Member States to enact competition legislation. Consequently, this second plan includes a focus on advocacy and technical assistance projects and initiatives to assist Chapter VIII non-compliant Member States.

A further priority under this second strategic plan, is to formalise dialogue with the CARICOM Secretariat and other regional institutions as relevant to enhance collaboration and partnership, as this is a critical area of weakness in the regional machinery. This will be critical to any implementation of a monitoring system that would allow the Commission to receive reports from stakeholders on relevant anti-competitive conduct and policy decisions in the CSME or trigger the role of the Commission to review and provide advice on regional policies.

The work from the first plan must also ensure the continuity of strategic initiatives aimed at robust education and advocacy to build awareness and support for competition policy and law among various stakeholders. This is even more critical considering the risks posed by the recommendations of the RCCI consultancy, which are discussed in section 3 below. These rationales will be reflected in the three (3) year work programme detailed in this plan.

[2] OECD, October 2014, Factsheet on how competition policy effects macroeconomic outcomes; Illkovitz and Dierx (editors), *Ex post economic evaluation of competition policy* (2017).
[3] Based on page 7, DG Competition Strategic Plan 2020-2024.

CARIBBEAN EXAMINATIONS COUNCIL

CARICOM competition commission

2.0
Where Are We Now?
Scanning of the corporate environment

Where are we now? Scanning of the corporate environment

(a) Establishment issues and subsequent structural developments

The key finding of this scan is that the Commission was established with significant gaps, constraints and structural deficits. In this regard, while the Revised Treaty sufficiently stipulates the competition and consumer protection mandates that the Commission is expected to deliver; all the other provisions in Chapter VIII that are necessary for the delivery of those mandates exhibit some gap or deficiency. See Table 2 below.

Table 2- Gap analysis of Chapter VIII of the Revised Treaty.

CHAPTER VIII, REVISED TREATY OF CHAGUARAMAS, 2001			
Criteria	Requirements	Assessment	Comment
Existing provisions	National implementation of competition laws		*Art. 170(1)(b) obligation to implement laws, but there is partial and non-compliance among the MS.*
	Institutional cooperation with National Competition Authorities		*Article 170(2) obligation to cooperate, but there is partial and non-compliance among the MS.*
	Composition of the Commission		*Limited provision (Articles 171-172) that only establishes a Board for policy direction. No establishment of Commission Secretariat or any functional departments for operational execution.*
	Competition mandate and functions		*Articles 173 (1) and (2) clearly state the mandate of the Commission.*
	Consumer mandate and functions		*Articles 173 and 186 clearly state the mandate of the Commission.*
	Contentious enforcement powers and procedures		*Limited provision (Articles 174-176) that does not allow for effective enforcement. Also other necessary provisions are absent such as right of private complaint, search and seizure, etc.*
	Competition and Consumer provisions		*Limited provision (Articles 177-179, 184-185). But only 2 of 3 Pillars of Competition Law recognized. Absence of Merger Review provisions.*
	Policy advice and advocacy		*Absence of power to conduct market studies. Also there is no right to receive notification of relevant decisions of Community Organs.*
Needed provisions	Financial arrangements		*Absence of power to charge fees for services rendered. Also no powers to borrow or source funds outside of MS contributions.*
	Human resource arrangements		*Implied power to employ staff under Article 174(5). But no treaty provision for terms and conditions as to emoluments, tenure, division of work, etc for key managerial or official positions. Also non approval of organizational structure and implementation delay for revised staff rules.*
	Governance arrangements		*Limited provision (Article 172) such as Board composition, appointments and termination, but no provision for decision-making procedures or corporate ethics.*
	Non-contentious enforcement powers and procedures		*Absence of power to settle cases of suspected anti-competitive conduct or to implement a leniency programme to encourage compliance.*

KEY:
No provision Insufficient provisions Sufficient provision

This is compounded by the Seat Agreement, and the Protocol on the Privileges and Immunities of the Competition Commission, which provide the bare minimum to establish the Commission as an international organisation entitled to privileges and immunities; but omit other critical provisions that are needed for effective operational performance. See Table 3 below.

Table 3. *Gap analysis of the Seat Agreement*

SEAT AGREEMENT			
Criteria	Requirements	Assessment	Comment
Existing provisions	Use of Terms		*Article 1 defines only a limited number of Commission functionaries (i.e. Chairperson, Commissioner, Registrar and Officers). No provision for Executive Director and Departmental Heads.*
	Status of the Commission		*Article II(1) sufficiently provides for the legal personality of the Commission and capacity to transact its business.*
	Seat and Office of the Commission		*Article III sufficiently provides for inviolability of the Seat and Office of the Commission and connected matters.*
	Commission Privileges and Immunities		*Articles IV - VIII sufficiently provide for the Commission's privileges and immunities over its property, assets, archives, communications, etc.*
	Commissioners & Officers Privileges and Immunities		*Article IX provides limited privileges and immunities for Commission functionaries when engaged in Commission business; but makes no provision for when those functionaries are either relocating to or from the duty station on first appointment with or separation from the Commission.*
	Counsel and Other Persons Appearing Before the Commission		*Article X sufficiently provides for privileges and immunities for persons appearing in Commission proceedings to the extent necessary for the performance of their functions in such proceedings.*
	Facilitation of Travel		*Article XII sufficiently provides for entry and exit into the Republic of Suriname for Commission functionaries and persons otherwise invited by the Commission on official business.*
	Cooperation with Competent Authorities		*Article XI sufficiently provides for certain matters relevant to cooperation between the Commission and the Government of the Republic of Suriname.*
Needed provisions	Establishment of Commission Secretariat		*Absence of provision for establishment of the Commission's Secretariat or any functional departments for operational execution.*
	Recognition of Executive Director		*Non-recognition of the Executive Director as the Chief Executive Officer of the Commission.*
	Legal Representation of the Commission		*The Seat Agreement incorrectly indicates the legal personality of the Commission as a 'court' instead of an administrative body. In consequence, the Registrar cannot legally represent the Commission as Article II(2) contemplates but rather is only to act as an 'officer of court'.*
	Security of the Seat and Office of the Commission		*Absence of any obligation on the Government to take all appropriate steps to protect the Seat and Office of the Commission against any intrusion or damage and to prevent any disturbances of the peace of the Seat and Office or impairment of its dignity.*
	Maintenance of the Seat and Office of the Commission		*Absence of any obligation on the Government to inspect, repair, maintain, and if necessary to relocate, the Seat and Office of the Commission.*
	Possession, Use and Enjoyment of the Seat and Office of the Commission		*Absence of any obligation on the Government to ensure that the Commission shall <u>not</u> be dispossessed of the premises in Suriname comprising its Seat and Office and for matters relating to the use and enjoyment of that premises for the business of the Commission.*
	Provision of Public Utilities to the Seat and Office of the Commission		*Absence of any obligation on the Government to ensure that the Seat and Office of the Commission shall be supplied on equitable terms with necessary public services, including electricity, water, telephone, collection of refuse, drainage, and similar services.*
	Implementation of the Seat Agreement		*Absence of any obligation on the Government to cooperate with the Commission to ensure good faith and total implementation of the Seat Agreement.*

Although the gaps identified in this section are relevant to the broader strategic consideration; it is recognised that they are structural in origin and nature. This implies that initiatives to effectively bridge these gaps will to an extent reside beyond the remit of managerial action through corporate strategy execution.

In considering structural developments subsequent to establishment, it is observed that a number of processes or initiatives have occurred during the previous strategic planning cycle from 2020 to 2023. Most of them are on-going with potential structural outcomes for the Commission over the long run.[4] As the table below summarises, there are a variety of potential outcomes, which range from expansion to retrenchment of the Commission. Although considering the recommendations of the RCCI Consultancy, some degree of staff retrenchment is recommended together with mandate suppression, against the advice of the Commission as to the harm to the CSME and to the work of the Commission started in the first plan and forecasted to continue in the second.

Table 4. Summary of structural developments at the Commission (2019-2023)

Process or Intiative	Expansion of the CCC	Retrenchment of the CCC	Mixed impact on the CCC	Comment
Regional Policy on Mergers & Acquisitions	☑			potential for expansion of mandate and functions to include merger review.
Dual Role Proposal	☑			potential for expansion of mandate and functions to include national competition enforcement.
Review of CARICOM Institutions Consultancy		☑		potential for streamlining of mandate and functions and restructuring of Commission to reduce costs.
Revision of Contribution Formula			☑	No increase in Commission annual budget, but potential for addressing volatility of contribution inflows.

(b) Operational review of strategic implementation

In reviewing the Commission's progress towards implementation of the projects and activities under the previous strategic plan 2020 – 2023, the key finding is that most projects and activities that were internally driven by the Commission Secretariat showed greater progress than those which required major input from external stakeholders, such as the Member States. Although the Commission Secretariat faced internal constraints such as a lack of funding sources and limited human resources; where the Secretariat is the main driver there is a greater ability to manage implementation and account for changing dynamics.

The first plan saw the setting of key performance indicators (KPIs) as part of the Performance Management Framework (PMF) and this will be continued in the next strategic planning cycle. Greater engagement with Member States periodically to address their needs during the implementation of the strategic plan implementation will also be critical.

(c) Financial management during the strategic cycle

For the period 2020 – 2022 the Commission's approved budget per annum was US$745,799.00 which is a reduction from the 2019 budget of US$798,518.00 due to extenuating circumstances such as the deleterious impact of the COVID-19 pandemic. However, the annual approved budget does *not* represent the Commission's real yearly

[4] A "structural outcome" is one that could either change the financial or human resource arrangements of the Commission; or change the mandate or functions of the Commission.

operating cash position due to several adjustments that must be made to account for: (a) expected shortfalls of approximately 21.6% of the approved budget due to historic payment patterns by Member States Antigua & Barbuda; Jamaica, Suriname and Trinidad & Tobago; (b) of the annual funds received by the Commission more than 50% constitute payments in arrears relating to prior or delayed expenditures from the previous year; (c) the remaining funds received relates to current expenditures is inadequate to meet Head 1 (staff remuneration); and (d) Member States choose to pay quarterly in arrears and not annually in advance, so managing the cash flow is a constant challenge.

The review of the Commission's finances presented key findings. First, the annual real operating cash position is *always* lower than the approved budget or the expected amount of funds, causing the Commission to operate within a deficit. Indeed, the annual average level of payment outstanding to the Commission is more than the annual budget of US$745,799.00. Second, the Commission relies heavily on payment of arrears to sustain operations.

In those circumstances, it is relevant to note measures taken under the previous strategic plan to streamline the Commission's finances. This was primarily under the first pillar of *"Building Institutional Resilience"*, whereby there was a focus on:

1. creating Standard Operating Procedures (SOPs); and
2. Enhancing operational effectiveness through the documentation of SOPs, acquisition of critical software and licenses, development of policies and frameworks, maintenance of updated management and financial reporting.

Table 5. Commission Internal Policies Since 2019

#	Deliverables	Description	Status
1	Fixed Asset Policy	Included: - Standardizing accounting procedures and policies for fixed asset - Management of fixed assets specifically Procurement, tracking & control of assets	100% Completed and currently utilized
2	Cash Handling/Management Policy	Procedures & documentation for: - Internal controls - Cash receipts - Petty cash Administration - Payments (vendors & per diems) - Electronic Banking - Credit card usage - Bank reconciliations	100% Completed with periodic updates as needed
3	Enterprise Risk Management Policy & Framework for CCC	Development of policy, process and framework (including risk map)	Completed and under review by Board. To be updated semi annually
4	Activity based Costing for Budgeting	To show in a more direct manner how MS funds are utilized and better allow CCC to price its services.	50% completed.
5	Financial and Management Reporting	- Conduct annual External Audits 2020-2022 - Produce ongoing monthly management reports for key business areas for management decision making.	100% Completed notwithstanding covid interruptions. 100% Completed

6	Upgrade of Financial Software	To support reporting requirements in 5 above	100% Completed
7	Other actions to support financial resilience	- Sale of vehicle via competitive bid - no longer cost effective to maintain. - Contributions to Contingency fund - Revision of the CCC contribution formula - Concerted efforts and negotiation to address long-standing arrears. - Payment Plans and Negations with Member States still in arrears after 2019 - Increased relations with international development partners (IDPs) for technical assistance to supplement the budget in the area of advocacy. - Use of staff instead of consultants to facilitate advocacy activities	100% completed. Stopped from 2020 due to the faulty premise on which contributions were based which left the fund cash-strapped. May resume when CCC is no longer in deficit **and** if all contributions for the relevant year are received. CCC assisted in this revision to eliminate current anomalies in which two MS contribute < 25% each and together 58% of CCC budget. Proposal for consideration by MS Funds received from Trinidad, Jamaica, Guyana and Suriname in 2019 to address YTD arrears valued at approx. 800k. Offer made to Antigua in 2021 still not taken up. Negotiations with Suriname ongoing. MOUs with CXC and COMESA (2020) established. Technical assistance from IDPs (Commonwealth Secretariate, FTCs) in 2021 & 2022 approximated additional USD 40k on budget

(d) *Macro-economic developments in the CSME between 2020 – 2023*

A key finding is that macro-economic trends from 2020 – 2022, continuing into 2023, may impact the Commission and the wider CARICOM, especially with the observation of low and declining GDP trend lines in most CSME Member States as seen in Figure 1 below. This economic downturn might lead to increased anti-competitive business conduct, such as price-fixing or collusion, as firms strive to maintain their profits.

Figure 3. Annual Real GDP Growth in the CSME (2010-2022)

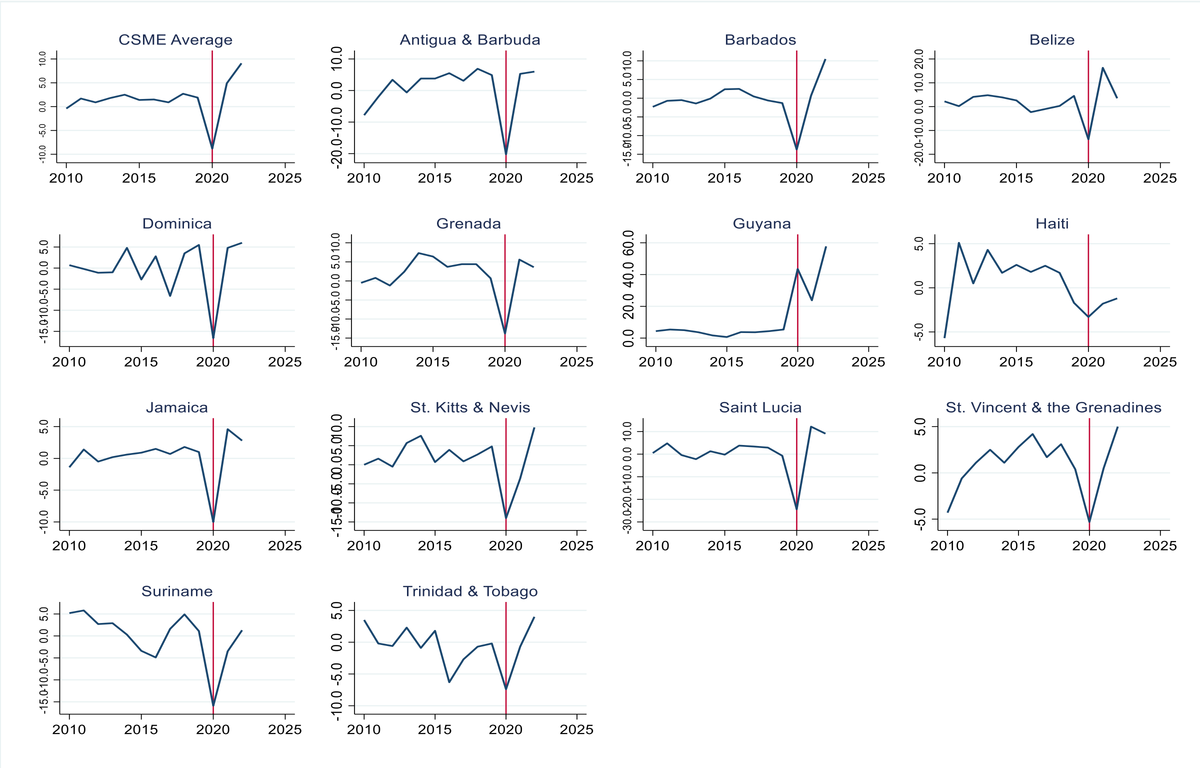


Figure 2 presents data from the IMF on economic growth for the CSME Member States for the period spanning 2010 – 2022. The chart emphasises the significant economic impact of COVID-19 in 2020. During the year, economic activity for the CSME region contracted to record an estimated average rate of growth of around -8.8%, halting the growth trajectory many Member States experienced in 2018-2019.

The decline in economic activity across the region in 2020 was due to contractions in several key sectors. Tourism and its ancillary sectors were significant drivers of the economic decline, as countries implemented stringent measures to curb the transmission of the virus.

The same declining GDP trend, however, may also impact the Commission in terms of decreasing resources available to the organization to carry out its mandate. Another important macro-economic trend observed is the decreasing debt-to-GDP ratio for most CSME Member States. This may signal greater investment potential across the CSME, which in turn implies for the Commission, the possibility for increased frequency of cross-border mergers and acquisitions that should be reviewed.

(e) Legislative environment for competition and consumer protection between 2019 – 2023

For competition enforcement, legislative developments that have occurred during the strategic planning cycle 2020 – 2023 include: (1) Belize requested and received in 2022 technical assistance from the Commission in the form of a review of its Draft Competition Bill, 2021; and (2) while draft competition bills for Suriname and the OECS Member States have been under consideration for several years before the previous planning cycle, there remains no indication of progress towards enactment. Jamaica is still to legislate for the communication between its national competition commission and the regional commission.

On the joint initiative of the CCC and the OECS Commission, the Fifth Meeting of the OECS Council of Ministers of Trade committed in 2023 to adopt the Community Competition Policy established under Chapter VIII of the RTC as the common competition policy pursuant to Article 3(l) of the Protocol of the Eastern Caribbean Economic Union under the Revised Treaty of Basseterre. In this legislative and policy environment, therefore, strategies to promote enactment and greater harmonisation of competition laws in the region will remain critical; whilst recognising the constraint that such decisions are within the sovereign discretion of Member States.

For consumer protection, the legislative developments that have occurred during the said planning cycle include: (1) enactment of the Consumer Protection Act by Grenada in 2020; (2) enactment of Consumer Protection Act by Saint Vincent and the Grenadines in 2020; and (3) enactment of the Consumer Protection Act by Saint Lucia in 2022. These Member States, and others, may require financial and technical assistance to implement the recently enacted legislation. It is likely, for example, that there will be a need for capacity building of consumer officials in areas such as market surveillance and complaints management.

Overall, a key finding is that the Members States have shown a greater interest in implementing national consumer protection laws than national competition laws. This could be due to the greater popular appeal of consumer protection concerns, which garner greater political commitment to enact consumer protection legislation. This implies that a greater emphasis on its consumer protection role and mandate may be a relevant strategy for potentially raising the regional profile of the Commission. The challenge that may be encountered, however, is that other regional stakeholders, such as the CARICOM Secretariat and CrosQ are also in the consumer policy space and therefore communication and collaboration would be key to ensure the right target of interventions and access to resources.

(f) Macro-political developments in the CSME between 2019 – 2023

As noted in the preceding legal scan, the differences in the progress towards enacting competition and consumer protection legislation may be related to issues of political commitment. Such commitment may be affected by macro-political developments, such as changes in political administrations in the Member State governments.

Member State governments hold diverse opinions on the importance of policies like competition and consumer protection to regional integration, which may stem from either contradictory ideological perspectives or unfamiliarity with these domains. As experience gained from executing the previous strategic plan shows, significant changes in political administrations across the macro-political environment of the Commission can impact its corporate strategy as expressed in work programmes and budgets submitted for review and approval by Member States.

The Commission noted a significant change in the macro-political environment in which it operated during the previous strategic planning cycle (2019 – 2023). All 13 CSME Member States held general elections during that period, with 8 of the 13 undergoing changes in political administration.

Those changes are salient on two levels for the relationship between the Commission and Member State governments (as a category of institutional stakeholder). First, it implies the need to *maintain* continuous stakeholder engagement where new incoming political administrations may be unfamiliar with either competition and consumer protection as worthy public policies or the work of the Commission in those areas. Second, it implies the need to *intensify* stakeholder engagement where new incoming political administrations hold or are susceptible to holding ideological perspectives that are not conducive to promoting competition and consumer protection policies, and the work of the Commission. Corporate strategy planning cycles (every 3 to 4 years) also often overlap with electoral cycles (every 4 or 5 years), requiring the Commission to monitor political changes and standardise strategies to address their impact on its work programmes and budgets.

Another relevant macro-political development is the increasing influence of private sector actors or agents in regional competition policy discourses. Indeed, as noted in the relevant literature, young regional competition regimes may need to rely on intermediary actors or change agents to catalyse institutional development by lobbying key decision-makers (such as Member State governments) on behalf of the regional competition authority trying to establish itself.[5] This assumes that the interests of such actors or agents are, or will be, aligned with support for the regional competition regime. However, as also recognised in the literature while regional competition regimes may benefit Member States, there can be political economy issues in as much as *"private actors might use their influence in a potential Member State in order to create obstacles to the adoption and enforcement of [regional competition regimes] which would upset the status quo from which they benefit."*[6]

Recently, the Caribbean Private Sector Organization (CPSO) has emerged as an important stakeholder or actor in regional competition policy discourses within the CSME. In 2020, the CPSO and the Caribbean Community executed a Memorandum of Understanding that affords observer status to CPSO at Organs, Committees, Working Groups or Technical Teams of CARICOM that are considering matters of implementing the CSME.[7] The Commission also observed the influence of the CPSO in the formulation of the revised Regional Policy for the Regulation of Mergers and Acquisitions in the CSME. This is another development which should be closely monitored for potential impact on the execution of projects and initiatives related to competition and consumer protection in the next strategic planning cycle or issue capture, particularly where meetings or communications on competition or consumer protection policy are conducted in the absence of the CCC.

The identified developments demonstrate a link between dynamics observed in the legislative, policy and macro-political environments. Strategies to address both environments may therefore be synergistic, especially where they consist of stakeholder engagement.

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5 V Kigwiru *"Actors of the Common Market for Eastern and Southern Africa (COMESA) Competition Commission's Supranationalism, 2013 – 2018: The Role of Intermediary Actors"*

6 M Bakhoum, J Drexl, eds., *"Competition Policy and Regional Integration in Developing Countries"* (Edward Elgar, 2012).

7 Memorandum of Understanding between the Caribbean Community and the CARICOM Private Sector Organization Inc Concerning Cooperation towards the Full Implementation of the CARICOM Single Market and Economy dated December 3, 2020.

(g) Key findings from stakeholder consultation and needs assessment

This section provides information on stakeholder perceptions of the previous strategic plan (2020 – 2022), the Commission's implementation of the plan, and the future needs of the CSME Member States regarding competition and consumer protection. The key findings Stated below are based on information collected from a survey of the Commission's regional stakeholders using two instruments: (1) a strategic feedback questionnaire; and (2) a needs assessment questionnaire.

The Commission emailed both questionnaires to the Ministries of Trade and Commerce of 13 CSME Member States and one regional institution. It was intended that these recipients would complete the questionnaires, and further disseminate same to national competition and consumer protection authorities. The survey ran from August 2022 to March 2023, expecting between 13 to 30 responses based on the dissemination method.

The response rate to the survey was moderate and slightly over the minimum amount of responses considered although the stakeholders had ample time to complete the questionnaires. The Commission received 16 responses from stakeholders to the strategic feedback component of the survey and 14 to the needs assessment component. The moderate response, therefore, means the Commission may have to formulate its next strategic plan based on limited stakeholder input.

The key findings from the survey include:

a) most of the respondents are familiar with the previous strategic plan, which shows an awareness of the work of the Commission within the region. The respondents agreed that the Commission benefitted from adopting the plan, and that it improved the transparency of the institution's operations. They also agreed that since adopting the plan the Commission showed impactful leadership in the areas of competition and consumer issues.

b) the sample found the contents of the plan to be relevant, rating highly the key corporate Statements (i.e. vision, mission, and core values), RBM framework, and the activities to be conducted by the Commission.

c) the respondents rated general implementation of key activities of the plan with a score of 3.6 out of 5 or **72%.** The Commission's online courses on competition and consumer protection law and policy received the highest score (4.1 out of 5 or **82%**) of all the initiatives undertaken by the institution during the plan period. The institution's delivery of training in competition law and policy and the staging of the regional essay contest followed closely with average mean scores of 3.8 out of 5 (or **76.2%).** Efforts to conduct market studies also yielded a favourable score of 3.75 out of 5 (or **75%**). The respondents rated the Commission's attempts to strengthen its investigative functions and developing the policy framework to expand its role the lowest of all initiatives, both with scores of 3.3 out of 5 (or **66%**).

d) the sample viewed delayed payments of contributions by CSME Member States to the Commission as the most important challenge that affected the institution's ability to fully implement the previous plan, followed by the lack of competition statutes and institutions in the CSME Member States. They, however, believe these two important challenges will persist in the future for the Commission.

e) the respondents identified private business enterprises, the legal profession, and sector regulators as the primary stakeholder groups which the Commission should target for training in competition law. However, they noted the Commission should target consumers and consumer groups, the legal profession, and sector regulators for training in consumer protection.

f) regarding training in specific areas, the respondents indicated that identifying anticompetitive business conduct by firms, understanding the pillars of competition law, and identifying government policies that restrict market entry as priority areas for competition.

g) the priority areas for training in consumer protection are understanding deceptive business practices, the importance of consumer protection for effective markets, and the benefits of consumer protection for consumers.

h) the sample identified public utilities as the main area the Commission should look at when conducting market studies from the competition side, while the food, beverages and the hospitality sector should be prioritised for studies from the consumer side.

3.0
An Eye to the Horizon:
Proposed Recommendations of the RCCI Consultancy

An eye to the horizon: proposed recommendations of the RCCI consultancy

At its Thirty-First Meeting in 2010, the Conference of Heads of Government decided that a comprehensive review of Community Institutions (CIs) should be undertaken, to rationalise their functions, funding and structures effectively to better serve the Community. It was further decided that the review should answer the following fundamental questions about CIs: (1) Are they fit for purpose? (2) Are they effective in delivery? And (3) Will there be harm to the region if they close?

In 2020, the Community secured international development assistance to fund the requisite consultancy to undertake the review. The consultancy commenced in 2022 with terms of reference to review seventeen (17) CIs, which includes the Commission. The review is on-going, and for each CI as well as a collective the review considers: (1) Organizational Development and Corporate Strategy; (2) Legal and Governance arrangements; and (3) Financial arrangements.

A Draft First Progress Report was submitted in October 2022. The relevant sections of the Report on the Commission identify and discuss, from an external perspective, some of the issues addressed in the environmental scans for this strategic planning cycle. In the consultant's view the issues identified: *"call into question the organisation's ongoing and future ability to deliver on the current mandate."* The preliminary recommendation on the Commission is for a *"further review…in terms of the realism of the current mandate, its definition, interpretation and acceptance by MS, and how CARICOM's intent for the CCC is best achieved and sustained."*

A Draft Second Progress Report was submitted in January 2023, which essentially reiterated that preliminary view and added that: *"…options under consideration could involve reconstruction with review of mandate and related function(s) in line with the current and future needs in order to meet the defined CARICOM objectives, or closure with assignment of any critical mandate or function to other CIs or other community organisations."*

After consultations with regional stakeholders and publics, which included the Commission, the consultants' draft final recommendation as of August 2023 is to: *"retain CCC as a standalone CI. Enable CCC and CROSQ to collaborate more closely on the joint pursuit of the CSME. Relocate CCC Secretariat to appropriate accommodation in Trinidad and Tobago or Barbados…Change Commissioner model to fixed term contract (i.e. 4-5 years) for service provision, payable on an ad hoc/as required basis, e.g., for assigned investigations, hearings and preparation time. Payment for such work [to] be at fixed hourly or daily rate, such as with CCAT. Refocus Secretariat on driving and supporting MS achievement of legislative and administrative requirements to enable full CCC mandate. Establish 5-year limit to achieve this goal."*

The last mentioned draft recommendation to "refocus" the Commission's secretariat is essentially a recommendation to retrench most of the staff. In particular, the specific draft recommendation is to retain the Executive Director and the Senior Legal Counsel or Senior Economist as the only core, full time salaried positions. The consultants' have taken the view that economists and accountants are non-core positions that should be appointed but paid on an ad hoc basis as needed per investigation or case.

The Commission submitted written responses to the consultants on the draft document, noting that the recommended staff and Commissioner retrenchment will present several risks to the region. The risks include: (a) a permanently weakened institution, (b) marginalising the competition law regime in the region, and (c) potentially permanently altering market structures in the region through a lack of supervision or enforcement of cross-border transactions or business conduct.

The immediate strategic relevance of the RCCI consultancy resides in either the creation or reinforcement of negative perceptions of the Commission among important regional stakeholders and publics, including Member State governments that contribute to the institution's budget. In this regard, the Commission has already incurred significant reputational damage that arose from a 'leak' of the consultancy's third progress report in the Jamaica Gleaner newspaper on 9 July 2023, and the resultant negative informal commentary.

The proposed staff retrenchments, if finalised and approved by the Conference of Heads of Government, will be a critical emerging challenge is the next strategic planning cycle. More specifically, the challenge is that any retrenchment of the already lean staff complement will likely lead to a significant loss of functionality in the organisation. Furthermore, retrenchment of Commissioners, by removing their retainers, might implicate corporate governance risks in the next strategic planning cycle.

Risks related to this challenge may materialise at multiple levels. At the organisational level, staff retrenchment via an "ad hoc" call out basis, could seriously undermine the Commission's institutional capacity and credibility. The peril here is profound: the organization faces the prospect of becoming incapacitated; with the result that the numerous achievements from 2019 to current as noted above would be rendered nugatory. The likely result would be a relegation of the Commission's mandates in competition law and consumer protection further to the outermost periphery of the regional agenda.

Additionally, Commissioner retrenchment via removal of retainers could risk the quorum of the Commission as required by Article 172(1) of the Revised Treaty of Chaguaramas.[8] More specifically, this risk could arise due to the staggered tenure of the Commissioners whereby some may be expected to reach the end of their first term before others. In this regard, at least three (3) Commissioners may be expected to reach that milestone in the next strategic planning cycle. The risk is that removal of Commissioner retainers, as recommended by the RCCI consultancy and if approved, may lead to difficulties in attracting suitable talent to fill upcoming board vacancies; thereby imperilling quorum of the Commission should those vacancies remain unfilled.

At the wider Community level staff retrenchment would curtail many of the functions of the Commission, which is contrary both to the broad treaty mandate under Chapter VIII RTC and considering the widely recognized necessity for a fully staffed regional commission. A balanced understanding of this risk reveals that competition law and consumer protection are fundamental to safeguarding consumer welfare in the CSME Member States. Those policies are also crucial to generating credibility for the CSME as a rules-based investment environment among the recognized trading blocs and economic integration communities that subscribe to the World Trade Organisation (WTO) system.

Further, should the Commission's mandates in competition law enforcement and consumer protection be fully or partially suppressed, then there is an appreciable risk of allowing competition in regional markets to undergo potentially irreversible distortions.

8 Article 172(1) RTC States that the Commissioner "shall comprise" seven (7) Members.

This could manifest in the form of anti-competitive cross-border mergers and acquisitions or other harmful cross-border business practices that might solidify altered market dynamics, thereby compromising consumer welfare across the region and imperilling a key plank of the CSME under the RTC. Moreover, marginalisation of regional competition and consumer protection policies as mandated under Chapter VIII would put at risk the credibility of the CSME as a rules-based economic integration community under the WTO system.

In these circumstances, strategies and/or tactics to mitigate or address such negative perceptions, as formulated and implemented in the previous planning cycle – particularly under Pillar 2 Value-Driven Stakeholder Engagement – may accordingly remain quite relevant to the next planning cycle.

4.0
The Way Forward:
A targeted focus for the next strategic planning cycle

The Way Forward: A targeted focus for the next strategic planning cycle

The results of the environmental scans, stakeholder consultation/needs assessment and the draft recommendations of the RCCI consultancy were all analysed in terms of the Commission's Strengths, Weaknesses, Opportunities and Threats (see Figure 3).

The analysis revealed the current internal and external positions of the Commission as follows:

Figure 4. SWOT Analysis

Strength	Weakness	Opportunities	Threats
Highly skilled staff able to drive implementation of projects within managerial control	Inadequate Commission establishment due to gaps in constituent legal instruments	Increased opportunities to investigate cross-border M&A due to more deals and pending regional policy approval	Possible retrenchment of staff and Commissioners leading to loss of functionality
Improved stakeholder perceptions of Commission due to implementation of previous strategic plan	Operations are only marginally sustained on recurring budget deficits	Need for capacity building in consumer protection due to recent legislative progress in some Member States	Member States unduly delay or do not pay budgetary contributions
Good relations with international development partners	Lack of competition legislation in most Member States hampers core mandate to investigate cases	Regional stakeholders accept need for increased competition training and more market studies	Competing projects and initiatives by other regional stakeholders detract from Commission relevance
Productivity gains from remote work using ICT platforms have offset some operational weaknesses due to hosting issues	Operations curtailed due to unsuitable hosting arrangements and deteriorated physical assets	Availability of ICT platforms for remote work product development and service delivery	External shocks such as natural disasters and economic downturns
Dual treaty mandates in competition and consumer protection	Insufficient internal staff policies	Willingness of international development partners to collaborate with Commission	Frequent change of political administrations in Member States and rise of private lobby groups

Based on the analyses presented in the previous sections of this plan, the way forward for the Commission involves the following decisions regarding the three (3) year work plan:

I. retaining the mission, vision and core values, which stakeholders deemed sufficient and applicable to the CCC.

II. three pillars from the first strategic plan, viz: “Building Institutional Resilience”; “Value-Driven Stakeholder Engagement” and “Safeguarding Competition and Consumer Welfare” and continue relevant projects and initiatives under same.

III. a new fourth pillar entitled: “Supporting Member States’ RTC Legislative Compliance.” The objective of this new pillar will be to offer targeted assistance to those Member States that have not yet enacted competition legislation and establish competition authorities as required under Chapter VIII RTC.

IV. focus on projects and initiatives that align with the priorities of the CHOG. These priorities have been identified as: (1) CARICOM Single Market and Economy”, (2) “Food Security”, (3) “Climate change and resilience”, (4) “Crime and Regional Security” and (5) “Disaster Preparedness.” Naturally, given the Commission’s mandate and the economic role of competition and consumer protection, there should be a focus on first three of those priorities listed.

V. focus on establishing a cooperation framework with the CARICOM Secretariat aimed at reducing tensions and overlaps in the fields of competition and consumer protection in the CSME. The Commission will also continue work begun under the first strategic plan to operationalize collaborative relationships with other regional stakeholders such as OOCUR and CTU.

VI. in light of the RCCI recommendations, maintain an advocacy position for a fully resourced Commission, which means an institution that possesses both legal and economic expertise and supported by transparent and effective executive corporate and financial management.

VII. in light of Member State fiscal positions, the CCC request for review of its contribution formula and general need positioning, the CCC intends to maintain a standstill budget at the same level as 2020-2023 from 2024 – 2026. This would allow Member States the room needed to focus on legislative compliance, and the CCC would also focus on externally sourced funding for projects, as was commenced in the first Strategic Plan.

5.0
The Strategic Pillars

The Strategic Pillars

The selected Pillars flow naturally from the Vision and Mission of the Commission and rely on the core values exhibited by the Commission and its Secretariat:

VISION STATEMENT OF THE CARICOM COMPETITION COMMISSION

"To be the leading institution in consumer and competition policy and law for the enhancement of economic efficiency and consumer welfare in the CARICOM Single Market and Economy".

MISSION STATEMENT OF THE CARICOM COMPETITION COMMISSION

"To ensure that consumers, businesses and the CSME Member States benefit from fair competition and adequate consumer safeguards. This is achieved through:

(a) the development of harmonized laws and policies;

(b) the enforcement of the rules of competition; and

(c) advocacy of the benefits of competition and consumer protection."

CORE VALUES OF THE CARICOM COMPETITION COMMISSION

Integrity:

- ***We are objective in how we make decisions.***
- ***We always strive to fairly treat people in the circumstances.***
- ***We try to honour our commitments as an organization.***
- ***We support the values of intellectual honesty and professional ethics.***

Service Excellence:

- ***We deliver on our mandate to the best of our abilities and resources.***
- ***We strive to improve how we do our work.***
- ***We are willing to consult with our stakeholders and be responsive to their needs taking into account the needs of others.***

Commitment:

- ***As a team we commit to working towards the Vision and Mission, even in the face of constraints.***
- ***We commit to efficiently and effectively using the resources provided to us in delivering service excellence.***
- ***Our staff commits to both individual growth and corporate success as two sides of the same coin.***

Accountability:

- ***We strive to be transparent and credible communicators while balancing that with the need to respect confidential business information.***
- ***Our Commissioners and Staff take ownership in all aspects of strategy and operations to deliver service excellence.***
- ***We strive to lead by example in competition enforcement and consumer advocacy.***

The four strategic pillars serve as the foundational elements guiding the Commission's strategic implementation. Each Pillar encompasses an overarching expected outcome, further broken down into specific goals that inform strategy creation. These goals, in turn, are operationalized through distinct projects and programmes.

It is imperative to note that these Pillars are interdependent, necessitating a harmonized approach for effective implementation. This synergy implies that projects and programmes under one pillar can contribute to the objectives of other pillars. Furthermore, in recognition of the Commission's pivotal role in advancing the Community Competition Policy for the benefit of the CSME, there is a conscious attempt to align the pillars with the general direction of Member State priorities around building economic resilience and focusing on cooperation and collaboration with CARICOM institutions, organs and bodies.

PILLAR 1 – Building Institutional Resilience

Notwithstanding successful execution of some projects under this pillar in the first strategic plan, which improved institution resilience through implementation of internal procedures; the Commission continues to ensure the necessary work of building the organization is continued.

Activities under this Pillar will focus on agency effectiveness in the current environment, whilst staying ready for change. Internal governance and accountability will continue to be at the forefront. A critical activity will see the research and settlement of a defined enforcement agenda for the Commission – this activity will not exclude areas which are required to be investigated on a case by case basis but will set the parameters for critical areas for the Commission to conduct sector or market studies, assessments and reviews. The aim for the establishment of this agenda would be to make certain the resources needed by the Commission from a human and financial perspective.

Figure 5: Key Activities for Pillar 1 - Building Institutional Resilience

Optimise organisational efficiency	Establish enforcement agenda	Strengthen internal governance and accountability
• Implement strategic plan • Respond to RCCI or other decisions	• Review priority areas in CSME • Establish agenda	• Risk management and governance • Complete SOPs

PILLAR 2 – Promoting Member State Compliance

This is the new Pillar, which is necessitated by the imperative to build out the legal infrastructure in the Member States to support regional competition law enforcement. Even though the previous plan and work of the Commission was geared towards achieving compliance, it was felt that to best respond to the RCCI commentaries, to create a targeted pillar with compliance as its foundation.

Accordingly, the goal of this new Pillar is to provide dedicated support to Member States that are in the process of implementing competition legislation and setting up competition authorities, in order to help them fulfil their treaty obligations under Chapter VIII RTC. Based on Member States' need for more visibility of the CCC, a targeted communications strategy is critical to this Pillar.

Figure 6: Key Activities Pillar 2 - Promoting Member State Compliance

Support for RTC implementation	Capacity building	Communications strategy
• Individual non-compliant Member State interventions policy review	• Targeted sensitisation and training	• Information sharing and awareness for non-compliant Members on competition, consumer protection, and CCC.

PILLAR 3 – Value-Driven Stakeholder Engagement

Although perceptions of the Commission have improved, largely due to successful implementation of the first strategic plan, challenges remain; especially with the reputation damage arising from the RCCI consultancy as discussed. This Pillar proved to be the bedrock of the Commission's activities in the period 2019-2023 and will continue to be so in this second plan.

The Commission has historically maintained strong ties with Community stakeholders and international development partners. This Pillar emphasizes the importance of refining advocacy and public relations efforts to further strengthen these relationships and ensure mutual benefits for all parties. It has traditionally been the heaviest utilisation of Secretariat resources and IDP sourced funds. In this iteration, the capacity building and collaboration is now shared between Pillar 2 and Pillar 3, with Pillar 3 targeting collaboration as its main focus for pushing advocacy with competition and consumer protection compliance.

Figure 7: Key Activities Pillar 3 - Value-Driven Stakeholder Engagement

Collaboration with RIs, RTC organs and bodies	Collaboration with sector regulators, private and legal sectors	Training
• Youth capacity building through MoU with CXC. • Single ICT space and digital markets through collaboration with CTU. • Consumer protection through collaboration with regional institutions. • Timely policy review and assessment through collaboration with CCS and CSM Unit.	• Targeted sensitisation and training for private and legal/judicial. • Capacity building through MoU with OOCUR. • Collaboration with consumer NGOs	• Online courses on competition and consumer law reviewed and updated. • Online youth student materials developed.

PILLAR 4 – Safeguarding Competition and Consumer Welfare

This pillar focuses on the Commission's treaty mandates and the need to optimize its core functions. It underscores the importance of leveraging the Commission's existing legal and economic expertise to address competition and consumer protection trends in the CARICOM Single Market and Economy (CSME), ensuring vigilant monitoring, investigation, and enforcement of its decisions. This requires sufficiently staffed Commission, with relevant expertise in law, economics, accountancy and management.

Figure 8: Key Activities Pillar 4 - Safeguarding Competition and Consumer Welfare

Strengthened monitoring function	Collaboration with NCAs and third country bodies	Strengthened investigative function
• Market studies in priority sectors. • Strengthening cooperation between CCC and NCAs.	• Cooperation with NCAs for improved monitoring and reporting of cases.	• Guidelines issued on core Treaty articles and principles

Financing the Strategic Plan

In its first strategic plan, the Commission ensured that all work programmes were tied to approved budgets and external funding sourced from IDPs. This second strategic plan is no different and, in the attachments, following, the Commission presents:

1. Proposed summarised three-year work plan – **Attachment I**
2. Proposed three year budget both collated and several – **Attachment II**.

Core functions (staff and Commission related) will remain funded by Member State contributions, but it is estimated that this funding will be kept steady at the current level of **XCD2,021,190.29** per year for the next three years. This mechanism will remain feasible as each year the CCC will activate work activities which are reliant on expertise of staff, cooperation from national partners (competition, consumer and sector regulators), international technical partners COFECE, COMESA, USFTC, USDoJ, OOCUR, UNCTAD, OECD, UNICEF and project sponsorship and funding from IDPs.

The assumption is a non-adoption of the RCCI recommended reduction/suppression in mandate, and non -acceptance of RCCI recommended ad hoc payment scheme for staff due to the fact that ad hoc payments will be consultancy based and will inevitably lead to a higher bill for member States and uncertainty on budgeted amounts required in advance for the relevant fiscals.

Strategic Plan 2024-2026:
Key Activities And Indicative Budgets

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
STRATEGIC PILLAR # 1: BUILDING INSTITUTIONAL RESILIENCE										
1.1 To optimise the organisational efficiency of the CCC	**Art. 170.1, 173 and 174.7**	**1.1.1. Implementation** of CCC Strategic Plan 2024-2026	Strategic Plan published	2024-2026 Strategic Plan published	2023	2024	Nil	CCC Budget (Head 1 - Personnel related costs)	**Assumption**: the staff resources of the CCC remain intact **Risk:** the RCCI recommendations for mandate and staff reduction are accepted by the Conference	**Lead:** CCC Secretariat **Supported by**: Commissioners **Interlinkages:** IDPs, CCS, NCAs, MS
1.2 To establish an enforcement agenda for the CCC	**Art. 169, 170.1 and 173**	**1.2.1 Review** of key priority areas in CSME and identification of areas for enforcement for the strategic period	Decisions of COTED and CHOG	Enforcement agenda established in accord with key resources identified	2024	2024	Nil	CCC Budget (Head 1 - Personnel related costs)	**Assumption**: the staff resources of the CCC remain intact **Risk:** the RCCI recommendations for mandate and staff reduction are accepted by the Conference	**Lead:** CCC Secretariat **Supported by**: CCS, NCAs **Interlinkages:** IDPs, CMS
1.3 To continue strengthening		**1.1.1 Completion of**	Advocacy policy approve	All policies completed	2024	2024	Nil	CCC Budget	**Assumption:** Resources are	**Lead:** CCC Secretariat

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
internal governance, accountability, and transparency	**Art. 171.1 and 173.2 (g), (h),**	Standard Operating Procedures	Conflict of interests/Ethics policy		2024	2025		Head 1 - Personnel related costs	available to develop the identified policies **Risk:** Delay in developing policies due to lack of resources	**Supported by**: Commissioners **Interlinkages:** IDPs, CCS
			Audit of financials		2024	2026				
		1.1.2 Implement risk management framework	A risk management framework implemented	A risk management framework implemented	2024	2024	~~Nil~~	CCC Budget – Head I – personnel related costs Head 11 – Other Operating expenses, IDP	**Assumption**: resources available for training **Risk:** No resources available	
STRATEGIC PILLAR # 2: PROMOTING MEMBER STATES COMPLIANCE										
2.1 To support Member States implementation of RTC competition and consumer mandates	**Article 173.1(b), 2(c) and (d)**	**2.1.1 Provide** technical support to Member States yet to develop their competition	Competition and consumer protection legislation and policies developed for Suriname	Competition and consumer frameworks finalised in Suriname	2024	2026		CCC Budget - Head 1 – Personnel related costs and IDPs	**Assumption**: Resources available to provide support to Belize and Suriname	**Lead:** CCC Secretariat **Supported by**: Commissioners

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
		law and policy frameworks	Competition and consumer protection legislation and policies developed for Belize	Competition and consumer frameworks finalised in Belize	2024	2026			**Risk:** No resources available to provide support to the Belize and Suriname	**Interlinkages**: IDPs, CSME Unit, and national competition and competent authorities
			Competition and consumer protection legislation and policies developed for Antigua and Barbuda	Competition and consumer frameworks finalised in Antigua and Barbuda	2024	2026				
		2.1.2. Execute targeted capacity building in competition law and policy for the OECS sub-region	(i) A High-level competition workshop or conference held for Government trade ministers in 2024 (ii) In-person workshop for senior government officials focused on institution building and effective agency	Target audiences sensitised and trained in 2024 (Government Ministers), 2024 (senior government officials), and 2025-2026 (private sector)	2024	2026	TBD	CCC Budget – Head 1 – Personnel related costs, OECS Commission, IDPs	**Assumption:** Funds and other resources available **Risk:** No funds and other resources available	**Lead:** CCC and OECS Commission **Supported by**: IDPs, Member States **Interlinkages**: national competition authorities, competent authorities, CCS CSM

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
			design, and M&A in 2024							
			(iii) Online workshop on competition law and policy for the private sector in 2025-2026							
		2.1.3 Study visit by Belize, OECS MS, and Suriname to a National competition authority	Report on Study visit for non-compliant MS representatives to national competition authority prepared	Study visit by representatives from Belize, OECS sub-region, and Suriname completed	2024	2026	TBD	IDPs and Member States	**Assumption:** Funding is identified to support in-person study visits **Risk:** No take-up from the governments of Belize, OECS, and Suriname of opportunity for representatives	**Lead:** CCC Secretariat **Supported by**: OECS Commission, IDPs, Member State governments **Interlinkages:** National competition authorities in receiving countries

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
		2.1.4. Develop a targeted communications strategy on the role and functions of the CCC for Member States without legislation	Communications strategy developed.	Profile of the CCC raised in Belize, the OECS sub-region, and Suriname	2024	2026	Nil	CCC Budget - Head 1 – Personnel related costs, and OECS Commission	**Assumption:** OECS Commission, and Governments of Belize and Suriname are willing to collaborate with the CCC **Risk:** No take-up from the OECS Commission and governments of Belize and Suriname	**Lead:** CCC Secretariat **Supported by**: OECS Commission, IDPs, Member State governments **Interlinkages:** National competition and competent authorities
STRATEGIC PILLAR # 3: VALUE-DRIVEN STAKEHOLDER ENGAGEMENT										
3.1. Strengthen the review of Community Policies	**Article 173.1 (b) and 2(b)**	**3.1.1 Enhance** closer cooperation with the CCS, Treaty organs and bodies, and regional institutions regarding Community Polices	Governance meetings held on key concerns for Community Policy formulation and implementation	Greater cohesion of activities in the region relating to the Community Competition Policy and the provision of competition assessments to the Community in	2024	2026	TBD	CCC Budget - Head 1 – Personnel related costs, IDPs	**Assumption**: CCS agrees to CCC consultation **Risk:** CCS does not cooperate with CCC	**Lead:** CCC Secretariat **Supported by:** CSM, national competition and competent authorities **Interlinkages:** CCN, CSM Unit, IDPs, CCS

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2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
				wider policy making						
3.2. To enhance advocacy initiatives that support implement-tation of RTC functions and mandates	**Article 173.2(e), (f), (g), (h)**	**3.2.1 Continued** implementation of the online training course on competition law and policy	Review of the online course on competition law & policy conducted on content and relevance, and new modules introduced as required	100 Additional persons trained in competition law and policy	2024	2026	Nil	CCC Budget - Head 1 – Personnel related costs, IDPs	**Assumption**: resources available to continue administering the course. **Risk:** No resources available.	**Lead:** CCC Secretariat **Supported by:** CCN **Interlinkages:** CCS, CSM Unit, competent authorities
	Article 173.2 (e), (f), (g), (h) and Article 186.1 and 186.2	**3.2.2 Continued** implementation of online training course on consumer protection	Review of the online course on competition law & policy conducted, and new modules introduced as required.	100 Additional persons trained in competition law and policy	2024	2026	Nil	CCC Budget - Head 1 – Personnel related costs, IDPs	**Assumption**: resources available to continue administering the online course **Risk:** No resources available	**Lead:** CCC Secretariat **Supported by:** National consumer Organisations and competition authorities **Interlinkages:** CSM unit, competent authorities

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
	Article 173.2(h) and Article 186.1(e),	**3.2.3. Collaborate** with CXC to implement MOU for development of curriculum content for regional students on competition and consumer protection law and policy.	Project Team established comprising CCC and CXC to address technical assistance needs	Two (2) meetings of Project Team held annually	2024	2026	Nil	CCC Budget - Head 1 – Personnel related costs, CXC. IDPs	**Assumption:** resources available to provide needed technical assistance to CXC **Risk:** No resources available	**Lead:** CCC Secretariat and CXC **Supported by:** National competition and consumer authorities. **Interlinkages:** IDPs, CSM Unit
			Technical assistance provided by CCC to CXC to educate students	(i) Webinars held to sensitise students and teachers (ii) Relevant syllabireviewed and revised						
	Art. 173.2(f), (g), (h) and Article 186.1(d), (f), (g), (h)	**3.2.4 Develop** materials to support Advocacy and Education and Research initiatives for consumers, business, and government	Policy briefs published on CCC website and social media platforms on data protection and privacy, and financial consumer protection	Public sensitised on current competition and consumer protection issues concerning the digital economy, and financial consumer protection	2024	2026	Nil	CCC Budget - Head 1 – Personnel related costs	**Assumption:** Resources available to prepare and publish articles **Risk**: Resources not available	**Lead:** CCC Secretariat **Supported by**: National competition authorities, and consumer organisations,

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2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
			Policy brief published on CCC website and social media platforms on the benefits of competition policy for SIDS	Public sensitised on the importance of competition law and policy in SIDS	2024	2026				**Interlinkages**: CCS, CSM, sector regulators, private sector
		3.2.5 Deliver technical support to national Consumer NGOs	(1) Reports on Annual Webinars held on topics of regional consumer interest prepared. (2) Bilateral meetings with Consumer NGOs executed and Reports prepared	(a) Representatives from all Consumer NGOs trained annually. (b) Technical assistance and support delivered annually	2024	2026	Nil	CCC Budget (Head I - Personnel related costs), IDPs, national consumer protection authorities, CCS.	**Assumption:** Resources available and the willingness of the Consumer NGOs to engage with CCC **Risk:** No resources available and a lack of take-up of initiative	**Lead:** CCC Secretariat **Supported by:** Consumer NGOs, national consumer protection and competition authorities **Interlinkages**: CCS and CSM Unit
3.3 To strengthen relationships with other CARICOM Regional institutions	**Article 173.2(g), (h) and Article 186.1(c), (d), (j), (k)**	**3.3.1 Collaborate** closely with CARICOM Institutions that support consumer protection	Online meetings with relevant CARICOM agencies responsible for consumer protection mandates	Meetings convened with consumer protection stakeholders	2024	2026	Nil	CCC Budget - Head 1 – Personnel related costs	**Assumption**: Willingness of CARICOM institutions to engage with CCC **Risk**: Unwillingness of regional	**Lead:** CCC Secretariat **Supported by**: CSM Unit and EIID **Interlinkages**: CROSQ, CAFSHA,

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2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
		functions in the CSME							institutions to engage the CCC	CARPHA, CTU, sector regulators
3.4 To strengthen relationships with sector regulators	**Article 173.2(e), (d), (e), (f) and Article 186.1(a), (d), (g), (h)**	**3.4.1 Collaborate** more closely with sector regulators in the Member States of the CSME	(a) Cooperation agreements with sector regulators developed (b) Meetings between competition authorities and sector regulators	(a) Executed agreements with critical sector regulators (b) Meeting held for training and information sharing	2024	2026	NIL	CCC Budget – Head 1 – Personnel related costs	**Assumption**: Sector regulators willing to enter cooperation agreements with CCC **Risk**: Unwillingness of sector regulators to engage the CCC.	**Lead:** CCC Secretariat **Supported by**: OOCUR, sector regulators and national competition authorities **Interlinkages**: CSM Unit, competent authorities
		3.4.2 Collaborate with CTU on Single ICT space in CSME and in provision of legal and technical support for areas of the digital economy	Meetings reports and scoping document on cooperation prepared	Plan of Action to support establishment of Single ICT space in CSME agreed	2024	2025	NIL	CCC Budget – Head 1 – Personnel related costs	**Assumption**: CTU willing to cooperate with CCC **Risk**: Unwillingness of CTU to engage with CCC	**Lead:** CCC Secretariat and CTU **Supported by**: sector regulators and ministries with responsibility for telecommunications **Interlinkages**: CCS, national competition authorities, private sector
			Host workshop for telecommunications regulators on market definition and market failure on	Officials trained in key tools in digital economy and assessing OTT impact on Caribbean markets	2024	2025	Nil	CCC Budget – Head 1 – Personnel related costs CTU technical assistance		

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2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	**End**	**Cost**	**Source**		
			digital economies					National telecommunications regulators		
3.5 To strengthen relationships with regional legal and judicial actors	**Article 173.2(c), (d), (g), (h)**	**3.5.1. Collaborate** with Bar associations and other legal entities in the region.	One (1) webinar held annually on competition and consumer protection law in 2024, 2025, and 2026	100 legal officers sensitised in competition and consumer law and the role of CCC	2024	2026	Nil	CCC Budget – Head 1 – Personnel related costs	**Assumption:** Bar associations willing to engage with CCC **Risk**: Lack of take-up of initiatives	**Lead:** CCC Secretariat **Supported by**: Bar associations, national judiciary. **Interlinkages**: IDPs, CSM Unit, and national competition authorities
3.6 Establish regional consumer forum for national consumer organisations	**Article 173.2 (e), (f), (g), (h) and Article 186.1 (g)**	**3.6.1. Support** National consumer organisations in achieving national and Community mandates under Article 184 and 185 RTC	(a) Establish a regional consumer organisation forum	(a) Annual meeting of Regional consumer organisations conducted.	2024	2026		CCC Budget - Head 1 – Personnel related costs	**Assumption:** Resources available to provide technical support **Risk:** No resources available and a lack of take-up of initiative.	**Lead:** CCC Secretariat **Supported by:** national consumer protection authorities, and competent authorities **Interlinkages**: CSM and EIID Units

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2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
STRATEGIC PILLAR # 4: SAFEGUARDING COMPETITION AND CONSUMER WELFARE IN THE CSME										
4.1 To strengthen the monitoring functions of the CCC	**Article 173.1(b), 173.2(e), (f), (g), (h) and Article 186.1(d), (g), (h), and 186.2(a)**	**4.1.1 Conduct** market studies/ inquiries in priority sectors, including WEE assessments	Study on the impact of import competition on food security in the CSME	Reports on the areas of priority.	2024	2026	TBD	CCC Budget Head 1 – Personnel related costs, and IDPs	**Assumption**: Resources available to conduct studies; support from IDPs, the national competition authorities and private sector. **Risk**: Resources unavailable; lack of support from IDPs, national competition authorities, and the private sector.	**Lead:** CCC Secretariat **Supported by**: IDPS, National competition authorities **Interlinkages:** CCN, sector regulators, private sector, CCS EIID
			Phase 2 of data protection Study on the business models, interlinkages, and the impact of data flows within the business environment		2024	2025				
			Phase 3 – Data protection study on consumer preferencing		2025	2026				
			A competitive assessment of the poultry industries in the CSME		2025	2025				
			Competition policy and sustainable development in		2025	2026				

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
			the CSME's energy sectors							
			Comparative study on consumer choice in financial services across the Member States		2026	2026				
			Competition policy and its benefits for energy security in the CSME		2026	2026				
	Article 173.1(b), 173.2(a), (b), (e), (g)	**4.1.2 Establish** formal cross-border monitoring and surveillance mechanism for markets in the CSME incorporating WEE component where feasible	**Phase 1** – Prepare Terms of Reference and identify source of funding for monitoring mechanism	Funding source identified and ToR prepared	2024	2024	TBD	CCC Budget Head 1 – Personnel related costs, IDPs	**Assumption**: Resources available to support monitoring and surveillance and competent authorities cooperate **Risk**: Resources unavailable; and lack of support from competent authorities in Member States	**Lead:** CCC Secretariat **Supported by**: All national commissions and sector regulators **Interlinkages:** IDPs
			Phase 2 – Secure funding and conduct of consultancy for monitoring mechanism	Project proposal approved by funding source	2025	2025				
			Phase 3 - Monitoring and surveillance reporting	Annual reporting on execution of surveillance system prepared	2026	2026				

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
			framework for NCAs to CCC developed							
	Article 173.2(a), (c)	**4.1.3 Strengthen** relationships with NCAs and third countries through Cooperation Agreements and MOUs	Develop Cooperation agreements with NCAs and third States	Cooperation Agreements and MOUs signed with NCAs and third States	2024	2026	TBD	CCC Budget Head 1 – Personnel related costs,	**Assumption**: Resources available **Risk**: Resources unavailable; lack of support from national competent authorities, and third countries	**Lead:** CCC Secretariat **Supported by**: CSM Unit **Interlinkages:** CCN, sector regulators, NCAs, competent authorities
		4.1.4 Expand CARICOM Competition Network (CCN) membership and scope of operations	Revised Terms of Reference for membership and operations and 3-year Plan of Action approved	(a) One (1) technical meeting of CCN held annually. (b) One (1) meeting of Heads of Institutions conducted annually.	2024	2026		CCC Budget Head 1 – Personnel related costs,	**Assumption**: Resources available **Risk**: Resources unavailable; lack of support from national competent authorities, and other regulatory and competent authorities	**Lead:** CCC Secretariat **Supported by**: NCAs **Interlinkages:** sector regulators, competent authorities
		4.1.5 Conduct ongoing analysis of intra-regional	Assessment reports prepared	Assessments conducted on the sectors of:	2024	2026	TBD	CCC Budget	**Assumption**: Resources available	**Lead:** CCC Secretariat

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2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
		trade data to facilitate the timely identification of emerging issues and trends in intra-CSME trade and competition dynamics.	on identified sectors	(a) Beverages and Tobacco (SITC 1) (b) Mineral Fuels, Lubricants, and Related Materials (SITC 3). (c) 3. Machinery and Transport Equipment (SITC 7) (d) Miscellaneous Manufactured Articles (SITC 8)				Head 1 – Personnel related costs,	**Risk**: Resources and data unavailable; lack of support from national competent authorities, and other regulatory agencies	**Supported by**: NCAs, CCS Regional Statistics Department **Interlinkages:** national Statistical offices, sector regulators, competent authorities
4.2 To strengthen the investigative functions of the CCC	**Article 173.1 (b), and 173.2(b), (c)**	**4.2.1 Implementation of** Guidelines on key principles under Chapter 8 of RTC	Legal standard for restrictive agreements under Article 177(a) RTC	A guideline on restrictive agreements under Article 177(a) prepared	2023	2024	Nil	CCC Budget Head 1 – Personnel related costs, and IDPs Head 1 – Personnel related costs, and IDPs	**Assumption:** (a) Resources available to develop the guidance documents; (b) Approval by Board **Risk(s)**: (a) Resources needed unavailable; (b) Non-approval by Board	**Lead:** CCC Secretariat **Supported by**: CCN, IDPs **Interlinkages:** CSM Unit, Member States
			Legal standard for dominance under Article 179 RTC a	Guidelines on dominance under Article 177(a) prepared						
			Guideline on issuing negative clearance rulings under the RTC	Guidelines on issuing negative clearance rulings under the RTC prepared						
			Guideline on application of de	Guideline on application of de						

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
			minimis rule under Article 181 RTC	minimis rule under Article 181 RTC prepared						
			Legal standard for efficiency defence developed	Guideline developed on efficiency defence prepared	2026	2026				
		4.2.2 Implementation of guidelines on key principles under Chapter 8 of RTC	Report from validation workshop on ICRF outputs prepared	Validation workshop on ICFR outputs executed	2024	2024	NIL		**Assumption:** (a) Resources available to develop the guidance documents; (b) Approval by Board **Risk(s)**: (a) Resources needed are unavailable; (b) Non-approval by Board	**Lead:** CCC Secretariat **Supported by**: CCN, IDPs **Interlinkages:** CSM Unit, Member States, private sector, legal fraternity
		4.2.3 Develop proposals for modernisation of chapter 8 RTC	Proposed amendments of Chapter 8 submitted to COTED	Proposed amendments to provisions of Chapter 8 RTC completed	2025	2026	Nil	CCC Budget Head 1 – Personnel related costs, and IDPs	**Assumption:** (a) Resources available to develop the guidance documents; b) Approval by Board **Risk(s)**:	**Lead:** CCC Secretariat **Supported by**: Commissioners **Interlinkages:** CCN, CCS Legal, COTED

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2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
									(a) Resources needed unavailable; (b) Non-approval by Board and COTED	
4.3 To strengthen the adjudicative functions of the CCC	**Article 173.1 (b), and 173.2(b), (c)**	**4.3.1 Develop** rules for the conduct of preliminary assessments and investigations by the CCC	Conduct comparative research into rules of procedure of other regional commissions and to synthesize 2011 Rules and draft outputs from CSME consultant into new procedural rules.	One (1) draft Preliminary Assessment and Investigation Rules prepared.	2024	2026	NIL	CCC Budget (Head 1 - Personnel related costs), IDP	**Assumption:** (a) Resources available to develop the assessment and investigation rules **Risk(s)**: (a) Resources needed unavailable; (b) Non-approval by Board and COTED	**Lead:** CCC Secretariat **Supported by**: Commissioners **Interlinkages:** CCN, CCS Legal, COTED
		4.3.2 Develop rules for the conduct of determinations by the CCC	Conduct comparative research into rules of procedure of other regional commissions and synthesize into rules for determinations	CCC Draft Determination Rules prepared.	2024	2026	NIL		**Assumption:** (a) Resources available to develop the determination rules **Risk(s)**: (a) Resources needed	**Lead:** CCC Secretariat **Supported by**: Commissioners **Interlinkages:** CCN, CCS Legal, COTED

Attachment 1

2024-2026 STRATEGIC PLAN KEY ACTIVITIES

Strategic Outcomes	Treaty Mandate	Activity	Indicators	Target	Timeframe		Budget		Risks and Assumptions	Responsibility
					Start	End	Cost	Source		
									unavailable; (b) Non-approval by Board and COTED	
4.4 To enhance gender inclusivity in competition policies and processes	**Art. 173(1), (2)**	**4.4.1 Review** existing regional and national procedures and policies for competition assessments	Report developed	Report on review of processes and procedures for competition assessments by CCC and participating national competition commissions published	2024	2025	Nil	CCC Budget Head 1 – Personnel related costs, and IDPs (ICRF)	**Assumption:** a) Resources available to conduct the review; b) willingness of commissions to participate **Risk(s)**: (a) Resources needed unavailable; (b) Non-participation of national commissions	**Lead:** CCC Secretariat **Supported by**: National commissions **Interlinkages:** ICRF, national commissions, regulatory authorities, UNDP, OECD

ATTACHMENT II

CARICOM COMPETITION COMMISSION BUDGET SUMMARY - STRATEGIC PLAN 2024 – 2026

	Description	2024	2025	2026	Remarks
I	Personnel Related Expenditure	1,567,532	1,578,040	1,589,248	Salary changes for 2 persons as per existing contracts
II	Other Operating Expenditure	453,658	443,150	432,176	Face to face attendance at key international forums and conduct of advocacy activities.
III	Capital Expenditure	0	0	0	
IV	Counterpart Expenditure	0	0	0	Counterpart contributions confined to CCC manpower.
	Total XCD	**2,021,190**	**2,021,190**	**2,021,190**	Reduced budget adopted in 2020 maintained.
	Total USD	**745,799**	**745,799**	**745,799**	

Assumptions:

- No adoption of the RCCI recommendations as this will increase Head I (payments for ad hoc work will lead to a higher bill than monthly salaries) and suppress Treaty mandate
- Maintenance of reduced budget for the entire strategic period adopted in 2020 in consideration of MS hardships during Covid Pandemic.
- Resumption of participation in key external meetings/conferences as well as conduct of face-to-face advocacy activities
- Investment in website and office equipment (laptops) achieved in 2023

CARICOM COMPETITION COMMISSION PROPOSED BUDGET 2024

DESCRIPTION		Total	
		USD	XCD
HEAD I - PERSONNEL RELATED COSTS			
	SALARIES	367,595.52	996,220.62
	ALLOWANCES (MONTHLY)	121,004.04	327,933.06
	CONTRIBUTION TO HEALTH & ACCIDENT INSURANCE	8,484.96	22,995.09
	GRATUITIES	73,519.10	199,244.12
OTHER ALLOWANCES			
	LEAVE GRANT	6,800.00	18,428.68
	EDUCATION GRANT	1,000.00	2,710.10
	SUB - TOTAL HEAD I	**578,403.63**	**1,567,531.67**
HEAD II - OTHER OPERATING EXPENSES			
UTILITIES:			
	TELEPHONE & INTERNET	2,400.00	6,504.25
	ELECTRICITY	3,031.56	8,215.84
	WATER	840.00	2,276.48
	SUB - TOTAL	**6,271.57**	**16,996.57**
RENTAL, REPAIR & MAINTENANCE			
	SUB - TOTAL	**1,000.00**	**2,710.10**
OFFICE SUPPLIES			
	SUB - TOTAL	**1,000.00**	**2,710.10**
PROFESSIONAL SERVICES			
	AUDIT	6,500.04	17,615.75
	PEST CONTROL	308.00	834.71
	CONSULTANCY	2,000.00	5,420.20
	SUB - TOTAL	**8,808.04**	**23,870.66**
Commissioner EXPENSES			
	FEES	15,200.00	41,193.52
	RETAINERS	96,000.00	260,169.60
	SUB - TOTAL	**111,200.00**	**301,363.12**
TRAVEL			
	TICKETS	26,000.00	70,462.60
	PER DIEM	0.00	0.00
	SUB - TOTAL	**26,000.00**	**70,462.60**
MEETINGS AND CONFERENCES (Local):			
	SUB - TOTAL	**3,900.00**	**10,569.39**
INSURANCE			
	COMPUTER EQUIPMENT/ASSETS	2,125.52	5,760.37
	SUB - TOTAL	**2,125.52**	**5,760.37**
MESSENGER SERVICES		1,263.16	3,423.28
POSTAGE & COURIER SERVICES		600.00	1,626.06
LICENSES AND SUBSCRIPTIONS		3,321.23	9,000.87
BANK CHARGES		1,905.86	5,165.07
	SUB - TOTAL HEAD II	**167,395.37**	**453,658.19**
HEAD III - CAPITAL EXPENDITURE			
	SUB - TOTAL HEAD III	**0.00**	**0.00**
HEAD IV - COUNTERPART EXPENDITURE			
	PROJECTS	0.00	0.00
	SUB - TOTAL HEAD IV	**0.00**	**0.00**
	GRAND TOTAL	**745,799.00**	**2,021,190.00**

Notes:

- Travel reintroduced for external meetings/conferences and advocacy activities.
- Counterpart expenditure will be confined to CCC staff manpower.

CARICOM COMPETITION COMMISSION PROPOSED BUDGET 2025

DESCRIPTION		Total USD	Total XCD
HEAD I - PERSONNEL RELATED COSTS			
	SALARIES	369,071.76	1,000,221.39
	ALLOWANCES (MONTHLY)	121,410.12	329,033.55
	CONTRIBUTION TO HEALTH & ACCIDENT INSURANCE	8,484.96	22,995.09
	GRATUITIES	73,814.35	200,044.28
OTHER ALLOWANCES			
	LEAVE GRANT	8,500.00	23,035.85
	EDUCATION GRANT	1,000.00	2,710.10
	SUB - TOTAL HEAD I	**582,281.19**	**1,578,040.26**
HEAD II - OTHER OPERATING EXPENSES			
UTILITIES:			
	TELEPHONE & INTERNET	3,000.05	8,130.44
	ELECTRICITY	3,631.58	9,841.94
	WATER	1,199.99	3,252.10
	SUB - TOTAL	**7,831.62**	**21,224.48**
RENTAL, REPAIR & MAINTENANCE			
	EQUIPMENT	1,000.00	2,710.10
	SUB - TOTAL	**1,000.00**	**2,710.10**
OFFICE SUPPLIES			
	STATIONERY	600.00	1,626.06
	CONSUMABLES	200.00	542.02
	JANITORIAL	200.00	542.02
	SUB - TOTAL	**1,000.00**	**2,710.10**
PROFESSIONAL SERVICES			
	AUDIT	7,000.00	18,970.70
	PEST CONTROL	308.00	834.71
	CONSULTANCY	2,000.00	5,420.20
	SUB - TOTAL	**9,308.00**	**25,225.61**
Commissioner EXPENSES			
	FEES	15,200.00	41,193.52
	RETAINERS	96,000.00	260,169.60
	SUB - TOTAL	**111,200.00**	**301,363.12**
TRAVEL			
	TICKETS	20,000.00	54,202.00
	PER DIEM	0.00	0.00
	SUB - TOTAL	**20,000.00**	**54,202.00**
MEETINGS AND CONFERENCES (Local):			
	Staff	4,000.00	10,840.40
	SUB - TOTAL	**4,000.00**	**10,840.40**
INSURANCE			
	COMPUTER EQUIPMENT/ASSETS	2,125.52	5,760.37
	SUB - TOTAL	**2,125.52**	**5,760.37**
MESSENGER SERVICES		1,263.16	3,423.28
POSTAGE & COURIER SERVICES		568.28	1,540.10
LICENSES AND SUBSCRIPTIONS		3,321.23	9,000.87
BANK CHARGES		1,900.00	5,149.19
	SUB - TOTAL HEAD II	**163,517.81**	**443,149.62**
HEAD III - CAPITAL EXPENDITURE			
	OFFICE EQUIPMENT & SOFTWARE	0.00	0.00
	MOTOR VEHICLE	0.00	0.00
	WEB SITE DEVELOPMENT	0.00	0.00
	MOVING EXPENSES	0.00	0.00
	SUB - TOTAL HEAD III	**0.00**	**0.00**
HEAD IV - COUNTERPART EXPENDITURE			
	PROJECTS	0.00	0.00
	SUB - TOTAL HEAD IV	**0.00**	**0.00**
	GRAND TOTAL	**745,799.00**	**2,021,190.00**

Notes:

- Nominal salary increases for two staff as per contract.
- Travel for external meetings/conferences and advocacy activities. These sums will be adjusted/reallocated to specific budget lines as available

CARICOM COMPETITION COMMISSION PROPOSED BUDGET 2026

DESCRIPTION		Total	
		USD	XCD
HEAD I - PERSONNEL RELATED COSTS			
	SALARIES	371,803.56	1,007,624.83
	ALLOWANCES (MONTHLY)	122,181.12	331,123.05
	CONTRIBUTION TO HEALTH & ACCIDENT INSURANCE	8,484.96	22,995.09
	GRATUITIES	74,360.71	201,524.97
OTHER ALLOWANCES			
	LEAVE GRANT	8,500.00	23,035.85
	EDUCATION GRANT	1,000.00	2,710.10
	SUB - TOTAL HEAD I	**586,330.35**	**1,589,013.89**
HEAD II - OTHER OPERATING EXPENSES			
UTILITIES:			
	TELEPHONE & INTERNET	3,000.05	8,130.44
	ELECTRICITY	3,631.58	9,841.94
	WATER	1,199.99	3,252.10
	SUB - TOTAL	**7,831.62**	**21,224.48**
RENTAL, REPAIR & MAINTENANCE			
	EQUIPMENT	1,000.00	2,710.10
	SUB - TOTAL	**1,000.00**	**2,710.10**
OFFICE SUPPLIES			
	STATIONERY	600.00	1,626.06
	CONSUMABLES	200.00	542.02
	JANITORIAL	200.00	542.02
	SUB - TOTAL	**1,000.00**	**2,710.10**
PROFESSIONAL SERVICES			
	AUDIT	7,000.00	18,970.70
	PEST CONTROL	308.00	834.71
	CONSULTANCY	2,000.00	5,420.20
	SUB - TOTAL	**9,308.00**	**25,225.61**
Commissioner EXPENSES			
	FEES	15,200.00	41,193.52
	RETAINERS	96,000.00	260,169.60
	SUB - TOTAL	**111,200.00**	**301,363.12**
TRAVEL			
	TICKETS	15,950.84	43,228.37
	PER DIEM	0.00	0.00
	SUB - TOTAL	**15,950.84**	**43,228.37**
MEETINGS AND CONFERENCES (Local):			
	Staff	4,000.00	10,840.40
	SUB - TOTAL	**4,000.00**	**10,840.40**
INSURANCE			
	COMPUTER EQUIPMENT/ASSETS	2,125.52	5,760.37
	SUB - TOTAL	**2,125.52**	**5,760.37**
MESSENGER SERVICES		1,263.16	3,423.28
POSTAGE & COURIER SERVICES		568.28	1,540.10
LICENSES AND SUBSCRIPTIONS		3,321.23	9,000.87
BANK CHARGES		1,900.00	5,149.19
	SUB - TOTAL HEAD II	**159,468.65**	**432,175.99**
HEAD III - CAPITAL EXPENDITURE			
	OFFICE EQUIPMENT & SOFTWARE	0.00	0.00
	MOTOR VEHICLE	0.00	0.00
	WEB SITE DEVELOPMENT	0.00	0.00
	MOVING EXPENSES	0.00	0.00
	SUB - TOTAL HEAD III	**0.00**	**0.00**
HEAD IV - COUNTERPART EXPENDITURE			
	PROJECTS	0.00	0.00
	SUB - TOTAL HEAD IV	**0.00**	**0.00**
	GRAND TOTAL	**745,799.00**	**2,021,190.00**

Strategic Plan 2024-2026