



INFORMATION NOTE – STATEMENT OF OBJECTIONS (DRAFT DECISION) AND DRAFT PENALTY STATEMENT

On 16 September 2021, the Guernsey Competition & Regulatory Authority (**GCRA**) issued a Final Decision in *Case C1441G – The Medical Specialist Group*. The Final Decision found that the Medical Specialist Group (**MSG**) had infringed the prohibition imposed by section 5(1) of the Competition (Guernsey) Ordinance, 2012 (**2012 Ordinance**) by entering into agreements that had the object of preventing competition within markets in Guernsey for the provision of services.

On 16 December 2021, the GCRA issued the related Penalty Statement, which imposed a penalty of £1,532,590 on the MSG for the infringement.

Between 30 March 2022 and 1 April 2022, the Royal Court heard appeals brought by the MSG against certain findings made in the Final Decision and against the Penalty Statement (**Appeals**).

On 10 March 2023, the Royal Court handed down judgment allowing the Appeals. The Final Decision and the Penalty Statement were remitted to the GCRA for further consideration.

Having considered the matter further, the GCRA has decided, pursuant to section 43 of the 2012 Ordinance to issue notice (**Statement of Objections**) addressing those parts of the Final Decision that were not appealed by the MSG. The Statement of Objections sets out the GCRA's provisional conclusion that the MSG has breached Guernsey competition law by entering into an agreement with another undertaking that has the object of preventing competition in relation to the provision of healthcare services in Guernsey. The GCRA has also issued a Draft Penalty Statement.

No conclusion should be drawn that there has been an infringement of competition law at this stage and the MSG will now have the opportunity to respond to the allegations.

The GCRA will consider any representations it receives before any decision is taken as to whether Guernsey competition law has in fact been infringed.

23 May 2024