



Candidate Brief

Non - Executive Director
Channel Islands Competition and Regulatory Authorities

March 2013

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Forward

Dear Candidate

Thank you for your interest in the role of Non –Executive Director of the Channel Islands Competition and Regulatory Authorities (CICRA).

The Channel Islands have strong and vibrant economies and CICRA fulfils a number of vital functions, primarily regulation of the postal and telecoms sectors and Guernsey’s electricity sector and encouraging competition and efficiency through administration of the Islands’ competition laws. In addition CICRA provides guidance and advice to Ministers and to business, and has a role in representing the Islands overseas. The role of CICRA is thus a dynamic and evolving one and the successful candidate will join the Board at an exciting and challenging juncture.

In the field of competition law and across its regulated sectors, CICRA’s core objective is to ensure that consumers receive the best value, choice and access to high quality services, while promoting competition and consumer interests. CICRA must also show itself to be pro-business and capable of innovation and adaptation to the needs of fast-changing and evolving economies.

As the Chairman I believe the CICRA Board must demonstrate an understanding of scale and proportionality, while pursuing CICRA’s core objective. A partnership approach based on a clear understanding of the needs of business and those of consumers will provide a lasting legacy and allow CICRA to continue to serve the needs of the Channel Islands’ economies.

I look forward to meeting the candidates applying to fill this exciting and demanding position.

Mark Boleat

Chairman of the Channel Islands Competition and Regulatory Authorities

Background

As British Crown Dependencies, the Channel Islands are not part of the United Kingdom or the European Union. The Islands operate largely as autonomous jurisdictions with wide powers of self-government, including, but not limited to, fiscal policy. They have their own legislative assemblies, administrative, fiscal and legal systems and their own courts of law. The legislatures pass primary legislation, which requires approval by The Queen in Council, and enact subordinate legislation under powers conferred by primary legislation. The Islands legislate for the territorial waters adjacent to them and for the airspace over their territories and over territorial waters. More information about the States of Jersey and the States of Guernsey can be found on the websites www.gov.je and www.gov.gg.

CICRA comprises the two competition and utility regulators in the Channel Islands: the **Guernsey Competition and Regulatory Authority (GCRA)** and the **Jersey Competition Regulatory Authority (JCRA)**. The authorities consistently adopt a pan-Channel Island approach to administration and enforcement and operate with a shared board.

Both regulatory bodies were established in 2001. The GCRA was originally established as the Office of Utility Regulation under The Regulation of Utilities (Bailiwick of Guernsey) Law, 2001 and became the GCRA in 2012. The JCRA was established under the Competition Regulatory Authority (Jersey) Law 2001. In Guernsey, the telecoms, postal and electricity sectors are regulated by the GCRA which is also responsible for administering The Competition (Guernsey) Ordinance, 2012. In Jersey, the telecoms and postal sectors are regulated by the JCRA, which is also responsible for administering the Competition (Jersey) Law 2005.

CICRA receives its funding from its own direct licensing activities plus grants from the respective States departments for competition law administration. In future, the role of CICRA may be extended into other sectors.

The Channel Islands have high-value micro-economies, and therefore decisions made by CICRA can have material local economic impact. CICRA's activities and decisions are highly visible and widely reported in the press. This is an important role within the context of the Islands' economies; it enjoys a high profile and is influential at the highest levels of Government and the local business communities.

Details of CICRA's recent activities can be found at the CICRA website: www.cicra.je/www.cicra.gg.

The Board

The Board currently comprises a Non-Executive Chair, three Non-Executive Directors (NEDs) and three Executive Directors. One of the current NEDs will, in May, successfully complete a third and final term of office and therefore CICRA is seeking to appoint to this forthcoming vacancy.

The Board normally meets eight times a year alternating between Guernsey and Jersey with occasional meetings in London. It delegates to the Chief Executive, Andrew Riseley, operational delivery of the agreed strategy.

Current Board members comprise:

Mark Boleat

Mark has extensive experience in regulatory policy and practice and the handling of complex public policy issues. He holds, or has held, numerous board level appointments in commercial, public and charitable organisations including Chairman of the States of Jersey Development Company and Chairman of the City of London Policy and Resources Committee. He has strong ties to Jersey having been born and educated in the island. He has written extensively on Jersey and has undertaken three significant reviews for the States of Jersey including one on consumer policy.

Richard (Dick) Povey

Dick has extensive industrial experience particularly in the petrochemical, mechanical and electrical engineering, and telecommunications sectors. He holds other commercial non-executive positions roles. His third and final term ends in May 2013.

Philip Marsden

Philip is a competition lawyer with a particular interest in abuse of dominance, consumer welfare, innovation incentives and international competition issues. His current portfolio includes being the director of the Competition Law Forum, Senior Research Fellow at the British Institute of International and Comparative Law, Non-Executive Director of the UK Office of Fair Trading and a visiting professor at the College of Europe, Bruges.

Peter Neville

Peter has extensive experience in financial services regulation and is a former director general of the Guernsey Financial Services Commission having headed the financial watchdog for over eight years. He is currently chairman of Kleinwort Benson in Guernsey. Peter lives on Guernsey and thereby provides a local perspective to the Board.

Andrew Riseley, Chief Executive

Andrew is a competition and regulatory lawyer, who has worked at large law firms in both the UK and Australia, at one of the UK's competition regulators, and in-house at a major UK utility. He has extensive experience in utility regulation, competition law and public procurement.

Andrew is admitted to practise as a solicitor in England and Wales and Victoria, Australia. He holds post-graduate qualifications in competition law and economics from the London School of Economics and Political Science and degrees with first-class honours in economics and law from Monash University in Australia.

Michael Byrne, Deputy Chief Executive

Michael has extensive experience applying regulation and competition law in the UK energy, media and telecoms sectors.

Michael holds a diploma in Company Direction from the IoD, an MBA, a post graduate qualification in European Competition Law, and a Bachelor of Science Honours degree in Mathematical Statistics

Louise Read, Director of Finance and Operations

Louise is a chartered accountant, with extensive experience of managing finance, personnel and operational aspects of business. She played a lead role in the integration of the JCRA and GCRA to form CICRA. She is the board and audit and risk committee secretary.

Louise was previously the Group Financial Accountant at Jersey Post, and has worked with many of Jersey's businesses during her time at PwC.

Louise holds a diploma in Company Direction from the Institute of Directors, is a fellow of the Institute of Chartered Accountants in England and Wales and a BSc in Accounting and Management Sciences from the University of Southampton.

The Role

The role of Non-Executive Director of CICRA incorporates the following responsibilities:

- Ensuring that CICRA's business is conducted in an impartial, open and efficient manner and in accordance with good practice.
- Providing advice and guidance in decision-making and on the strategic direction of CICRA.
- Maintaining a close working relationship with the Board, providing support and guidance as required.
- Together with other Board members, building and maintaining a positive reputation for CICRA, so that it commands the trust and respect of the public of the Channel Islands, the States of Guernsey and the States of Jersey, and in so doing enhances CICRA's reputation in the international community.
- Ensuring that the Board maintains an appropriate level of scrutiny of the operations and governance of CICRA.

Person Specification

Candidates for this position should ideally possess the following skills, experience and qualifications:

Part One - Experience

- Evidence of having successfully operated at a senior professional level in a commercial, regulatory or public service environment.
- Experience in utility regulation (particularly telecommunications or energy) and an interest in competition law.
- A thorough understanding of the commercial, economic and legal issues addressed by CICRA and the ability to understand and explain complex legal and economic issues in regulatory policy.
- Understanding of the challenges faced by small island economies.

Part Two – Personal Style and Behavior

- The ability, stature and personal authority to establish credibility with the Board and key stakeholders, and to be respected by peer groups on the wider international scene.
- The resilience, determination and integrity to reach well-balanced judgments in an impartial objective and transparent manner.
- The ability to demonstrate the highest standards of honesty, probity and integrity in the performance of his/her functions, and the encouragement of such standards across the CICRA.
- Politically astute and aware with a thorough understanding of the public interest.
- A high level of analytical ability, combined with an ability to take a wide view on economic matters, including an understanding of consumer interests.

- The ability to ensure that key objectives and projects are developed and taken forward, thereby ensuring that the Board maintains momentum whilst effectively prioritising key issues.
To enhance the discussions of CICRA with knowledge of legal perspectives.

Commitment Required

It is envisaged that the time commitment for Non-Executive Directors will be attendance at 8-10 board meetings and such other works as is required, equating to approximately 30 days per year. This will include time required to review relevant papers, attend CICRA meetings and liaise with key stakeholders. Regular travel to the Islands will be required for non-residents and appointees will be entitled to claim expenses for this purpose. All appointees will require a statement of support from their respective principal employers.

In recognition of the time and commitment required for this non-executive position, an honorarium of £24,000 per annum is paid.

The Nolan Principles guide all appointments to public office and will be used as criteria for selection to this position. A copy of the Nolan Principles can be found at **Appendix A**.

The Recruitment Process

CICRA is seeking to identify outstanding individuals who would be interested in talking about this role in more detail.

The short-listing will take place in the week commencing 15 April 2013, after which all applicants will be contacted. Interviews will take place in London on Friday 3 May 2013. If candidates find the interview date outlined above difficult, they should make this known at the start of the process.

How to Apply

Applications should be made by submission of a full CV detailing your qualifications, employment, skills and experience. Please also provide a covering letter:

- summarising the most significant contribution or impact that you have made at board level and what you feel you could bring to CICRA as a Non-Executive Director;
- including the names and contact details of two referees who are in a position to comment on you professionally, with a brief indication of how long and in what capacity they have known you (referees will *not* be contacted without your prior agreement).

Please include your full contact details including daytime and evening telephone numbers.

The application should be sent as follows:

By email: louise.read@cicra.je

or

By post to:

Mrs Louise Read
CICRA
2nd Floor Salisbury House
1-9 Union Street
St Helier
JERSEY
JE2 3RF

Please note that the closing date for applications is **Friday 5 April 2013**. If you would like to discuss the appointment or the process, please do not hesitate to contact the CICRA Director of Finance and Operations, Louise Read: louise.read@cicra.je or by telephone +44 (0) 1534 514994.

Appendix A

The Nolan Principles and recruitment to public office

The Seven Principles

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.