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MULTILATERAL INVESTMENT FUND  
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**JAMAICA**

**STRENGTHENING THE JAMAICA FAIR TRADING COMMISSION**

**(JA-M1002)**

**DONORS MEMORANDUM**

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## **APPENDICES**

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**INFORMATION AVAILABLE IN THE FILES OF RE3/F13**

**PREPARATION:**

DOCUMENT I	Detailed Project Budget
DOCUMENT II	Terms of Reference for Consultants
DOCUMENT III	JTFC Annual Reports 2000/2001 & 2001&2002
DOCUMENT IV	Ministry Paper – Financial Year 2002/2003 supported by unaudited financial statements for JTFC
DOCUMENT V	The Fair Trading Act

## **ABBREVIATIONS**

CARICOM	Caribbean Community
FCA	Fair Competition Act
JFTC	Jamaica Fair Trading Commission
MIF	Multilateral Investment Fund
OUR	Office of Utilities Regulation

## STRENGTHENING THE JAMAICA FAIR TRADING COMMISSION

(JA-M1002)

### I. EXECUTIVE SUMMARY

<b>Beneficiary:</b>	Jamaica		
<b>Executing Agency:</b>	The Jamaica Fair Trading Commission (JFTC)		
<b>Targeted Beneficiaries:</b>	The primary project beneficiaries are Jamaican consumers and the private sector.		
<b>Financing:</b>	Modality:	Non Reimbursable	Facility I
	MIF:	US\$	304,000
	JFTC	US\$	<u>135,300</u>
	TOTAL:	US\$	439,300
<b>Objectives:</b>	The <b>goal</b> of the Project is to increase the competitiveness and efficiency of local markets in Jamaica. The <b>purposes of the project</b> are: (a) to strengthen the capacities of the JFTC to enforce competition policy in Jamaica; and (b) to better inform economic actors about the criteria and enforcement mechanisms of competition policy and to communicate the importance of competitive markets and the role of the JFTC. The proposed project will contribute to the above objectives by improving the technical capacities of JFTC staff, its knowledge management capabilities and outreach efforts.		
<b>Execution Timetable:</b>	Execution Period:	36 months	
	Disbursement Period:	42 months	
<b>Special Contractual Conditions:</b>	None		
<b>Exceptions to Bank Policies and Procedures:</b>	There are no exceptions to Bank policies or procedures.		
<b>Environmental and Social Review:</b>	The Committee on Environment and Social Impact (CESI) reviewed this project on August 27, 2004. CESI’s observations have been incorporated into the document (see paragraph ¶8.1).		
<b>Coordination with other Official Development Finance Institutions:</b>	This project builds on initial efforts of USAID to support the development of the legal and institutional framework for competition policy.		

## II. BACKGROUND AND JUSTIFICATION

- 2.1 Competition policy has become an increasingly important issue for Jamaica as it moves towards a fully liberalized market economy. The privatization of state entities, the liberalization of previously monopolized sectors and the reduction in trade barriers are all facets of this evolution. Effective competition is critical for efficient markets and a dynamic economy. In addition to creating an appropriate incentive framework for firms and a consequent efficient allocation of resources, they are also crucial to the protection of consumers' interests.
- 2.2 Jamaica's Fair Trading Commission (JFTC) was established in 1993 under the Fair Competition Act (FCA). The Act provides for protection against anti-competitive practices as well as for specified types of consumer affairs protection. With regard to the former, the Act prohibits agreements that substantially lessen competition and the abuse of a dominant position. In terms of consumer affairs protection, the Act speaks to matters such as misleading advertising, sale above advertised price and double ticketing. Essentially, the objective of the Act is to ensure that the potential benefits of competitive markets are unhindered by anti-competitive activity.
- 2.3 The Chairman and 4 Commissioners comprise the "Commission" and are appointed by the Minister of Commerce, Science & Technology. The Investigative arm of the JFTC is the "Authority", headed by an Executive Director who is appointed by the Commission. The FCA conveys enforcement powers on the Commission through the Supreme Court.<sup>1</sup>
- 2.4 Jamaica is the first country within the Caribbean Community (CARICOM) to have established a competition regime. Other countries in the region are looking to follow and there are plans to established a Competition Commission at the CARICOM level to deal with cross-border competition matters. The increasing internationalization of competition policy poses complex challenges for policymakers and national institutions, especially those of developing countries such as Jamaica. The effect of this internationalization on Jamaican competition officials is twofold. First, the JFTC will be expected to inform and lead the negotiation of competition issues in trade agreements to which CARICOM is party. Second, increasing globalization means that the JFTC is expected to deal with more cross-border matters.
- 2.5 **The problem.** The ability of the JFTC to carry out investigations thoroughly, efficiently and in a timely manner has been constrained by a lack of technical expertise. This constraint will become increasingly obvious as the JFTC faces a

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<sup>1</sup> The FCA empowers to JFTC to investigate cases of unfair competition, as well as adjudicate these cases. However, the current law does not make a clear distinction between the functions of the "Commission" versus the "Authority". This blurring of the distinction has been challenged in the Jamaican courts, and as a result the Minister of Commerce, Science and Technology will be submitting an amendment to the Act to the Cabinet shortly to correct this flaw in the law.

growing number of cross-border cases. Competition law and economics is relatively new to Jamaica and the Caribbean region. The Competition Bureau of the JFTC is staffed by only two Competition Analysts (Economists). The three attorneys assigned to the Commission work in the Consumer Protection Area, but are assigned to competition matters on a case-by-case basis.

- 2.6 Recently the JFTC has been devoting increasing amounts of time and resources to competition matters. Of the 1,064 cases investigated by the JFTC in 2003-2004, 60 were competition cases, compared to 48 competition investigations in the 2001-2002 period and 26 the previous year. The liberalization of the telecommunications and energy markets, in particular, has increased the need for JFTC actions. The JFTC has complementary responsibility with the Office of Utilities Regulation (OUR) for ensuring fair competition, and increasing public awareness about the role of competition in the telecommunications sector. The complaints about anti-competitive behavior in the sector have been numerous. For example, the Commission has been called on to investigate abuse of dominance, particularly predatory pricing, by Cable & Wireless, until recently the sole telecommunications provider. In addition, the JFTC has been asked to prepare and implement a Code of Conduct for the Petroleum Industry and been asked to provide input into the development of a national energy policy.
- 2.7 The JFTC conducted a training needs assessment in 2002, which revealed that the technical staff had: (i) limited training in competition economics and enforcement techniques; (ii) limited knowledge about the complex nature of sectors such as petroleum, telecommunications and electricity; and (iii) little training in regulatory matters and industrial organization.
- 2.8 **Program rationale and additionality.** Global integration and the increasing liberalization of the Jamaican economy requires in-depth knowledge of analytical techniques for the effective enforcement of competition policy in order to assure competitive and effective markets.. This program is designed to address these needs. The Government of Jamaica considers this project a high priority, having recognized the importance of establishing more competitive markets and increasing the capacity of the JFTC to enforce competition policy. The Government has committed to provide counterpart funds for the operation, even in the face of a tight fiscal situation.
- 2.9 The proposed project falls directly within the scope of MIF's mandate, which includes support to improve market functioning, more specifically, competition and consumer protection. The proposed project will complement two Bank operations: the Information and Communications Technology Project (JA-0116) and the recent PRI investment in Oceanic Cellular, one of the new companies now operating in Jamaica as a result of liberalization in the telecommunications sector. Additionally, this project complements a planned operation on telecommunications regulation, presently in the pipeline.



### III. PROGRAM DESCRIPTION

#### A. Objective

- 3.1 The **goal** of the Project is to enhance competition in the Jamaican economy. The **purposes of the project** are: (i) to strengthen the capacity of the JFTC to be an effective enforcer of competition policy in Jamaica; and (ii) to better inform economic actors about the criteria and enforcement mechanisms of competition policy and the importance of competitive markets. The proposed project will contribute to the above objectives by improving the technical capacity of the JFTC, its knowledge management capabilities and its outreach efforts.

#### B. Description

The Project has two components.

**1. Component I: Improving Technical Capabilities and the Efficiency of the JFTC (Total US\$298,300; MIF US\$229,000; GOJ US\$69,300)**

- 3.2 This component will provide specialized technical assistance as well a range of training activities for the JFTC in order to increase technical expertise in the area of competition policy and industrial economics. The project will fund consulting expertise by experienced competition policy analysts who will each visit Jamaica several times a year for two-week periods over three years. One consultant will be an expert on general competition policy matters, who will make 3 visits per year, while the other will be a sectoral specialist in network industries with an emphasis on telecommunications and energy who will visit twice per year. These consultants will provide structured classroom training and on-the-job training to JFTC staff on competition policy, including case studies from other jurisdictions, and guidance on how to identify, investigate and prepare competition cases in the Jamaican context, including the removal of barriers to entry. They will also advise staff and provide technical assistance on specific competition cases and prepare a training manual covering the identification, investigation and preparation of competition cases. These consultants will also provide continuing support by telephone and through the Internet and/or videoconferences. The consultants will be required to have had extensive experience at a senior level in competition enforcement agencies in developed economies, and would be expected to assist the JFTC establish partnering arrangements with these institutions. This should help to keep JFTC informed about best practices in competition policy and its enforcement.
- 3.3 This component will also partially finance JFTC staff attendance at a number of specialized international courses in competition law and intellectual property.
- 3.4 Funds will also be provided under this component to upgrade the JFTC Case and Workflow Management System, which should improve its operating efficiency. This system would facilitate the automated creation and customization of summary reports, sorting and search capabilities, caseload management and

automatic alerting of pending matters on important cases. This component will also support the acquisition of reference materials related to antitrust issues.

- 3.5 The expected results of this component are: (i) an increase in the technical capacity of the JFTC to identify, investigate and analyze competition cases, and to design appropriate resolution mechanisms; (ii) an improvement in the methods and procedures in investigations into anti-competitive practices; and (iii) greater operational efficiency.

**2. Component II: Outreach (Total US\$60,000; MIF US\$40,000; GOJ US\$20,000)**

- 3.6 This component will comprise activities for the design and implementation of an communication strategy and a three-year outreach plan to educate the business and relevant professional communities about competition policy and its enforcement mechanisms, as well as its implications for businesses, its underlying rationale and its potential benefit to the community at large. It will also include the upgrading of the JFTC's video-conferencing and presentation capabilities, as well as upgrading the JFTC website to facilitate public access to JFTC information and materials.
- 3.7 The outreach program is expected to include a campaign to disseminate information about competition policy in the media (press, radio and television), the preparation of informational material, as well as a series of workshops on key subjects, directed at both the private sector and civil society, and timed to coincide with the visits of the training consultants so as to facilitate their participation. Building public awareness-building about competition policy is important to ensure that economic actors understand their legal responsibilities to avoid anti-competitive behavior, and to facilitate the JFTC's capacities for consultations with stakeholders.
- 3.8 The expected results of this component include an increased awareness and knowledge of competition issues and policy by the private sector, and other stakeholders in civil society.

**IV. PROJECT COST AND FINANCING**

- 4.1 The total cost of the project is estimated at \$439,300, out of which US\$304,000 will be provided from MIF resources from Facility I on a non-reimbursable basis. Counterpart funds of approximately US\$135,300 will be provided by the JFTC, half in cash, half in-kind. The MIF contribution will finance: (i) consultant fees and travel; (ii) training; (iii) acquisition of equipment related to Component II of the project; and (iv) project evaluation and audit. A detailed budget is included in the project technical files.

**Estimated Cost Table (in US \$)**

<b>Components/budget categories</b>	<b>MIF contribution</b>	<b>JTFC</b>	<b>Total</b>
Component I	229,000	69,300	298,300
Component II	40,000	16,000	56,000
Project Administration		45,000	45,000
Midterm and final evaluations	20,000		20000
Audit	4,000		4000
Contingencies	11,000	5,000	16000
<b>TOTAL PROJECT BUDGET</b>	<b>304,000</b>	<b>135,300</b>	<b>439,300</b>
Percentages	69%	31%	100%

- 4.2 Project sustainability will be facilitated by the continued use of the training manual for the investigation, analysis and enforcement of competition policy, as well as by the efforts to facilitate the establishment of partnership relationships with competition agencies in developed market economies.

## **V. EXECUTING AGENCY AND MECHANISM**

- 5.1 Executing Agency and Project Management.** The JTFC will be the Executing Agency for the project. The Commission is headed by an Executive Director, supported by the Administrative, Legal and Economics Departments, headed by the General Manager, Senior Legal Counsel and Bureau Chief respectively. The Legal Department consists of three Legal Officer, and three Complaints Officers. The Economics Department, which houses the Competition Bureau, has two Competition Analysts and a Research Officer. The General Manager of the Commission will be the **Project Manager** for this operation. Administrative and accounting support to the project will be provided by the existing staff of the JTFC.
- 5.2 The JTFC has had experience working with other donors. USAID provided assistance for the establishment of the organization and the drafting of the FCA. It has also provided subsequent assistance for the development of JTFC's data base management system
- 5.3 **Program implementation readiness.** First, the JTFC has agreed to act as Executing Agency for the project, and has personnel in place personnel already working on this initiative. Furthermore the Commission has already submitted letters committing itself to the implementation of the project and provision of the necessary counterpart resources. Terms of reference for the consultancies for the project were developed by the JTFC.

**5.4 Execution period and disbursement schedule.** The project will have an execution period of 36 months, with a disbursement period of 42 months, effective from the date of signature of the agreement.

**5.5 Procurement.** The selection and hiring of consulting services, as well as the acquisition of goods, will be carried out by the Executing Agency according to Bank policies and procedures.

## **VI. MONITORING AND EVALUATION**

**6.1** The Bank's Country Office in Jamaica will be responsible for performing oversight, monitoring fulfillment of contractual conditions, processing disbursement requests, and receiving audited financial statements. The JFTC will submit semiannual status reports, in accordance with the Bank's standard reporting requirements<sup>2</sup>.

**6.2** One audit will be performed. In addition, the Bank, with the collaboration of the executing agency, will hire a consultant to conduct a mid-term and final evaluation to determine the extent to which expected project outcomes have been attained.

## **VII. PROJECT BENEFITS AND RISKS**

**7.1 Benefits of the project.** This program will enhance the ability of the JFTC to be an effective enforcer of competition policy. It will also make economic actors in the public and private sector as well as Jamaican consumers more aware of competition policy criteria and enforcement mechanisms. Ultimately, this should help to ensure greater competitiveness and efficiency of local markets and contribute to a more dynamic economy in Jamaica.

**7.2 Risks.** While the Fair Competition Act empowers the JFTC to investigate cases of unfair competition and to adjudicate these cases, the current law does not make a clear distinction between the functions of the "Commissioners" versus the JFTC staff. This blurring of the distinction has affected the JFTC's direct enforcement authority. However, an amendment to the FCA has been drafted for presentation to Cabinet to clarify the JFTC's direct enforcement powers. In the interim, the JFTC remains fully engaged in terms of investigating competition related matters, and enforcement can be effectively conducted through the courts, when necessary.

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<sup>2</sup> Progress reports on May 30th and November 30th.

## **VIII. ENVIRONMENTAL AND SOCIAL ASPECTS**

- 8.1 CESI recommended that in the development of the outreach program (Component II) mechanisms be considered that do not discriminate by gender or group. This will be stated in the Terms of Reference for the Communications consultant who will design this program.

**LOGICAL FRAMEWORK – JA-M1002**

OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
<b>GENERAL OBJECTIVE</b>			
The objective of this program is to increase the competitiveness and efficiency of local markets and thereby contribute to a more competitive and dynamic overall economy.	Intensity of competition in local markets as measured by annual survey of entrepreneurs has increased by 10%.	<u>Global Competitiveness Report</u> , World Economic Forum. Baseline of indicator included in annual report.	The macroeconomic situation stabilizes encouraging greater entry into Jamaican markets.
<b>PURPOSE</b>			
<p>The purpose of this program is to:</p> <p>(i) enhance the capabilities of the Jamaica Fair Trading Commission (JFTC) to enforce competition policy;</p> <p>(ii) make economic factors more aware of competition policy criteria and enforcement mechanisms.</p>	<p>Number and scope of anti-competition investigations have increased by 30% from 60 per year by the end of the program.</p> <p>Effectiveness of antitrust policy as measured by annual survey of entrepreneurs has increased by 10%.</p> <p>Percentage of larger firms are aware of their rights and responsibilities regarding anti-competitive market behavior.</p>	<p>JFTC files and management information system.</p> <p><u>Global Competitiveness Report</u>, World Economic Forum. Baseline of indicator included in annual report.</p> <p>Survey of business officials participating for first time in outreach seminars of the JFTC to define benchmark, and comparison with similar surveys at end of project outreach seminars.</p>	<p>The Jamaican government maintains a policy to actively enforce pro-competition and to prosecute anti-competitive behavior.</p> <p>Parliament approves a modification in the Fair Competition Act to clarify and strengthen the JFTC's direct enforcement powers.</p>
<b>COMPONENTS</b>			
<p>I. (a) Train and advise staff on best practices for the enforcement of competition policy.</p> <p>(b) Improve the efficiency of JFTC management information systems.</p>	<p>Percentage of JFTC staff working on competition policy that has undergone extensive training in the economic analysis of competition policy enforcement has increased from 0% to over 75%.</p> <p>A 30% reduction in the time required: to create monthly case reports and to extract data on a case.</p>	<p>JFTC management information system and human resource records.</p> <p>JFTC management information systems.</p>	GOJ and JFTC Directors continue to support upgrading of JFTC capacities
II. Improve the effectiveness of outreach activities of the JFTC.	Response rate to JFTC outreach activities	JFTC management information system and	GOJ and JFTC Directors continue to

**LOGICAL FRAMEWORK – JA-M1002**

OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
	increases by 50%.	records.	support upgrading of JFTC capacities.
<b>ACTIVITIES</b>			
<p>1.1 Hire two international experts to: (i) conduct training sessions on best practices for the enforcement of competition policy and steps required for the identification, analysis, preparation and presentation of cases, (ii) prepare a training and operations manual; (iii) provide specialized training on how to address cases in the energy and telecommunication and sectors; and (iv) advise staff on a range of on-going cases.</p> <p>1.2 Partially finance participation in specialized competition policy training courses outside of Jamaica.</p> <p>1.3 Upgrading of JFTC case and workflow management system and improved access to information.</p>	<ul style="list-style-type: none"> <li>- \$298,300 (all consulting activities in 1.1). Six 2-week long training sessions per year over a three-year period.</li> <li>- Training manual for identification, preparation and presentation of competition cases. (By end-of second year of contract with consultant.)</li> <li>- Separate manual for treatment of cases in the telecommunication and energy sectors. (By end of second year of contract with consultant.)</li> <li>- Written advice on 6 ongoing cases each year.</li> <li>- \$40,050. Participation by two staff members each year in an external specialized competition policy training activity.</li> <li>- \$54,250. More efficient operation of software and systems for case and workflow management system. (By end of second-year of project.)</li> </ul>	<p>Power point presentations from training sessions.</p> <p>Copy of training manual.</p> <p>Copy of manual.</p> <p>Written reports on on-going cases.</p> <p>Back-to-office reports of participating staff members.</p> <p>JFTC management information systems and records.</p>	<p>GOJ and JFTC Directors continue to support upgrading of JFTC capacities. Counterpart resources are provided in a timely manner.</p>
<p>2.1 Upgrading of teleconferencing equipment.</p> <p>2.2 Upgrading of JFTC website.</p> <p>2.3 Design and implementation of a communication strategy and outreach program.</p>	<ul style="list-style-type: none"> <li>- \$10,000. Improved capacity of JFTC teleconferencing equipment. (By end-of second year of project.)</li> <li>- \$6,000. Increased capabilities of and increased information available on the JFTC website. (By 18 months after project initiation.)</li> <li>- \$40,000. Preparation and implementation</li> </ul>	<p>JFTC acquisition records.</p> <p>JFTC website.</p> <p>Communication strategy and outreach program document, and JFTC records of program events.</p>	<p>GOJ and JFTC Directors continue to support upgrading of JFTC capacities. Counterpart resources are provided in a timely manner.</p>

LOGICAL FRAMEWORK – JA-M1002			
OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
	of communication strategy and outreach program. (Preparation by 18 months after project initiation, implementation by end of project)		



BUDGET SUMMARY FOR JA-M1002 (US\$)

	MIF	JFTC	TOTAL
<b>I. Improving Tech.Capabilities</b>	<b>229,000</b>	<b>69,300</b>	<b>298,300</b>
Consultants:	204,000		204,000
Fees (generalist 42dx3@\$700/d)	88,200	-	88,200
Fees (specialist 28dx3@\$700/d)	58,800	-	58,800
Per diem (208d@US\$200/day)	42,000		42,000
Travel (15 trips@\$1000)	15,000		15,000
	-		
Attendance at Conferences (2 staff per yr.):		40,050	40,050
Tuition (\$8000x3)		24,000	24,000
Airfare (\$1,350x3)		4,050	4,050
Per diem (\$200/dx10x2x3)		12,000	12,000
Workflow Mgmt. System:	25,000	17,000	42,000
Upgrade	25,000		25,000
Annual Maintenance		12,000	12,000
Network Upgrade		4,000	4,000
Administration		1,000	1,000
Access to Information:		12,250	12,250
Acquisition of online materials		9,250	9,250
Dev & Installation of software		2,000	2,000
Journal subscriptions		1,000	1,000
<b>II. Outreach</b>	<b>40,000</b>	<b>16,000</b>	<b>56,000</b>
Design/Implementation:Outreach	40,000		40,000
Teleconferencing		10,000	10,000
Website		6,000	6,000
<b>III. Project Administration</b>		<b>45,000</b>	<b>45,000</b>
<b>IV. Evaluation (Consultant fees)</b>	<b>20,000</b>		<b>20,000</b>
<b>V. Audits</b>	<b>4,000</b>		<b>4,000</b>
<b>VI. Contingencies</b>	<b>11,000</b>	<b>5,000</b>	<b>16,000</b>
<b>TOTAL PROJECT BUDGET</b>	<b>304,000</b>	<b>135,300</b>	<b>439,300</b>
<b>Percentages</b>	<b>69%</b>	<b>31%</b>	

## Strengthening the Jamaican Fair Trading Commission (JA-M1002) Overview of Related Projects

### A. Similar MIF Projects in Jamaica

None

### B. Similar or Related Bank Projects

Project No. / Approval Date	Project Title, Sector, Executing Agency, Amount	Effective Date [sig. or leg. ratification], Disbursement Period	Percent Disbursed	Comments: Satisfactory or problematic execution, including delays, extensions, reformulations, changes in execution, etc.
JA-0116 11/27/02	Information and Communications Technology, Tecnología de la Información y las Comunicaciones. Ministry of Industry, Commerce and Technology, Total: \$23 million (IDB: \$17million)	06/25/03  60 months	0%	The Project became eligible for first disbursement on March 22, 2004. Preparations are currently being made for the start up of activities and the GOJ remains firmly committed to this project.
JA-0128 12/10/03	Oceanic Digital Jamaica Ltd., Sector Privado para Oceanic Digital Jamaica. Oceanic Digital Jamaica Limited Total: \$85.2 million (PRI: 30 million)	03/15/04  18 months		Disbursements in process.

### C. MIF Related Projects in Jamaica by Sector or Beneficiary

Project No. / Approval Date	Project Title, Sector, Executing Agency, Amount	Effective Date [sig. or leg. ratification], Disbursement Period	Percent Disbursed	Comments: Satisfactory or problematic execution, including delays, extensions, reformulations, changes in execution, etc.
ATN/MT-4529-JA 05/18/94	Establishment of the Office of Utilities Regulation Establecimiento de la Oficina Reguladora de Servicios Públicos Ministry of Public Works, Mining and Energy, \$1.45 million	06/28/94  24 months (extended for 30 months)	Completed	Satisfactory execution, strengthened institutional and legal framework for utility liberalization.

PROPOSED RESOLUTION

JAMAICA. Nonreimbursable Technical Cooperation for Strengthening the  
Jamaica Fair Trading Commission

The Donors Committee of the Multilateral Investment Fund

RESOLVES:

1. That the President of the Inter-American Development Bank or such representative as he shall designate is authorized, in the name and on behalf of the Bank, as Administrator of the Multilateral Investment Fund, to enter into such agreements as may be necessary with the Jamaica Fair Trading Commission (JFTC), and to take such additional measures as may be pertinent for the execution of the project proposal contained in document MIF/AT-\_\_\_\_ with respect to a technical cooperation for strengthening the JFTC.
2. That up to the amount of US\$304,000, or its equivalent in other convertible currencies, shall be authorized for the purpose of this resolution, chargeable to the resources of the Technical Cooperation Facility of the Multilateral Investment Fund.
3. That the above-mentioned sum is to be provided on a nonreimbursable basis.