



PRESS RELEASE

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The Office of Fair Trading and the Fair Trading Act

Her Majesty's Government of Gibraltar is extremely pleased to announce the much-anticipated commencement of the new Fair Trading Act 2015 and the establishment of the Office of Fair Trading (OFT). The Act provides the framework for this new, statutory regulator that strategically merges three pre-existing Government departments: the Department of Consumer Affairs, the Trade Licensing Section and the Business Support Unit.

The OFT's overriding aim is to protect the interests of consumers and local businesses and to ensure that a fair market is maintained in Gibraltar. In this respect, the OFT will oversee commercial activities with a view to identifying and preventing practices that could adversely affect the interests of consumers and by promoting good business customs.

The OFT's functions include the effective licensing and regulation of local businesses. The Fair Trading Act 2015 introduces a streamlined business licensing regime that supersedes the previous trade licensing system. The Act introduces a statutory presumption that applicants may carry on business in Gibraltar, subject to obtaining a business licence, while reducing the grounds for objecting to the grant of a new licence and the time limit for doing so. As a means of encouraging enterprise and new business, the Act also introduces innovative 'provisional licences' for new business start-ups.

Further, as part of the objective of HM Government of Gibraltar to reduce the administrative burden on businesses, the new Fair Trading Act creates a 'Single Point of Contact'. In a complete departure from the past, this office is a convenient "one-stop-shop" that provides for the various licensing and registration requirements that were previously handled by different Government departments. At the OFT offices, such processes will from today be addressed under one roof, where businesses and individuals will also be offered the provision of guidance and support.

In addition, and in line with this Government's e-government manifesto commitment, the OFT's website (www.oft.gov.gi) does not only include straightforward guidelines and advice offered by the 'Single Point of Contact', but also all necessary forms required by other Government Departments relating to the start-up and registration of businesses. These forms may be



completed online using the newly issued ID cards and submitted using the eGovernment website (www.egov.gi). To take advantage of this online functionality, citizens will require a card reader, which is available for purchase from the Office of Fair Trading.

The Fair Trading Act 2015 also grants important enforcement powers to the OFT, which will enable the Office to take effective action against businesses that may be significantly harming consumer interests, or which are not adhering to the provisions of the Act. The OFT has the power to suspend, revoke or decline the renewal of any business license.

Commenting on the above, the Minister for Business and Employment, the Hon Neil F. Costa MP said: 'After extremely detailed consultation with the GFSB, the Chamber of Commerce and the private sector, as well as a collective effort of the relevant government departments, I am extremely pleased to announce that the Office of Fair Trading is finally a reality. As from today, there is a fully resourced establishment to protect the interests of consumers in Gibraltar and to ensure that a fair market is maintained for both businesses and consumers. I have no doubt that the Single Point of Contact will be extremely beneficial to both businesses and the general public alike, as it allows the establishment of a business from a single office, without the need to go to numerous Government departments. The fact that these services are now also available online, in line with Her Majesty's Government of Gibraltar eGovernment manifesto commitment, is also fundamental and in many ways a must, in this fast moving era of modernisation, technology and e-commerce. I would like to take this opportunity to express my gratitude to all those who, as a result of their efforts and determination, have made possible the establishment of the OFT. Particular thanks are also due to the OFT officers for their excellent groundwork, organisation and preparation in the last months leading up to the launch. Special thanks are also due to the IT Department for their outstanding work and professionalism at all times. The overall objective of the Fair Trading Act is the enhancement of consumer confidence and to ensure a fair playing field in Gibraltar's market – I have every confidence that we are achieving this objective with the enactment of this legislation.'