

2023-2024

Business & Office of Fair Trading

Annual Report



GIBRALTAR



HM Government
of Gibraltar

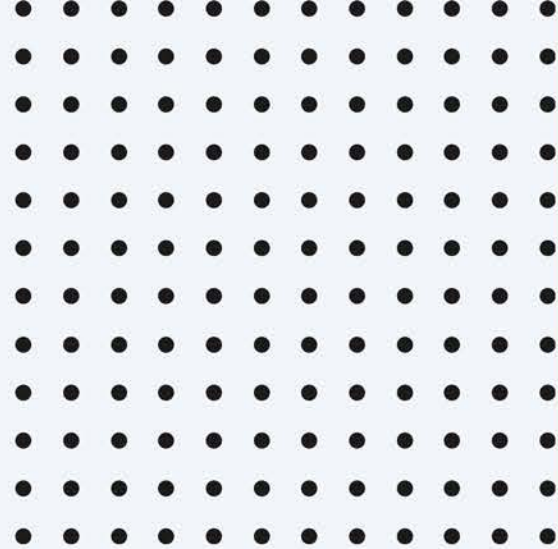
Ministry of Health, Care and Business



Highlights



Foreword



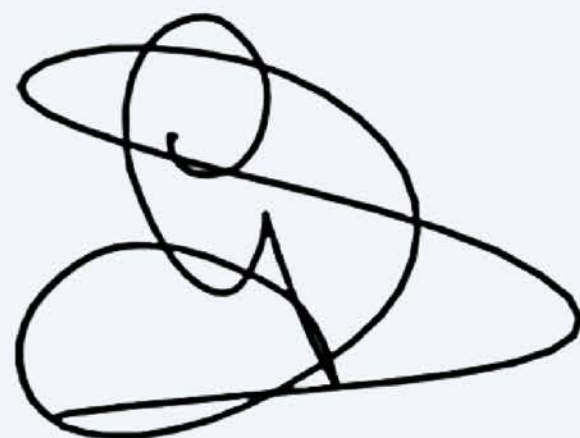
The Hon Gemma Arias-Vasquez, Minister for Health, Care and Business:



Consumer protection has also played an important part as businesses recover from the pandemic and adapt yet again to a new normal.

On the business licensing side, it is evident that there continues to be a huge demand to do business in Gibraltar. I am firm believer that entrepreneurial spirit needs to be nurtured and encouraged. We want to make it easier for that demand to be met by making it easier to do business in Gibraltar.

I take this opportunity to record my gratitude to the team at the OFT for the service that they provide our business community.



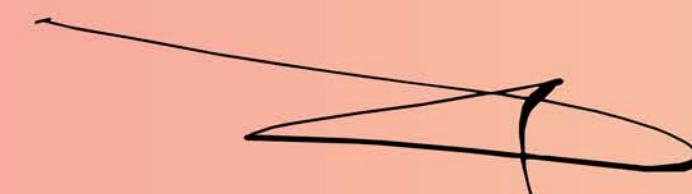
The Office of Fair Trading (OFT) has been through a year of transition with the commencement of the long-awaited new Fair Trading Act 2023 and the more recent arrival of a new CEO. The new CEO's remit extends beyond the OFT, expanding into business.

Whilst the transition to the new Act has been the focal point of the past year, being whitelisted was a key milestone that should also be celebrated. It is important to recognise the effort from regulated businesses to make this whitelisting a reality. Real estate agents in particular have noticeably improved their compliance and standards.

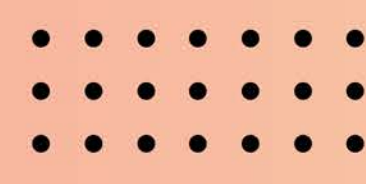
John Paul Fa, Chief Executive Officer, Business and Office of Fair Trading:



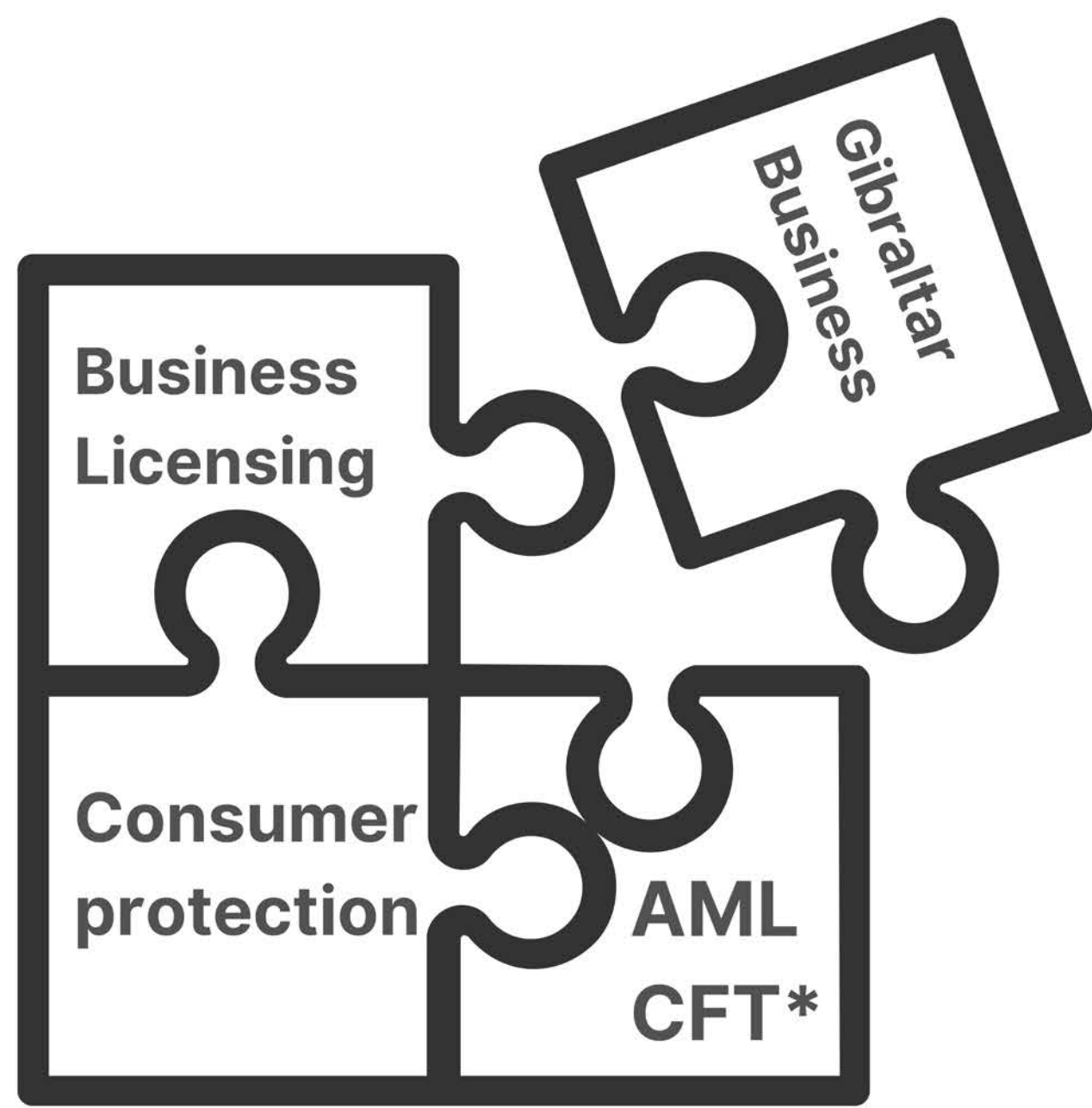
The publication of this strategic plan coincides with the publication of the OFT's first strategic report. Over time, successive annual reports will enable us to track business trends. I hope that this information will be as useful to the business community as it will be to Government.



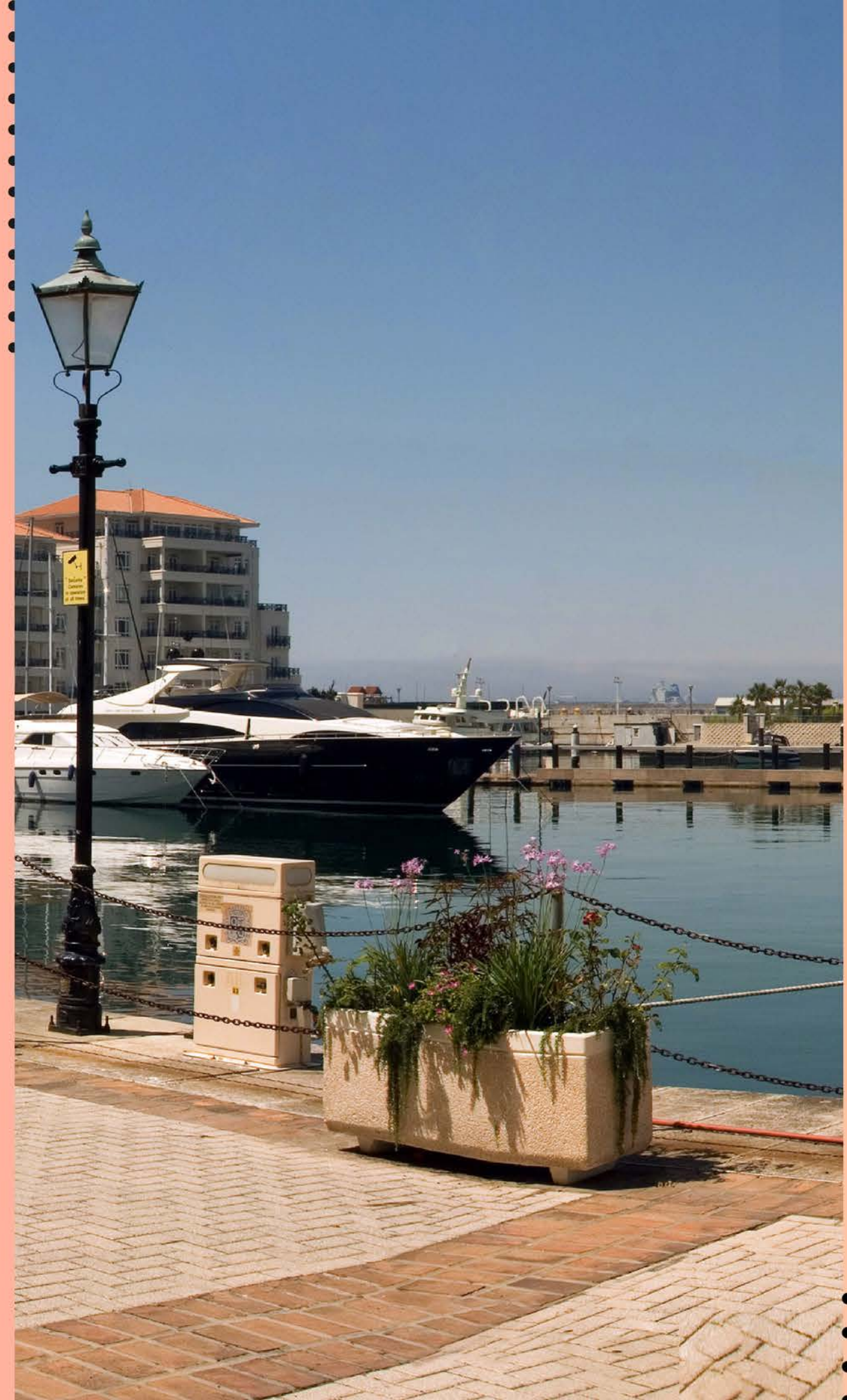
I am pleased to present the annual report of the Office of Fair Trading for 2024. As we reflect on the past year's challenges and achievements, I am proud to join a team that has made an invaluable contribution to the business environment in Gibraltar, safeguarding against financial crime, and championing consumer rights.



About



*AML CFT: Regulation of high value dealers and real estate agents for anti-money laundering, combatting the financing of terrorism and counter-proliferation financing



Working partnerships

Working partnerships lie at the heart of the collaborative relationship between Government and the business community.

In particular, the OFT works closely with independent business representative organisations to ensure that the business community's voices are heard. Fundamental to progressing Gibraltar's business environment, however, is our close relationship with other Government departments. With the introduction of the new Fair Trading Act 2023, another significant set of relationships have been established with the OFT board and its Decision Making Council.

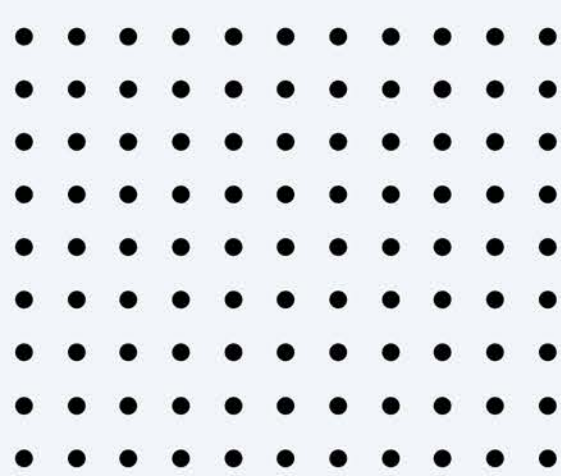
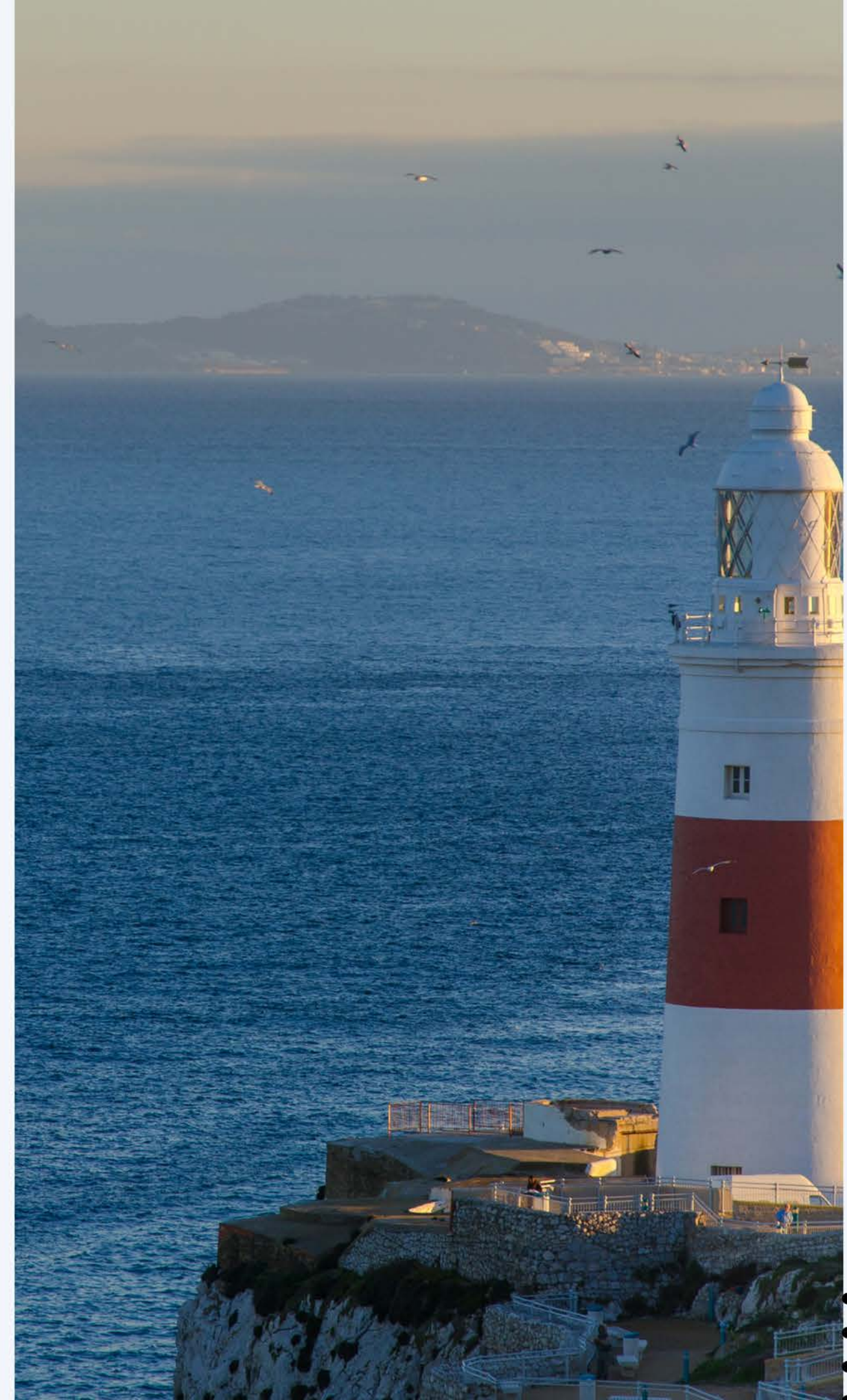
Business representative groups include the Chamber of Commerce and Gibraltar Federation of Small Businesses alongside the Small Business Board and Main Street Retail Board. These are in addition to sector specific organisations, such as the Gibraltar Association of Compliance Officers and Gibraltar Society of Accounts, both of whom engage actively on Government led initiatives impacting the business community.

Government departments include the Department of Employment HM Customs, Royal Gibraltar Police, Income Tax Office, Tourist Board, Port Authority, Civil Status and Registration Office, Chief Secretary's Office, Digital Services, National Coordination Team and its underlying members, together with the Citizens Advice Bureau.

Corporate governance

OFT Board: now comprised of a chairperson, three members and the Chief Executive.

Decision Making Committee: is responsible for taking enforcement action and can hear appeals from decisions taken by the OFT.



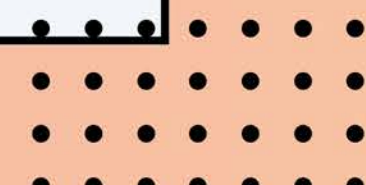
Business licensing data

Top 10 service categories by number of new applications:

Construction services	178
Miscellaneous	95
Business related services	91
IT services	66
Food and catering services	58
Advertising and marketing	52
Media related services	52
Online services provided from Gibraltar	52
Sports and leisure services	46
Installation, repair and maintenance (not inc sale) of equipment	43

Top 10 goods categories by number of new applications:

Food and drink	30
Personal care products	23
Clothing, personal accessories and fabrics	19
Printed goods and stationary	19
Jewellery	18
Furniture, household accessories and decorative goods	16
Leisure equipment	15
Electronic appliances	13
Construction materials	11
Cleaning materials	8



Business licensing data

continued

Total business licences in issue	2,924
With premises	2,207
With waiver	716
% with waiver	24%

Total number of new application, of which:	700
New business licences	323
Transfers	204
Extensions	162

Consumer protection data



Consumer complaints received	419
Investigations initiated	59
Inspections conducted	87
Vape related inspections	36

Awareness and outreach:

- Business education outreach focusing on rights and responsibilities towards consumers
- Production of 2 new guidance documents (Invasive Aesthetic Treatments and General Travel Guidance)
- Promoting consumer awareness on social media platforms



Consumer protection data *continued*

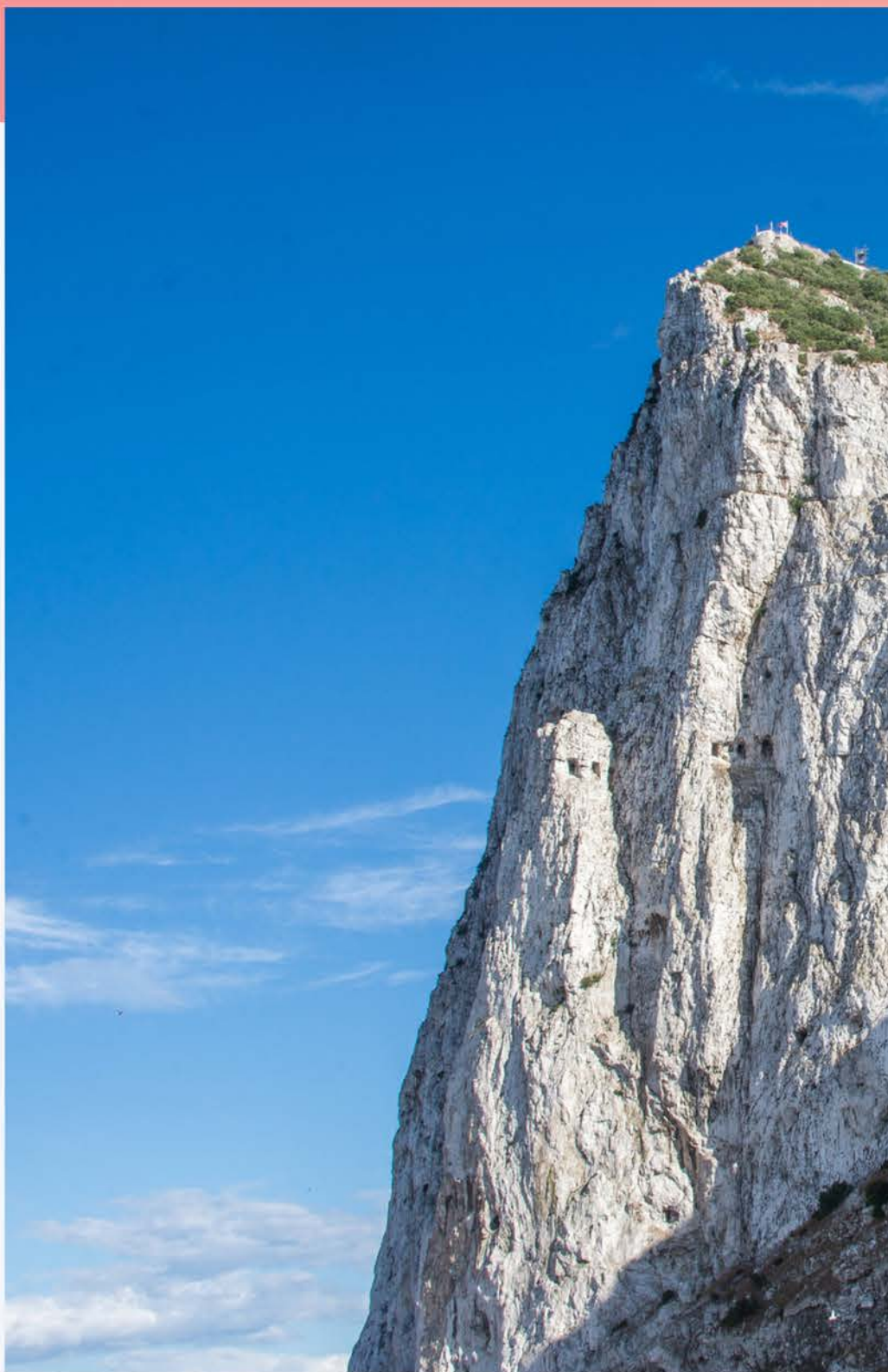
Top 10 complaints by category:

General consumer rights enquiry	70
Building & refurbishment works	50
General services	33
Business / consumer advice	30
Electronic goods	29
Vehicle dealerships	24
Estate agents	15
Online traders	13
Supermarkets	12
Vehicle workshops	12

Top 10 investigations by sector:

General retail	14
Building & refurbishment works	10
Vehicle dealerships	6
Online Traders	4
General services	4
Supermarkets	3
Hair & beauty	3
Estate agents	3
Electronic goods	3
Petrol stations	2

Real estate sector *data*



£366,524,157

annual real estate deal value

638

number of
real estate
transactions

2,690

total number
of clients

£574,489

average
transaction
size

6
sole
practitioners

30
real estate
agencies

3
international
groups

131
total number
of
employees



AML & CFT Compliance

Top 4 breaches:

Customer Due Diligence	6
Register of Ultimate Beneficial Ownership	6
Independent audit	6
AML / CFT policies, controls & procedures	4

Top 4 deficiencies:

Business risk assessment	3
AML / CFT policies, controls & procedures	3
Customer due diligence	2
Register of Ultimate Beneficial Ownership	2

Effectiveness compliance:

Non-compliant	10%
Partly compliant	7%
Moderately compliant	30%
Highly compliant	53%

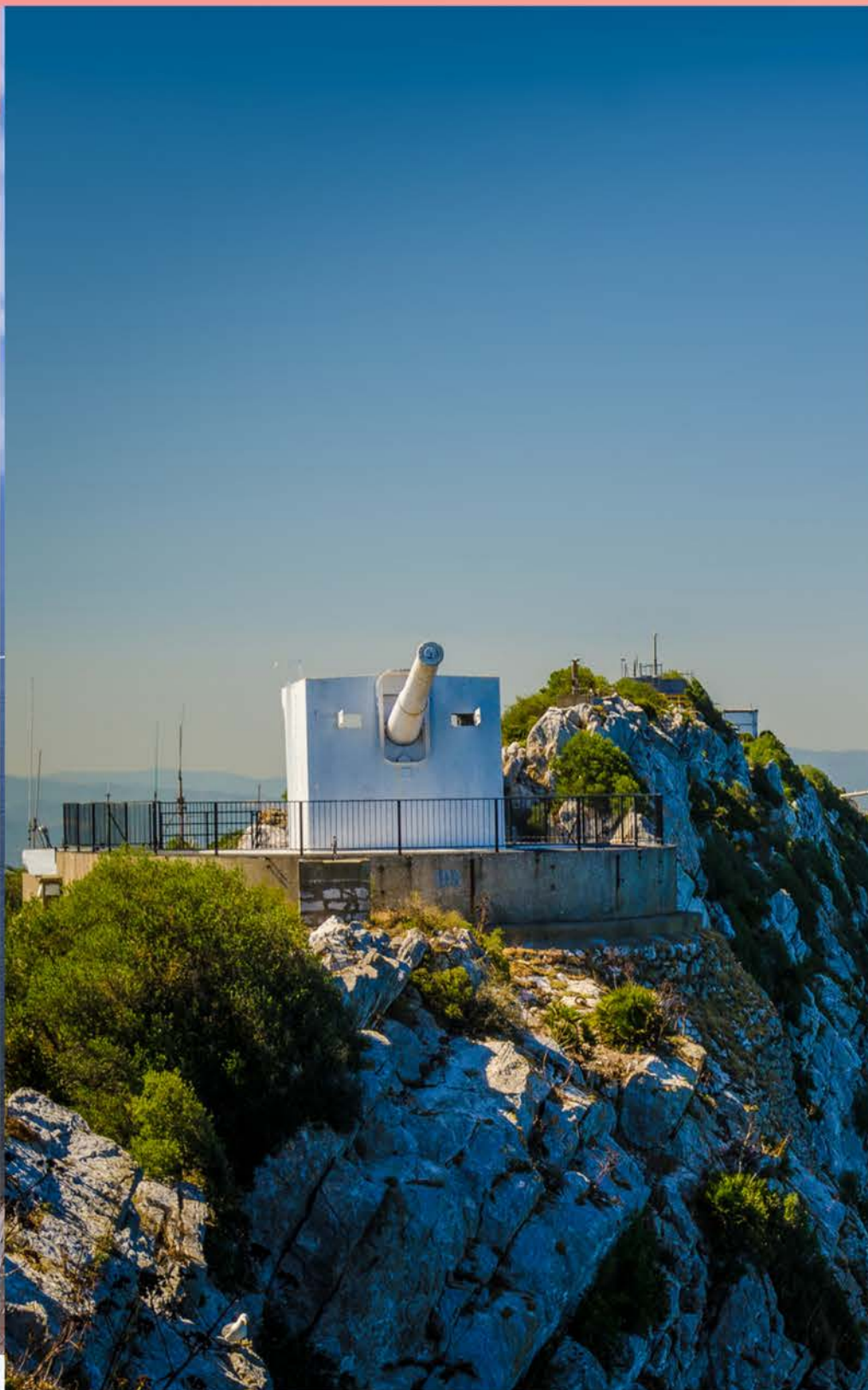
Technical compliance:

Non-compliant	6
Partly compliant	6
Moderately compliant	6
Highly compliant	4



Real estate agents

AML & CFT enforcement



Warning notices	12
Action plans	20
Total amount fined	£22,550
Fine range	£250 - £12,500

Awareness and outreach initiatives:

- Updating annual return forms and guidance
- Inviting real estate agents to join GFIU event
- Training through Gibraltar Association of Compliance Officers





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For business support queries:

Email: business.support@gibraltar.gov.gi



For anti-money laundering queries:

Email: aml@gibraltar.gov.gi



For consumer protection queries and complaints:

Email: consumer.protection@gibraltar.gov.gi