



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1196/4/8/12

B E T W E E N

RYANAIR HOLDINGS PLC

Applicant

-v-

COMPETITION COMMISSION

Respondent

ORDER

UPON reading the decision of the Competition Commission (“the Respondent”), contained in a letter dated 10 July 2012, to continue with its investigation of Ryanair Holdings plc’s (“the Applicant”) completed acquisition of a minority shareholding in Aer Lingus Group plc (“Aer Lingus”) and to request information and documents under section 109 of the Enterprise Act 2002 (the “section 109 Notice”)

UPON reading the notice of application lodged by the Applicant under rules 8 and 25 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (“the Tribunal Rules”) on 13 July 2012 (“the Application”)

AND UPON hearing counsel for the parties at a case management conference on 16 July 2012;

AND UPON Aer Lingus requesting permission to intervene and there being no objections to that request;

AND UPON the Respondent indicating that, without prejudice to the merits of the Application, it is not minded to impose financial penalties under section 110 of the Enterprise Act 2002 in relation to the Applicant’s non-compliance with the section 109 Notice from the date when the information is due to be provided and seven days after the Tribunal has handed down its judgment disposing of the Application;

IT IS ORDERED THAT:

1. Pursuant to rule 18 of the Tribunal Rules the proceedings be treated as proceedings in England and Wales.
2. The application for interim relief be stayed generally.
3. The period of three weeks for lodging a request for permission to intervene in the proceedings stipulated by rule 15(2)(f) of the Tribunal Rules be abridged so that any request for permission to intervene is received by the Registry no later than 5pm on 18 July 2012.
4. Aer Lingus be granted permission to intervene in support of the Respondent, on condition that on condition that it take all reasonable steps (including liaising with the Respondent where necessary) to avoid duplication of submissions.
5. In relation to the proceedings before the Tribunal:
 - a. The Respondent file and serve a skeleton argument by 12pm on 23 July 2012.
 - b. The skeleton argument of the Respondent is to stand as the Defence subject to further Order.
 - c. Aer Lingus, if so advised, file and serve its skeleton argument by 5pm on 24 July 2012.
 - d. A hearing be listed for 10.00am on 27 July 2012 with a time estimate of one day.
6. There be liberty to apply.

Marcus Smith QC
Chairman of the Competition Appeal Tribunal

Made: 16 July 2012
Drawn: 18 July 2012