



**IN THE COMPETITION  
APPEAL TRIBUNAL**

**Case No: 1229/6/12/14**

**B E T W E E N:**

**HCA INTERNATIONAL LIMITED**

Applicant

**-v-**

**COMPETITION AND MARKETS AUTHORITY**

Respondent

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**ORDER**

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**UPON** the Competition and Markets Authority's ("CMA") decisions, contained in its report "Private healthcare market investigation Final Report" (the "Final Report"), (i) finding Adverse Effects on Competition ("AECs") in relation to HCA International Limited's ("HCA") hospitals, and (ii) requiring HCA to divest itself of either the London Bridge Hospital together with the Princess Grace Hospital, or else the Wellington Hospital together with the Wellington Hospital Platinum Medical Centre (the "Decisions")

**AND UPON** HCA's application by its Notice of Application dated 30 May 2014 for review of the Decisions under section 179 of the Enterprise Act 2002 (the "Act") (the "Main Application")

**AND UPON** reading HCA's application for an order suspending the Decisions until the determination of the Main Application

**AND UPON** the CMA's confirmation that it does not object to such an order, provided that the statutory six month period under section 138A(1) of the Act is also suspended, with effect from the date on which the Main Application was made

**AND UPON** HCA's confirmation that it does not object to that course

**AND UPON** hearing Leading Counsel for HCA and Counsel for the CMA at a case management conference on 25 June 2014

**AND UPON** HCA and the CMA having agreed the terms of this order

**IT IS ORDERED THAT:**

1. The Decisions be suspended and have no effect until:
  - a. the expiry of the time limit for appealing the final determination of the Main Application; or
  - b. the expiry of any further order of the Tribunal or any appellate Court continuing such suspension
2. The six-month period within which the CMA is required under section 138A of the Act to remedy the adverse effects found also be suspended, with effect from 30 May 2014, and will recommence from the later of the date in paragraph 1.a. above or the expiry of any further order made in accordance with paragraph 1.b. above
3. Costs in the case
4. There be liberty to apply

**The Honourable Mr Justice Sales**  
Chairman of the Competition Appeal Tribunal

Made: 25 June 2014  
Drawn: 2 July 2014