



COMPETITION APPEAL TRIBUNAL

**NOTICE OF APPEAL UNDER SECTION 46 OF THE COMPETITION ACT 1998
CASE NO 1067/1/1/06**

Pursuant to rule 15 of the Competition Appeal Tribunal Rules 2003 (“the Rules”), the Registrar gives notice of the receipt of an appeal on 5 June 2006, under section 46 of the Competition Act 1998 (“the Act”) by Achilles Paper Group Limited (“the appellant”) in respect of a decision (CA/98/03/2006) dated 31 March 2006 taken by the Office of Fair Trading (“the OFT”) and notified to the appellant on 4 April 2006 (“the Decision”).

In the Decision the OFT found that a number of suppliers of stock check pads¹ were involved in a single overall agreement and/or concerted practice which had the object of fixing the prices of and sharing the market for the supply of stock check pads in the United Kingdom, thereby infringing the Chapter I prohibition contained in section 2(1) of the Act.

In respect of the infringement of the Chapter I prohibition the OFT imposed a penalty of £255,697.50, reduced to £127,848.75 by leniency, on the appellant.

According to the appellant the OFT drew certain incorrect conclusions from the details contained in its financial statements when assessing its financial position for the determination of the level of the penalty and, in particular, when considering any “adjustment for other factors” at step three of the analysis (paragraphs 294 to 295 of the decision).

The appellant seeks an order from the Tribunal to reduce the amount of the penalty imposed on it.

Any person who considers that he has sufficient interest in the outcome of the proceedings may make a request for permission to intervene in the proceedings, in accordance with rule 16 of the Rules.

A request for permission to intervene should be sent to the Registrar, The Competition Appeal Tribunal, Victoria House, Bloomsbury Place, London, WC1A 2EB, so that it is received within **three weeks** of the publication of this notice.

Further details concerning the procedures of the Competition Appeal Tribunal can be found on its website at www.catribunal.org.uk. Alternatively, the Tribunal Registry can be contacted by post at the above address or by telephone (020 7979 7979) or fax (020 7979 7978). Please quote the case number mentioned above in all communications.

Charles Dhanowa

Registrar
13 June 2006

¹ Stock check pads are generic paper pads that are used by staff in restaurants, cafes and similar establishments to record customers’ orders. They are small pads of numbered leaves of paper, with tear off sheets to assist in recording a customer’s order.