



COMPETITION APPEAL TRIBUNAL

COMPETITION APPEAL TRIBUNAL USER GROUP MEETING MINUTES OF MEETING HELD ON 26 JUNE 2014

Attendees:

On behalf of the Tribunal:

Sir Peter Roth – President
Charles Dhanowa – Registrar
Jennifer Reeves – Référendaire

On behalf of the Users:

Martin Ballantyne – Legal Director, Office of Communications
Euan Burrows – Partner, Ashurst LLP
Roland Green – Deputy General Counsel, Competition and Markets Authority
Catriona Munro – Partner, Maclay Murray & Spens LLP
Stephen Wisking – Partner, Herbert Smith Freehills LLP

Also attending:

Sir John Mummery
Dame Vivien Rose
Sandra McNeish – Department for Business, Innovation and Skills

Apologies:

Helen Davies QC – Barrister, Brick Court Chambers
Jon Lawrence – Partner, Freshfields Bruckhaus Deringer LLP
Jon Turner QC – Barrister, Monckton Chambers
Polly Weitzman – General Counsel, Office of Communications

President's introduction

The President explained that the purpose of this meeting was to consider the draft revised Tribunal Rules (the “draft Rules”), which had been circulated in advance to the User Group. The aim was to submit the draft Rules to the Secretary of State by the end of July so that a public consultation exercise could be undertaken later in the year and the new rules brought into force during 2015 alongside a revised Guide to Proceedings.

Minutes of meeting of 7 April 2014

The minutes of the User Group meeting on 7 April 2014 were approved.

Review of the Tribunal rules – update on progress and timetable

The President explained that draft rules had been prepared by the Tribunal in consultation with Sir John Mummery (“SJM”) and Dame Vivien Rose.

Draft Rules

Various aspects of the draft Rules were discussed, including in particular the following:

- Governing principles
- Amendment of appeal
- Costs management
- Evidence on appeals
- Private action claim form
- Challenge to jurisdiction
- Settlement Offers
- First CMC in private actions
- Fast track procedure
- Disclosure
- Preservation of confidentiality

SJM emphasised that he sees the revision of the Tribunal's Guide to Proceedings as a key aspect of this review, although that task is not subject to the same time constraints as the Rules Review. Once the work on a first draft of the revised Guide is completed, SJM would like the User Group to provide their thoughts on the text.

The President thanked those present for their helpful comments, and welcomed any further brief written observations on the text of the draft Rules.