



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1299/1/3/18

BETWEEN

ROYAL MAIL PLC (“Royal Mail”)

Appellant

-v-

OFFICE OF COMMUNICATIONS (“Ofcom”)

Respondent

-and-

WHISTL UK LIMITED (“Whistl”)

Intervener

ORDER

UPON the Tribunal hearing the appeal in the above proceedings on 10-13, 17-21, 24-28 June and 1, 8, 15-17 July 2019

AND UPON the Tribunal handing down judgment in these proceedings on 12 November 2019 ([2019] CAT 27) and a ruling on permission to appeal and costs on 10 January 2020 ([2020] CAT 2)

AND UPON Ofcom and Royal Mail reaching agreement as to: (a) costs; and (b) interest to be applied on the penalty, on the terms set out below

AND HAVING REGARD TO Rule 104(5)(b) of the Competition Appeal Tribunal Rules 2015

IT IS ORDERED BY CONSENT THAT:

1. Royal Mail shall pay Ofcom’s reasonable and proportionate costs in relation to Royal Mail’s appeal, such costs to be assessed on the standard basis and, if not agreed, to be dealt with by the detailed assessment of a costs officer of the Senior Courts of England and Wales.

2. Interest on the penalty shall run at 1% above the Bank of England base rate from 16 October 2018 until the date of payment of the penalty or judgment under section 37(1) of the Competition Act 1998.
3. There be liberty to apply.

Peter Freeman CBE QC (Hon)
Chairman of the Competition Appeal Tribunal

Made: 20 January 2020
Drawn: 20 January 2020