



IN THE COMPETITION APPEAL TRIBUNAL

Case No: 1730/12/13/25

BETWEEN:

- (1) THE NEW LOTTERY COMPANY LIMITED**
- (2) NORTHERN & SHELL PLC**
- (3) THE HEALTH LOTTERY ELM LIMITED**

Applicants

- v -

THE GAMBLING COMMISSION

Respondent

- and -

- (1) CAMELOT UK LOTTERIES LIMITED**
- (2) ALLWYN UK HOLDING B LTD**
- (3) ALLWYN ENTERTAINMENT LIMITED**

Interveners

ORDER MADE AT SECOND CMC ON 24 SEPTEMBER 2025

UPON the Applicants' application for review pursuant to section 70 of the Subsidy Control Act 2022 commenced by Notice of Appeal filed on 8 May 2025 ("**the Application**");

AND UPON the Order following the first CMC in these proceedings made on 18 July 2025 ("**the CMC 1 Order**");

AND UPON the Applicants' application of 8 August 2025 for permission to amend their Notice of Appeal ("**the Amendment Application**");

AND UPON the Applicants' application of 8 August 2025 for permission to adduce expert evidence ("**the Expert Evidence Application**");

AND UPON hearing leading counsel for the Applicants and the Respondent and counsel for the Interveners at a case management conference on 24 September 2025 (“**CMC 2**”):

IT IS ORDERED AND DIRECTED THAT:

(1) THE AMENDMENT APPLICATION

1. The Applicants have permission to amend their Notice of Appeal in the form of the revised draft Amended Notice of Appeal dated 23 September 2025, subject to any clarificatory amendments to that draft. The Amended Notice of Appeal shall be filed and served by no later than 29 September 2025.
2. The costs of the Amendment Application be costs in the case.

(2) THE EXPERT EVIDENCE APPLICATION

3. The Expert Evidence Application is refused.
4. The Applicants are to pay the Respondent’s costs of the Expert Evidence Application on the standard basis, such costs to include 80% of the costs of the CMC 2 hearing on 24 September 2025, to be assessed, if not agreed. The mode of assessment shall be determined at the end of proceedings.

(3) PLEADINGS AND FURTHER EVIDENCE

5. The Respondent shall file and serve its Amended Defence and further evidence of fact (if so advised) by no later than 10 October 2025.
6. The Interveners shall file and serve their Statement of Intervention and (if so advised) evidence of fact in support by no later than 27 October 2025.
7. The Applicant shall (if so advised) file and serve their Reply to the Respondent’s Amended Defence and their Response to the Interveners’ Statement of Intervention, which may be contained in the same document, by no later than 10 November 2025.
8. The Respondent shall (if so advised) file and serve their Response to the Interveners’ Statement of Intervention by no later than 10 November 2025.

(4) FINAL HEARING OF THE APPLICATION

9. The Application shall be listed for a final hearing commencing on 10 December 2025, with a time estimate of 2 days with 1 day in reserve. If the Tribunal sits on 12 December 2025, it shall do so no earlier than 11.30 am.

10. The Applicants shall file and serve an agreed hearing bundle by no later than 17 November 2025.
11. The Applicants shall file and serve their skeleton argument by no later than 24 November 2025.
12. The Respondent and the Interveners shall file and serve their skeleton arguments by no later than 1 December 2025.
13. The Applicants shall, by no later than 3 December 2025, file and serve:
 - (a) an agreed bundle of authorities;
 - (b) an agreed Statement of Facts (not exceeding 20 pages). The statement may set out, in an identified form, areas of disagreement; and
 - (c) an agreed list of issues; (ii) an agreed chronology (which is cross-referenced to the hearing bundles); and (iii) an agreed list of essential documents for advance reading by the Tribunal.

(5) MISCELLANEOUS

14. The CMC 1 Order is varied by omitting paragraphs 7-8 and 12-19 (which are superseded, or spent as a result of this Order).
15. Liberty to apply.
16. Save as provided for by paragraphs 2 and 4 above, costs reserved.

Mr Ben Tidswell

Chair of the Competition Appeal Tribunal

Made: 24 September 2025

Drawn: 29 September 2025