



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No:

BETWEEN:

**(1) PENTLAND GROUP LIMITED
(2) PENTLAND GROUP LIMITED**

Applicants

- v -

COMPETITION AND MARKETS AUTHORITY

Respondent

**ORDER
(EXTENSION OF TIME TO FILE NOTICE OF APPEAL)**

UPON the application by Pentland Group Limited (registered in England and Wales and previously called Pentland Group plc – company number 00793577) and Pentland Group Limited (registered in Jersey – company number 129937) (together “Pentland Group”) dated 24 August 2020 for an extension of time to file a notice of appeal in respect of the decision of the Competition and Markets Authority (“CMA”) of 5 August 2020 to impose a penalty on Pentland Group and JD Sports Fashion plc (“JD Sports”) under section 94A of the Enterprise Act 2002 (the “Decision”)

AND UPON the CMA indicating that it does not oppose the application

AND HAVING REGARD TO Rules 28(1) and 19(2)(m) of the Tribunal Rules and the Practice Direction relating to Covid-19 published on 20 March 2020

IT IS ORDERED THAT:

1. The time for Pentland Group to file a notice of appeal in respect of the Decision is extended to 5 pm on 1 September 2020.
2. There be liberty to apply.

REASONS:

1. The extension sought is only for 7 days and I am satisfied that the circumstances are exceptional.
2. There is the same doubt about the date of notification of the Decision which was referred to in the Tribunal's Order of 19 August 2020 in Case Number 1363/10/12/20 (JD Sports Fashion plc v CMA).
3. The Covid-19 global pandemic has had and continues to have a significant adverse impact on Pentland Group and its working practices.
4. The alternative course of filing a notice of appeal in a less than final form and applying to amend it at a later stage would likely lead to additional delay and/or duplication of work in this case.
5. The CMA as the proposed respondent to any appeal has indicated that it does not oppose the application for an extension of time.

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

Made: 24 August 2020
Drawn: 24 August 2020