

SCHEDULES

SCHEDULE 2

APPEALS UNDER SECTIONS 24 AND 25

PART 6

GENERAL

Interpretation

35 (1) In this Schedule—

“appeal” means an appeal under section 24 or 25;

“appeal rules” means rules under paragraph 31;

“the appropriate court” means—

(a) in relation to England and Wales and Northern Ireland, the High Court, and

(b) in relation to Scotland, the Court of Session;

“authorised member of the Competition Commission”, in relation to a power exercisable in connection with an appeal against a decision, means—

(a) the Chairman,

(b) a member of the Commission authorised by the Chairman to exercise that power, or

(c) a member of any group which has, or (if permission to appeal is granted) will have, the function of determining an appeal against the decision;

“Chairman” means the Chairman of the Competition Commission;

“a group” means a group selected in accordance with paragraphs 17 and 18;

“intervener”, in relation to an appeal, means a person who has been granted permission to intervene in the appeal and who has not withdrawn from the appeal (but see paragraph 32(8));

“statement of truth”, in relation to the production of a statement or in relation to information provided by a person, means a statement that the person producing that statement or providing that information believes the facts contained in the statement or the information to be true.

(2) References in this Schedule to a party to an application are to—

(a) the applicant, or

(b) the CAA.

(3) References in this Schedule to a party to an appeal are to—

(a) the appellant,

(b) an intervener, or

Status: This is the original version (as it was originally enacted).

- (c) the CAA.
- (4) For the purposes of this Schedule and sections 28 and 29, a person has a qualifying interest in a decision that is the subject of an appeal or an application under this Schedule for permission to appeal if—
- (a) the person has been granted permission to appeal against the decision and has not withdrawn the appeal,
 - (b) the person has applied for permission to appeal against the decision and the application has not been withdrawn or refused,
 - (c) the person has been granted permission to intervene in an appeal against the decision and the appeal has not been withdrawn,
 - (d) the person has applied for permission to intervene in an appeal against the decision and the application has not been withdrawn or refused, or
 - (e) the person has applied for a direction under this Schedule suspending the effect of the decision, the application has not been withdrawn or refused and any direction made in response to the application has not been withdrawn.