
STATUTORY INSTRUMENTS

2003 No. 1372

The Competition Appeal Tribunal Rules 2003

PART I

INTRODUCTION

Citation and commencement

1. These rules may be cited as the Competition Appeal Tribunal Rules 2003 and shall come into force on 20th June 2003.

Interpretation

2. In these rules—

“a chairman” means any member of the panel of chairmen;

“the chairman” means the chairman of the Tribunal as constituted for particular proceedings;

“the Competition Service” means the body corporate established by section 13 of the Enterprise Act 2002;

“damages” means any sum which may be claimed under section 47A of the 1998 Act⁽¹⁾;

“the Registrar” means the person appointed to be Registrar of the Tribunal;

“the 1998 Act” means the Competition Act 1998⁽²⁾;

“the 2002 Act” means the Enterprise Act 2002.

Application of rules

3. Unless the context otherwise requires—

(a) Parts I and V of these rules apply to all proceedings before the Tribunal;

(b) Part II of these rules applies to all proceedings before the Tribunal save as otherwise provided in Part III (proceedings under the 2002 Act) or Part IV (claims for damages);

(c) Part III of these rules applies to proceedings for a review or an appeal against penalties under the 2002 Act;

(d) Part IV of these rules applies to claims for damages.

The Registrar

4.—(1) Any person appointed to be the Registrar under section 12(3) of the 2002 Act must—

(a) have a seven year general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990⁽³⁾, or

⁽¹⁾ Section 47A is inserted by section 18 of the Enterprise Act 2002.

⁽²⁾ 1998 c. 41.

⁽³⁾ 1990 c. 41.

- (b) be an advocate or solicitor in Scotland of at least seven years' standing, or
- (c) be—
 - (i) a member of the Bar of Northern Ireland of at least seven years' standing, or
 - (ii) a solicitor of the Supreme Court of Northern Ireland of at least seven years' standing.
- (2) The Registrar shall act in accordance with the instructions of the President and shall, in particular, be responsible for—
 - (a) the establishment and maintenance of a register in which all pleadings and supporting documents and all orders and decisions of the Tribunal shall be registered;
 - (b) the acceptance, transmission, service and custody of documents in accordance with these rules;
 - (c) the enforcement of decisions of the Tribunal pursuant to paragraphs 4 and 5 of Schedule 4 to the 2002 Act;
 - (d) certifying that any order, direction or decision is an order, direction or decision of the Tribunal, the President or a chairman, as the case may be.
- (3) With the authorisation of the President, the Registrar may consider and dispose of interlocutory matters in accordance with rule 62(3).
- (4) A party may within 5 days of any exercise by the Registrar of his functions pursuant to paragraph (3) of this rule request in writing that the exercise of such functions be reviewed by the President. The President may determine the matter acting alone or refer the matter to a chairman or to the Tribunal.
- (5) Any administrative function of the Registrar may be performed on his behalf by any member of staff of the Competition Service whom the President may authorise for the purpose.

Tribunal address for service

5. The address for service of documents on the Tribunal (referred to in these rules as “the Tribunal address for service”) is: The Registrar of the Competition Appeal Tribunal, New Court, 48 Carey Street, London WC2A 3BZ or such other address as may be notified in the London, Edinburgh and Belfast Gazettes and on the Tribunal Website.

Tribunal Website

6. The location of the Tribunal Website is: www.catribunal.org.uk or such other location as may be notified from time to time in such manner as the President may direct.

Representation

- 7. In proceedings before the Tribunal, a party may be represented by—
 - (a) a qualified lawyer having a right of audience before a court in the United Kingdom; or
 - (b) by any other person allowed by the Tribunal to appear on his behalf.