
EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the conditions to be satisfied for the recording and broadcast of proceedings in the Competition Appeal Tribunal. Where the conditions are satisfied, section 41 of the Criminal Justice Act 1925 (“the 1925 Act”) and section 9 of the Contempt of Court Act 1981 (“the 1981 Act”) do not have effect. Section 41 of the 1925 Act makes it an offence to film in court. Section 9 of the 1981 Act provides that it is a contempt of court to record sound in court except with the permission of the court.

Article 3 sets out that the Order applies to all proceedings which take place in the Competition Appeal Tribunal in England and Wales. Article 4 sets out that section 41 of the 1925 Act and section 9 of the 1981 Act do not apply where the conditions of the Order have been satisfied.

Articles 5 to 7 sets out what part of the proceedings may be recorded and who can record proceedings.

Article 8 sets out when the recording of a proceeding can be broadcast.

Article 9 provides that the Order expires at the end of 25th March 2022 which is the date on which Coronavirus Act 2020 expires⁽¹⁾.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

(1) 2020 c.7, section 89.