
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision replacing the temporary provision to identical effect made by the Competition Appeal Tribunal (Coronavirus) (Recording and Broadcasting) Order 2020 (which expires on 25th March 2022, being the date on which the Coronavirus Act 2020 expires⁽¹⁾). 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.

Articles 8 and 9 set out when the recording of a proceeding can be broadcast and what content is permitted in a broadcast.

Article 10 revokes the Competition Appeal Tribunal (Coronavirus) (Recording and Broadcasting) Order 2020.

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⁾ Coronavirus Act 2020 c. 7, section 89.

Changes to legislation:

There are currently no known outstanding effects for the The Competition Appeal Tribunal (Recording and Broadcasting) Order 2022.