

SCHEDULES

SCHEDULE 8

PRIVATE ACTIONS IN COMPETITION LAW

PART 1

COMPETITION ACT 1998

- 9 (1) Section 49 (further appeals) is amended in accordance with this paragraph.
- (2) In subsection (1)—
- (a) at the end of paragraph (a) insert “and”, and
 - (b) omit paragraph (b) and the “and” at the end of that paragraph.
- (3) After subsection (1) insert—
- “(1A) An appeal lies to the appropriate court on a point of law arising from a decision of the Tribunal in proceedings under section 47A or in collective proceedings—
 - (a) as to the award of damages or other sum (other than a decision on costs or expenses), or
 - (b) as to the grant of an injunction.
 - (1B) An appeal lies to the appropriate court from a decision of the Tribunal in proceedings under section 47A or in collective proceedings as to the amount of an award of damages or other sum (other than the amount of costs or expenses).
 - (1C) An appeal under subsection (1A) arising from a decision in respect of a stand-alone claim may include consideration of a point of law arising from a finding of the Tribunal as to an infringement of a prohibition listed in section 47A(2).
 - (1D) In subsection (1C) “a stand-alone claim” is a claim—
 - (a) in respect of an alleged infringement of a prohibition listed in section 47A(2), and
 - (b) made in proceedings under section 47A or included in collective proceedings.”
- (4) In subsection (2)(a), at the beginning insert “except as provided by subsection (2A),”.
- (5) After subsection (2) insert—
- “(2A) An appeal from a decision of the Tribunal in respect of a claim included in collective proceedings may be brought only by the representative in those proceedings or by a defendant to that claim.”