

SCHEDULE 1

RSC ORDER 60

APPEALS TO COURT OF APPEAL FROM THE RESTRICTIVE PRACTICES COURT

Appeal to be brought by notice of appeal

Rule 1 An appeal to the Court of Appeal from the Restrictive Practices Court under the Restrictive Practices Court Act 1976(1) must be brought by notice of appeal, and the notice of appeal must state any question of law and, in the case of proceedings under Part III of the Fair Trading Act 1973(2), any question of fact on which the appeal is brought together in each case with the appellant's contentions thereon.

Service of notice of appeal

Rule 2.—(1) Within 28 days after the appellant receives a copy of the judgment constituting the case stated by the Restrictive Practices Court or within 28 days of the date on which permission to appeal to the Court of Appeal was granted, he must serve the notice of appeal and a copy of the judgment on every other party to the proceedings before that Court and must serve the notice of appeal on that Court.

(2) Where the appellant applies to the said Court for the Court's judgment to be amplified or amended—

- (a) he shall be deemed for the purpose of paragraph (1) to have received a copy of the judgment on the date on which he receives a copy of the order made on his application, and
- (b) the judgment constituting the case stated shall be the judgment with such amplifications or amendments, if any, as may be specified in that order.

Entry, etc. of appeal

Rule 3.—(1) Within 7 days after service of the notice of appeal, the appellant must file the judgment constituting the case and two copies of the notice with the Court of Appeal and Order 59, rule 5 shall apply subject to any necessary modifications.

(2) The office of the Court of Appeal shall notify the Restrictive Practices Court of the decision of the Court of Appeal on the appeal and of any directions given by the Court of Appeal thereon.

Powers of Court of Appeal

Rule 4 The Court of Appeal shall have power to draw inferences of fact from the facts set forth in the judgment of the Restrictive Practices Court constituting the case.

(1) 1976 c. 33.

(2) 1973 c. 41.