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STATUTORY INSTRUMENTS

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**2004 No. 2068**

**The Competition Appeal Tribunal (Amendment  
and Communications Act Appeals) Rules 2004**

**Reference of price control matters to the Competition Commission**

**3.—**(1) For the purposes of subsection (1) of section 193 of the Act, there is specified every price control matter falling within subsection (10) of that section which is disputed between the parties and which relates to—

- (a) the principles applied in setting the condition which imposes the price control in question,
- (b) the methods applied or calculations used or data used in determining that price control, or
- (c) what the provisions imposing the price control which are contained in that condition should be (including at what level the price control should be set).

(2) In a notice of appeal under principal rule 8, the appellant may include a statement indicating the extent to which—

- (a) the appeal relates to price control, or
- (b) a specified price control matter arises in the appeal.

(3) In a defence under principal rule 14, the respondent may include a statement indicating the extent to which the appeal relates to price control or a specified price control matter arises in the appeal, including a statement in rebuttal of a statement under paragraph (2).

(4) In a request to intervene under principal rule 16, the person making the request may include a statement indicating the extent to which the appeal relates to price control or a specified price control matter arises in the appeal, including a statement in rebuttal of any statement under paragraph (2) or (3).

(5) The Tribunal shall refer to the Commission for determination in accordance with section 193 of the Act and rule 5 every matter which, either upon consideration of any statement provided for in paragraphs (2) to (4) or in the subsequent course of the appeal, it decides is a specified price control matter.

(6) The Tribunal may make a reference to the Commission under paragraph (5) at any time before it delivers its decision.

(7) This rule applies in all cases in which the Tribunal has not delivered its decision before 25<sup>th</sup> August 2004.