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STATUTORY INSTRUMENTS

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**2015 No. 1648**

**The Competition Appeal Tribunal Rules 2015**

**PART 4**

**CLAIMS UNDER SECTION 47A OF THE 1998 ACT**

**FAST-TRACK PROCEDURE**

**Fast-track procedure**

**58.**—(1) The Tribunal may, at any time, either of its own initiative or on the application of a party, make an order that particular proceedings be, or cease to be, subject to the fast-track procedure.

(2) Where the Tribunal has ordered that particular proceedings be subject to the fast-track procedure—

- (a) the main substantive hearing is to be fixed to commence as soon as practicable and in any event within six months of an order of the Tribunal stating that the particular proceedings are to be subject to the fast-track procedure; and
- (b) the amount of recoverable costs is to be capped at a level to be determined by the Tribunal.

(3) In deciding whether to make particular proceedings subject to the fast-track procedure the Tribunal shall take into account all matters it thinks fit, including—

- (a) whether one or more of the parties is an individual or a micro, small or medium-sized enterprise within the meaning of Commission Recommendation No. 361 (EC) of 2003 concerning the definition of micro, small and medium-sized enterprises<sup>(1)</sup>;
- (b) whether the time estimate for the main substantive hearing is three days or less;
- (c) the complexity and novelty of the issues involved;
- (d) whether any additional claims have been or will be made in accordance with rule 39;
- (e) the number of witnesses involved (including expert witnesses, if any);
- (f) the scale and nature of the documentary evidence involved;
- (g) whether any disclosure is required and, if so, the likely extent of such disclosure; and
- (h) the nature of the remedy being sought and, in respect of any claim for damages, the amount of any damages claimed.