
STATUTORY INSTRUMENTS

2010 No. 791

The Copyright Tribunal Rules 2010

PART IV

INTERVENTION AND CONSOLIDATION

Publication of application

14.—(1) Subject to rules 8 and 9 the Secretary must as soon as practicable upon receipt of an application publish a notice on the Tribunal Website and in any other manner the Chairman may direct.

(2) The notice referred to in paragraph (1) must state—

- (a) that an application has been received;
- (b) the section of the Act under which the application is made;
- (c) the name of the applicant;
- (d) the particulars of the relief sought by the applicant;
- (e) a summary of the principal grounds relied on; and
- (f) that any person—
 - (i) with substantial interest in the proceedings;
 - (ii) who objects to the application on the basis that the applicant does not have a sufficient interest in the application; or
 - (iii) who objects to the application on the basis that the applicant is not representative of a class of persons that have a sufficient interest in the application,

may apply to intervene in the proceedings, in accordance with rule 15, within 28 days of publication of the notice or such other period as the Chairman may direct.

Intervention

15.—(1) Any person with substantial interest in the outcome of proceedings may make a request to the Tribunal for permission to intervene in those proceedings.

(2) The request must be sent to the Secretary within 28 days of the publication of the notice in accordance with rule 14.

(3) The Secretary shall give notice of the request for permission to intervene to the respondent and all other parties to the proceedings and invite their observations on that request within a specified period.

(4) A request for permission to intervene must state—

- (a) the title of the proceedings to which that request relates;
- (b) the name and address of the person wishing to intervene;
- (c) the name and address of their legal representative, if any;

- (d) an address for service in the European Economic Area;
 - (e) the facts on which the person wishing to intervene relies and the relief sought.
- (5) The request must be verified by a statement of truth and accompanied by the relevant fee.
- (6) The Tribunal may permit the intervention on such terms and conditions as it thinks fit, if satisfied, having taken into account the observations of the parties, that the intervening party has a substantial interest.
- (7) On granting permission in accordance with paragraph (6), the Tribunal shall give all such consequential directions as it considers necessary with regard, in particular, to the service on the intervener of the documents lodged with the Secretary, the submission by the intervener of a statement of intervention and, if appropriate, the submission by the principal parties of a response to the statement of intervention.
- (8) The statement of intervention and any response to it shall contain—
- (a) a concise statement of the facts supporting the intervention or response; and
 - (b) any relief sought by the intervener or the party responding to the intervention.
- (9) The statement of intervention and any response shall be verified by a statement of truth.
- (10) Rules 8 and 10 shall apply to the statement of intervention.

Consolidation

16.—(1) Where two or more applications are made relating to the same licensing scheme or proposed licensing scheme, or which involve the same or similar issues, the Tribunal may on its own initiative, or on the request of a party, order that the proceedings or any particular issue or matter raised in the proceedings be consolidated or heard together.

(2) Before making an order under this rule, the Tribunal must invite the parties to the relevant proceedings to submit their observations.