
STATUTORY INSTRUMENTS

2015 No. 1648

The Competition Appeal Tribunal Rules 2015

PART 5

COLLECTIVE PROCEEDINGS AND COLLECTIVE SETTLEMENTS

COLLECTIVE PROCEEDINGS

Stay of proceedings and variation or revocation of the collective proceedings order

85.—(1) The Tribunal may at any time, either of its own initiative or on the application of the class representative, a represented person or a defendant, make an order for the variation or revocation of the collective proceedings order, or for the stay or sist of collective proceedings.

(2) In deciding whether to vary or revoke a collective proceedings order, the Tribunal shall take account of all the relevant circumstances, including in particular—

- (a) whether the criteria for certification of claims set out in rule 79 still apply or apply in the same way as when the order was made; and
- (b) whether the class representative continues to satisfy the criteria for authorisation set out in rule 78 and if not, whether a suitable alternative class representative can be authorised;
- (c) whether the Tribunal has granted the class representative permission to withdraw in accordance with rule 87 and it will not be substituted.

(3) If the Tribunal makes an order under paragraph (1), the order may also make further provision including—

- (a) that the proceedings should be discontinued in whole or in part or continue between different parties and, for that purpose, the Tribunal may—
 - (i) order the addition, removal or substitution of parties; or
 - (ii) order the amendment of the collective proceedings claim form;
- (b) that there be substituted as the class representative another person who satisfies the criteria for approval in rule 78;
- (c) as regards costs.

(4) If the Tribunal varies the collective proceedings order so as to alter the description or identification of class members, it may also make any other orders that it considers appropriate, including an order relating to the specified time for the purposes of rules 80 and 82.