



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No: 1585/5/7/23 (T)

BETWEEN:

**THE COMMISSIONERS FOR HIS MAJESTY'S REVENUE AND CUSTOMS**

Claimant

- v -

**(1) MASTERCARD/EUROPAY U.K. LIMITED**  
**(2) MASTERCARD INCORPORATED**  
**(3) MASTERCARD INTERNATIONAL INCORPORATED**  
**(4) MASTERCARD EUROPE S.A.**

Defendant

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**ORDER**

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**UPON** the Order of the Chancellor of the High Court dated 7 April 2022 (as amended) transferring the various cases listed in the schedule to that order to the Competition Appeal Tribunal (the “Transfer Order”)

**AND UPON** the Umbrella Proceedings Order of the President dated 4 July 2022 designating this case as a “Host Case” pursuant to the Tribunal’s Practice Direction 2/2022 (Umbrella Proceedings), such that the Ubiquitous Matters (as defined in the Practice Direction) arising in this case will be disposed of in Umbrella Proceedings (under Case No 1517/11/7/22 (UM) Merchant Interchange Fee Umbrella Proceedings) in accordance with the process set out in the Tribunal’s March 2022 Order and Ruling in the Merchant Interchange Proceedings

**AND UPON** the claim form in these proceedings being issued in the High Court on 23 December 2022 (CP-2022-000061) (the “Claim Form”)

**AND UPON** the Order of Deputy Master Dovar dated 3 April 2023 transferring these proceedings to the Competition Appeal Tribunal (the “Transfer Order”)

**AND UPON** the stay ordered by consent on 25 April 2023 by the Competition Appeal Tribunal (the “Stay Order”)

**AND UPON** the lifting of the stay on 9 January 2024 by the Competition Appeal Tribunal (the “Un-Stay Order”)

**AND UPON** reading the letter from Simmons & Simmons LLP of 3 July 2024 seeking a reinstatement of the stay of the proceedings and the accompanying draft order

**IT IS ORDERED THAT:**

1. The stay in these proceedings shall be reinstated with immediate effect.
2. The Claimant shall not be required to participate in the Trial 2 proceedings, unless the further other order of the Tribunal.
3. Notwithstanding the stay, the parties in the Merchant Umbrella Proceedings shall be bound by the outcome of any Tribunal determinations in the Merchant Umbrella Proceedings (including any appeals) in respect of all designated Ubiquitous Matters.
4. Notwithstanding the stay, the Claimant remains liable to provide information or disclosure if the Tribunal considers such information or disclosure necessary to resolve a wider issue in the Merchant Umbrella Proceedings.
5. There be liberty to apply.
6. Costs in the case.

**Ben Tidswell**  
Chair of the Competition Appeal Tribunal

Made: 17 July 2024  
Drawn: 18 July 2024