



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1218/6/8/13

B E T W E E N:

**BMI HEALTHCARE LIMITED
HCA INTERNATIONAL LIMITED
SPIRE HEALTHCARE GROUP**

Applicants

-v-

COMPETITION COMMISSION

Respondent

ORDER

UPON the Tribunal handing down its judgment in respect of these proceedings on 2 October 2013 ([2013] CAT 24)

IT IS ORDERED THAT:

1. The Applicants' application for review under section 179 of the Enterprise Act 2002 be allowed.
2. The Respondent's decision on or about 6 September 2013 to allow access to the Disclosure Room on the basis of the Disclosure Room Regime (as those terms are defined in paragraphs 31 and 32 of the Tribunal's judgment of 2 October 2013) be quashed.
3. If not agreed, the costs of these proceedings be determined by the Tribunal according to the following timetable:
 - (a) The Applicants shall file and serve submissions on costs by 5pm on 18 November 2013.
 - (b) The Respondent shall file and serve any submissions in response by 5pm on 25 November 2013.
 - (c) The Applicants shall file and serve any submissions in reply by 5pm on 2 December 2013.

4. The Tribunal make an order as to costs at its earliest convenience thereafter without a hearing (unless it considers one necessary, in which case a hearing shall be listed for the earliest available date).

Marcus Smith QC
Chairman of the Competition Appeal Tribunal

Made: 14 November 2013
Drawn: 14 November 2013