



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1220/6/8/13

B E T W E E N:

BMI HEALTHCARE LIMITED

Applicant

-v-

COMPETITION COMMISSION

Respondent

ORDER

UPON reading the notice of application lodged by the Applicant under rule 8 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (“the Tribunal Rules”) on 2 October 2013

AND UPON considering the correspondence from the parties, HCA International Limited and Spire Healthcare Group in relation to the appropriate next steps in these proceedings, and having regard to the parties’ submissions that parts of the application raise issues similar to those recently considered by the Tribunal in cases 1216/4/8/13 (*Groupe Eurotunnel S.A. v Competition Commission*) and 1217/4/8/13 (*Société Coopérative de Production Sea France S.A. v Competition Commission*) (together, the “Eurotunnel Proceedings”)

IT IS ORDERED THAT:

1. Save as is provided for in paragraph 3 below, the proceedings be stayed until the handing down by the Tribunal of its judgment in the Eurotunnel Proceedings
2. The Applicant indicate to the Tribunal, within ten days of the date of the judgment in the Eurotunnel Proceedings, whether it intends to pursue this application
3. The period of three weeks for lodging a request for permission to intervene in the proceedings stipulated by rule 15(2)(f) of the Tribunal Rules be abridged so

that any request for permission to intervene is received by the Registry no later than 5pm on 15 October 2013

4. There be liberty to apply

Marcus Smith QC
Chairman of the Competition Appeal Tribunal

Made: 9 October 2013
Drawn: 9 October 2013