**Application for approval of a voluntary redress scheme by the Utility Regulator pursuant to section 49C of the Competition Act 1998 where there is no pre-existing infringement decision**

**Notes about this form**

1. Where no infringement decision has been issued yet, undertakings wishing to apply to the Utility Regulator for approval of a voluntary redress scheme should use this application form. Where an infringement decision has been made, undertakings should instead use the form available on [www.uregni.gov.uk/](http://www.uregni.gov.uk/).
2. Before completing this form, the applicant may find it useful to consult the Competition Act 1998 (Redress scheme) Regulations 2015 and the Guidance on the CMA’s approval of voluntary redress schemes, available on [GOV.UK](https://www.gov.uk/government/publications/approval-of-redress-schemes-for-competition-law-infringements).
3. Applicants should complete the form (and provide any relevant supporting documentation) as fully as possible. If the applicant is currently not able to provide all the required information, the Utility Regulator may still consider the application, but may require that information to be provided at a later stage, before it is able to decide whether it is minded to approve or reject a scheme.
4. Alternatively, where information remains outstanding, the Utility Regulator may decide to approve the scheme at the same time as it reaches its infringement decision, but do so subject to one or more conditions under which the relevant information must be provided within a specified period. The applicant should indicate clearly where it is not providing the required information, and why, and whether it expects that information to be available prior to the Utility Regulator completing its assessment of whether to approve the scheme. Where outline details or preliminary proposals are available, these should be included but their preliminary status should be indicated clearly.
5. If the Utility Regulator decides to consider an application, it will in an ordinary case aim to assess applications and notify applicants of the outcome within three months from beginning its formal consideration of the scheme. Any approval will not be made formally until the CMA makes an infringement decision.
6. The applicant may submit the form either:

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| * By email to:
 | Competition@uregni.gov.uk  |
| * Or by post to:
 | Mr Donald Henry (Redress scheme), Utility Regulator, Queens House, 14 Queen St, Belfast, BT1 6ED |

**Your details**

|  |  |
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| **Title** |  |
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| **Forename** |  |
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| **Surname** |  |
|  |  |
| **Email** |  |
|  |  |
| **Telephone number** |  |
|  |  |
| **Are you representing yourself or an organisation?\*** | Yourself / An organisation *(please delete as appropriate)* |
| **If you are representing an organisation:**  |
| **Name of the organisation** |  |
|  |  |
| **Name of contact person (if different)** |  |
|  |  |
| **Email (if different)** |  |
|  |  |
| **Telephone number (if different)** |  |

**A) Details about the redress scheme**

**Please provide the following:**

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| **1. Details about the agreement or conduct under investigation in relation to which the scheme is being offered.** |
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| **2. Details about the starting date of the redress scheme.** |
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| **3. Details about the terms and duration of the redress scheme. In particular, please confirm that the scheme will operate for a period of at least 9 months.** |
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| **4. Details about the persons who will be entitled to compensation under the redress scheme. Please specify whether both direct and indirect purchasers as well as umbrella claims (see paragraph 2.11 of the CMA’s Guidance) will be covered by the scheme. The applicant must confirm that a third party may not submit a claim on behalf of those entitled to compensation under the redress scheme.** |
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| **5. Details about the scope and amount of redress to be offered under the scheme, including whether both direct and indirect losses are covered, whether there are (or may be) varying levels of redress between different potential beneficiaries or groups of beneficiaries etc. (see the Guidance for further details).** |
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| **B) Details about the Chairperson and Board members** |
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| **6. Details about the Chairperson whom the applicant proposes to appoint, including his/her name and qualifications as well as confirmation that he/she has no conflict of interest.** |
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| **7. Details about the persons that the Chairperson intends to appoint as members of the Board, including their names and qualifications as well as confirmation that they have no conflict of interest.** |
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| **8. Details about the arrangements the applicant has made or intends to make to ensure that the Chairperson and the Board members will have adequate access to relevant information held by the applicant during their devising the scheme.** |
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| **C) Details about the application process for obtaining redress** |
| **9. Details about the process for applying for compensation under the redress scheme, including estimates as to how long it will take to determine applications for redress.** |
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| **10. Details about the possible types of evidence that persons entitled to compensation may submit in support of their application.** |
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| **11. Details about the independent complaints process available for those applying for compensation under the scheme.** |
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| **12. Details about the broad terms of settlement, and consequences of accepting redress, that may apply for persons accepting redress under the scheme.** |
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| **D) Details about advertising and monitoring of the redress scheme** |
| **13. Details about how the redress scheme will be advertised and how those entitled to compensation will be notified of their entitlement.** |
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| **14. Details about how the applicant will monitor whether the scheme is operating successfully.** |
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| **15. Information about the expected cost to the applicant of administering the scheme, including details as to how the scheme will be resourced.** |
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| **E) Other information** |
| **16. Details about any other relevant matter.** |
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| **17. Contact details for those who can deal with queries about schemes when the Utility Regulator announces that it has approved a scheme** |
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**F) Supporting documents**

**Please provide:**

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| **Summary of the redress scheme** | ☐ |
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| **Other documents, if appropriate** | ☐Please specify: |
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**Declaration and signature**

**The application form must be signed by an authorised person.**

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| I understand that:* It is a criminal offence for a person to knowingly or recklessly supply information to the Utility Regulator which that person knows to be false or misleading in a material particular.[[1]](#footnote-1)
* The Utility Regulator may reject an application for approval of a redress scheme if it is suspected that it contains information which is false or misleading in a material particular.
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| **Signature** |  |
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| **Name (in block letters)** |  |
|  |  |
| **Position (in block letters)** |  |
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| **Data of signature** |  |
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1. Subject to the conditions of s.44 CA98. [↑](#footnote-ref-1)