

Friday 21<sup>st</sup> July 2017.

**Response of Walter Merricks CBE to the Competition Appeal Tribunal's rejection of his application to bring collective proceedings against Mastercard**

Walter Merricks CBE said, "I am surprised and disappointed that the Competition Appeal Tribunal has rejected my application to bring collective proceedings against Mastercard. The new collective action regime was introduced by the Consumer Rights Act to overcome the difficulty for consumers seeking to recover losses from competition law infringements. I am concerned that this new regime, designed to benefit consumers, may never get off the ground. The granting of the collective proceedings order in this case would have allowed 46 million consumers to recover the losses caused to them by Mastercard's proven illegal conduct. It is, however, unfortunate that the Tribunal considered that it was not satisfied that my experts would be able to get the evidence to show that the illegal fees charged by Mastercard to businesses were then passed on to consumers in the form of higher prices. It is also disappointing that the Tribunal determined that even if I could identify accurately the loss suffered by all 46 million consumers, the fact that I could not precisely calculate the individualised loss for each of those 46 million consumers, means consumers should get nothing at all. I believe these are matters my advisers could have addressed and overcome had the claim been allowed to proceed. I am actively considering with my advisers and litigation funders the possibility of an appeal."

-Ends-

**Notes to Editors**

**Media contacts**

To arrange an interview with Walter Merricks, or for further background on the story, please contact:

James Baxter, Director, JBM  
jim@jamesbaxtermedia.com  
+44 7711 486394