

Competition Appeal Tribunal Case No.: 1304/7/7/19

TfL Travelcard holders who travelled on South Western could benefit from a collective settlement

THIS IS A LEGAL NOTICE PRODUCED PURSUANT TO RULE 94.13 OF THE COMPETITION APPEAL TRIBUNAL RULES

This is a legal notice published at the direction of the UK Competition Appeal (the “**Tribunal**”), which granted a Collective Proceedings Order on 18 January 2022 (“**CPO**”) in favour of Justin Gutmann, the Class Representative, to bring proceedings against First MTR South Western Trains Limited and Stagecoach South Western Trains Limited (the “**Proceedings**”).

On 10 May 2024 the Tribunal approved a Collective Settlement agreed between the Class Representative, and Stagecoach South Western Trains Limited (“**SSWT**”) (the “**Settling Parties**”) in the Proceedings. The Tribunal’s Collective Settlement Order can be found online at www.boundaryfares.com.

This notice may be relevant to you if you are someone who falls within the class defined below and have not already opted-out of the proceedings, namely:

“at any point between 1 October 2015 and 1.59am on 20 August 2017 you purchased or paid for a rail fare for yourself and/or another person, which was not a Boundary Fare or a fare for the portion of your journey from the last station covered by your Travelcard to your destination, where:

- *you or the person for whom the fare was purchased held a Travelcard (of Travelcards) valid for travel within one of several of TfL’s fare zones (the “**Zones**”) at the time of the journey or, where the fare was a season ticket fare, for at least the period of validity of that season ticket fare; and*
- *the rail fare (including a fare for a return journey and a season ticket fare) was for travel in whole or in part of the services of SSWT from a station within (but not on the outer boundary of) those Zones to a destination beyond the outer boundary of those Zones.*

A copy of the Collective Proceedings Order (CPO), with an explanation of all the capitalised terms in the above class definition, can be viewed online at www.boundaryfares.com.

IMPORTANT: OPTING OUT OF AND OPTING IN TO THE COLLECTIVE SETTLEMENT:

OPTING OUT

If you are someone who falls within the class defined above and who lived in the United Kingdom on 30 April 2024, and do not wish to be bound by the terms of the Collective Settlement, you may opt-out by communicating to the Class Representative that you wish to do so, providing your full name, postal address and telephone number. You do not need to provide a reason for opting out.

If you have any questions about the claim, please visit www.boundaryfares.com

Please visit www.boundaryfares.com where you will find a template opt-out letter that you can download and complete, no later than 10 August 2024.

OPTING IN

If you are someone who falls within the class defined above and who does not live in the United Kingdom on 30 April 2024, you will not be bound by the Collective Settlement unless you opt-in by communicating to the Class Representative that you want to do so with your full name, postal address and telephone number.

Please visit www.boundaryfares.com where you will find a template opt-in letter that you can download and complete, no later than no later than 10 January 2025.

THE COLLECTIVE SETTLEMENT

The Collective Settlement relates to SSWT only and does not settle the claim against the other Defendant, First MTR South Western Trains Limited, which shall proceed in accordance with the directions of the Tribunal, with the first trial listed to be heard on 17 June 2024. The Collective Settlement is entered into without any admission of liability by SSWT.

The terms of the Collective Settlement and more details about the Proceedings can be viewed online at www.boundaryfares.com.

HOW TO CLAIM

If you are someone who falls within the class defined above, you may be required to submit proof of purchase of a relevant Travelcard and/or a rail fare for use on SSWT's services, and are advised to obtain bank or credit card statements from 1 October 2015 to 20 August 2017 which evidence these purchases as soon as possible.

Please visit www.boundaryfares.com where you will be able to find more information and a step-by-step guide to filing a claim.