

MONCKTON CHAMBERS

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CHAMBERS@MONCKTON.COM. WWW.MONCKTON.COM

AREAS OF LAW

BUSINESS REGULATION AND CONSUMER

KEY ISSUES INCLUDE

- Unfair Terms in Consumer Contracts (UTCCRs)
- Unfair and Misleading Commercial Practices – Consumer Protection from Unfair Trading Regulations
- Distance-selling, distance marketing and door-stop selling
- Reference Pricing and BIS Pricing Policy Compliance
- Commercial agency
- Regulatory investigations, enforcement and commitments under CPRs and Part 8 of the Enterprise Act
- Advertising Regulations
- Consumer data protection issues
- Regulation of Claims management services under the Compensation Act 2006
- Electronic Commerce
- Consumer Credit Licensing, Revocation and Fitness
- Fair and Responsible Lending

- Unfair trading with vulnerable consumers
- Alleged mis-selling of financial and energy products
- Jurisdiction disputes in relation to complaints pursued before the Financial Ombudsman
- Delayed boarding compensation

WHAT MONCKTON CAN PROVIDE

Members of Monckton Chambers have considerable experience of advising on and litigating business and consumer law issues, particularly in regulated industries. With their unparalleled EU, competition and regulatory expertise, they offer an all-encompassing perspective to regulatory consumer protection issues. They can assist in regulatory investigations and disputes, whether in preparing responses to information requests,

provisional views statements or in formulating commitments or consensual undertakings to modify business practices. If consensual solution if not possible, they can put forward a robust defence to administrative enforcement action, appeals, injunction applications or other consumer redress measures. They regularly advise and act for regulators (including the CMA, FCA, CAA, Ofcom and OFGEM), banks, insurance companies, airlines, professional, retail and trade bodies, consumer representative bodies and private individuals on a wide range of consumer law cases.

GETTING IN TOUCH

Please contact our Senior Clerk David Hockney dhockney@monckton.com or alternatively call **+44 207 405 7211**.

For CVs please go to the 'Barristers' section of our website: www.monckton.com



Some members have an intimate knowledge of particular retail sectors as a result of having advised clients operating in those markets over several years. Examples include supermarkets, financial products, clothing, mobile phones, pharmacies and opticians. Retailers may be subject to investigations by the CMA and/or Local Trading Standards and members offer pragmatic solutions to resolve such enquiries amicably or, where necessary, defend the companies' position before the courts.

COMMERCIAL COMPETITION DAMAGES LITIGATION

SPECIALIST AREAS OF EXPERTISE

Our expert litigators provide advice and specialist oral and written advocacy on a wide range of heavy, complex international and domestic commercial disputes, acting on behalf of claimants and defendants, including:

- Follow-on actions in the High Court or Competition Appeal Tribunal.
- Stand-alone actions in the High Court for damages, injunctions and declarations
- Representative and Group actions
- References by national courts of competition law questions to the Court of Justice of the European Union
- Appeals to the Court of Appeal and Supreme Court
- Arbitrations / Mediations

WHAT MONCKTON CAN PROVIDE

- Our litigators provide clients with a unique combination of expertise in conducting complex international litigation, together with unrivalled experience and expertise in competition law. This includes:
 - Detailed experience of litigating complex jurisdictional and applicable law issues in international cases including under the Brussels, Lugano and Rome Conventions and Regulations
 - Unrivalled track record of involvement in leading cases
 - A wealth of expertise in commercial arbitration and mediation, both domestically and internationally
 - Assured handling of complex economic evidence
 - A highly experienced Clerking team skilled in listing in all divisions of the High Court and Court of Appeal and with extensive experience of managing the requirements of

complex cases

- Familiarity with modern litigation funding arrangements, and a willingness in appropriate cases to consider alternative innovative funding arrangements

PUBLICATIONS

Members of Monckton Chambers write, edit and/or contribute to numerous leading competition law publications and periodicals, including:

Bellamy and Child Community Law of Competition

Ward and Smith Competition Litigation in the UK

UK Competition Procedure (Consulting Ed, Howard)

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“Monckton Chambers offers a wealth of both experienced practitioners and up-and-coming stars. Clients and instructing solicitors regularly return to it due to the excellent advocacy skills and superior expert knowledge to be found at the set. Individuals at this chambers have been involved in the majority of the follow-on damages actions currently proceeding through the courts.”

- CHAMBERS UK

COMPETITION

SPECIALIST AREAS OF EXPERTISE

- Antitrust (Article 101 TFEU/ Chapter I Competition Act 1998 and Article 102 TFEU/Chapter 2 Competition Act 1998)
- Mergers and concentrations
- Public undertakings
- Specific sectoral regimes, including telecommunications; utilities (gas, electricity, and water); health; and financial services
- State aid
- We advise and represent clients on proceedings in a wide range of fora, including:
- Administrative proceedings
- Appeals and judicial review
- Private competition law actions
- Competition law actions and inquiries in many countries around the world, including in Hong Kong. We act both as party representatives and as

expert witnesses on UK and EU competition law. We also act in international competition law arbitrations and mediations

PUBLICATIONS

Members of Monckton Chambers write, edit and/or contribute to numerous leading competition law publications and periodicals, including:

Bellamy & Child, European Union Law of Competition

Lindsay & Berridge, The EU Merger Regulation: Substantive Issues (4th ed., 2012)

Ward and Smith Competition Litigation in the UK

UK Competition Procedure (Consulting Ed, Howard)

WHAT MONCKTON CAN PROVIDE

Monckton Chambers is acknowledged as a pre-eminent set in all areas of competition law.

We offer specialists at every level of seniority, to suit every type of competition law case. Our members are recognised leaders in their field, who consistently appear in the leading competition cases in both the European and domestic courts.

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“Competition law forms the very lifeblood of Monckton Chambers. One of the real pioneers in the field, it has a tradition of handling the best work that goes back 30 to 40 years.”

- CHAMBERS UK

EMPLOYMENT

SPECIALIST AREAS OF EXPERTISE

- Access to pension schemes
 - Covenants in restraint of trade, breach of confidence and urgent injunctive relief
 - Disciplinary hearings
 - Discrimination (including on grounds of age, race, sex, sexual orientation, gender reassignment, marital status, religion or belief, and disability) and equal treatment
 - Disputes about discretionary bonus clauses and employee share schemes
 - Equal pay
 - EU social policy
 - Part-time, fixed-term and temporary workers' rights
 - Protection of commercially sensitive information in employment disputes
- Redundancy
 - Transfer of undertakings
 - Unfair dismissal
 - Whistleblowing
 - Wrongful dismissal and other disputes arising from a contract of employment

WHAT MONCKTON CAN PROVIDE

Members of Monckton Chambers have a long tradition of appearing in the leading employment law cases. With so much of the development of employment law driven by European Union law, it is unsurprising that Monckton Chambers is highly regarded in the employment law field.

We provide specialists at every level: from employment tribunals to the Supreme Court and Court of Justice of the European Union;

representing all kinds of clients, from employers and workers to public bodies.

Members have long been known for appearing in landmark decisions in complex discrimination and equality cases, from Seymour-Smith through to more recent cases such as O'Brien v Ministry of Justice and Council of Immigration Judges (where Monckton members appeared on both sides).

Members have featured particularly prominently in cutting edge employment law cases concerning equal pay, discrimination, transfer of undertakings, pension rights, redundancy, part-time workers and social policy. We are also instructed in an increasing number of cases raising issues at the intersection of employment law with other areas of law, including procurement, human rights, public law and sports law.



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ENVIRONMENTAL

SPECIALIST AREAS OF EXPERTISE

- Access to environmental information
- Agriculture and fisheries
- Contaminated land
- The Convention on Trade in Endangered Species of Wild Fauna and Flora
- Energy conservation
- Environmental impact assessments
- Environmental permits
- Environmental protection
- Greenhouse gas emissions trading
- Habitats and Wild Birds Directive
- The Kyoto Protocol
- Integrated pollution prevention and control
- Pesticides regulation
- Planning
- State aid for environmental protection
- Waste management and landfill
- Waste Electrical and Electronic Equipment Directive

Members of Monckton Chambers have appeared in the Administrative Court, Court of Appeal, House of Lords and the European courts in a range of environmental law cases. Several members also regularly appear in the Information Tribunal in cases involving environmental information.

WHAT MONCKTON CAN PROVIDE

Monckton Chambers has many specialists in environmental law, who regularly advise and appear before domestic courts and the Community Courts on environmental law issues. The team is able to build upon our outstanding expertise in EU law to advise clients on the domestic impact of EU environmental legislation.

Members act for private clients and campaign groups, and also regularly act for the Environment Agency, the Department for Environment Food and Rural Affairs (DEFRA), Department for Business Innovation and Skills (BIS) and local authorities.

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“Barristers at Monckton act for a wide variety of clients, from NGOs to government departments and private clients. The set marries its environmental practice to a strong EU law offering.”

- CHAMBERS UK

SPECIFIC AREAS OF EXPERTISE

- Agriculture, Food, Fisheries and Biosciences
- Broadcasting, Entertainment and Media
- Competition Law
- Customs Duties and Commercial Policy Measures
- Direct and Indirect Taxes
- Employment Law
- Energy
- Environmental Law
- Euratom Treaty
- European Economic Area Agreement (EEA) and European Free Trade Association (EFTA)
- Financial Services
- Free Movement (Goods, Persons, Capital, Services and Rights of Establishment)
- Fundamental Rights
- Public Procurement
- Social Policy, including Social Security
- Sports Law
- State Aid
- Telecommunications Law
- Transport

We have long-standing experience in navigating cases through the domestic courts and the Community Courts, including in challenges to domestic and EU legislation. Members of Monckton Chambers appear regularly before the Community Courts, both in references for preliminary rulings and in direct actions. Many such cases involve our barristers acting in teams or representing more than one party.

PUBLICATIONS

Members of Monckton Chambers lecture and write widely on the topic of EU Law. Chambers numbers amongst its members visiting professors, part-time lecturers and authors of leading textbooks, including authors, editors and contributors to: Bellamy and Child, *The European Courts and Competition titles of Atkin's Court Forms*; Bellamy and Child, *European Community Law of Competition* (Gen. Ed.: P. Roth QC); *Judicial Control in the EU*, Lasok & Millett; *Making Community Law*, Moser & Sawyer; *Competition Litigation in the UK*, Ward & Smith; *Takeovers and Mergers*, Weinberg & Blank.

Members of Monckton Chambers write frequent articles on EU Law and are/have been on the editorial boards of: *The European Law Reports*; *The Common Market Law Reports*; *The UK Competition Law Reports*; *The European Advocate*.

WHAT MONCKTON CAN PROVIDE

Monckton Chambers is recognised as a pre-eminent set in all areas of EU Law. Members regularly advise and litigate on behalf of private sector clients, the UK and government departments, local authorities, NGOs, the EU institutions and non-UK clients including other Member States, and have acted in many of the leading EU law cases.

We can offer specialists at every level of seniority, from leading QCs with decades of experience to junior tenants, several of whom have worked within the European Court of Justice (ECJ) and other EU institutions. We are able to provide teams of barristers to suit every type of EU law case.

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"Monckton Chambers has EU law at its heart, both as a standalone focus and as a field in which many of its primary practice areas have their roots. It is little surprise, therefore, that the set is at the forefront of the market. Praised for having "a range of people of high quality," it has depth of talent across all levels, ensuring that it receives a high volume of significant work. Sources are quick to confirm that individuals from the set are seen to be appearing with increasing frequency before both domestic and European courts. The variety and quality of casework that they attract speak volumes for the all-encompassing EU expertise on offer here."

FINANCIAL SERVICES

RECENT INSTRUCTIONS

- Advice on supervision, conduct of business and other compliance-related queries
- Application of FSA Handbook
- Appointed Representative Agreements
- Card payment systems
- Collective Investment Schemes
- Complex financial fraud
- Disciplinary disputes arising out of breaches of FSMA 2000
- Domestic and cross-border interchange
- Enforcement action taken by the FSA
- European Investment Bank
- Financial Services Compensation Scheme
- Financial Ombudsman Service
- Impact of financial crisis on PPP/PFI's
- Interpretation of the Markets in Financial Instruments Directive
- Judicial review of the FSA
- Liability of Independent Financial Advisors
- Mis-selling of financial products
- PPI claims
- Professional liability consequent on breach of FSMA 2000
- Prospectuses and public issues
- RDC representation
- Recognised Overseas Clearing Houses
- Setting of LIBOR rates by London banks
- Shareholder disputes
- Trading Rules in the London Stock Exchange
- Unfair terms in credit card agreements

WHAT MONCKTON CAN PROVIDE

With its breadth of expertise in commercial regulation, Monckton Chambers is uniquely placed to provide advice and representation in all areas of Financial Services Law. Our members are regularly instructed by public and private clients on a wide variety of matters ranging from FSA enforcement investigations, through to judicial reviews and private law statutory compensation claims.

Monckton Chambers has market-leading expertise in all aspects of EU law. As a result, members regularly act in financial services matters that raise issues of competition, State Aid, indirect tax, banking regulation and procurement. Our members regularly advise on financial disputes that have domestic, European and international dimensions.



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HUMAN RIGHTS

WHAT MONCKTON CAN PROVIDE

The past decade and a half have seen an enormous growth in human rights litigation, both in our domestic courts and in other European courts, as well as before the Court of First Instance, European Court of Justice, European Court of Human Rights and international tribunals. Members of Monckton Chambers have been at the forefront of this expansion, especially before the European courts and in transnational proceedings.

A particular strength of Monckton Chambers is the overlap between commercial and regulatory litigation and that of human rights, as well as the protection of commercial interests through international human rights proceedings. More generally, the human rights expertise of Monckton Chambers forms an essential part of its public law practice, covering such wide-

-ranging areas as fair trial rights, privacy and data protection, freedom of information and freedom of expression, asylum and immigration, the right to property, and equality and non-discrimination.

We also advise governments, international organisations and non-governmental organisations on the implementation of human rights standards and contribute to the elaboration of new human rights standards by international organisations.

PUBLICATIONS

Members of Monckton Chambers lecture and write widely on the topic of human rights law, including writing, editing and contributing to the Rights and Freedoms volume of the 5th edition of Halsbury's Laws (2013).

Members are the editors or sit on

the editorial boards of Butterworths Human Rights Cases, Commonwealth Human Rights Law Digest and Sweet & Maxwell's Human Rights Law Reports. They also sit on the International Law Association's Human Rights Law and Practice Committee, the Board of Interights and the Scientific Committee of the European Union's Fundamental Rights Agency.

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"Monckton Chambers provides 'outstanding service, with prompt high-quality advice'"

- LEGAL 500

INFORMATION

OUR MEMBERS' EXPERTISE ENCOMPASSES

- Freedom of Information Act 2000
- Environmental Information Regulations 2004
- Regulation of Investigatory Powers Act 2000
- Data Protection Act 1998
- Confidentiality and privacy at common law
- Article 8 and 10 of the European Convention on Human Rights
- EU rules on access to information held by European Institutions
- Aarhus Convention
- Obtaining information from Interpol

Members are also involved in producing the leading texts in the area, including Blackstone's Guide to the Freedom of Information Act 2000 by George Peretz

WHAT MONCKTON CAN PROVIDE

Monckton Chambers is a premier set in the field of information law. Our unparalleled experience in EU law means members are uniquely well placed to provide assistance in relation to information law emanating from Europe and our commercial, environmental, regulatory and public law expertise mean that our members are especially adept at applying information law in a wide variety of contexts.

Monckton Chambers is at the forefront of information law. Members have been involved in landmark cases such as *Birkett v Defra* and are innovative in using information law to the benefit of their clients in a wide range of contexts, from judicial review, environmental and human rights cases to regulatory proceedings and commercial disputes.

Members are regularly instructed by the Information Commissioner, government

departments, NGOs and commercial organisations in relation to information law and frequently appear in the Information Tribunal, the Upper Tribunal, the Court of Appeal and the European Courts. The breadth of our member's experience in this area is considerable and ranges from instructions from individuals and NGOs seeking to obtain information from bodies such as the Electoral Commission and Interpol to commercial companies seeking to obtain information from the Office of Fair Trading and the Financial Services Authority.

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"Monckton Chambers is 'a high-quality set' for information law matters, and also has 'fantastic expertise in data protection law'"

- LEGAL 500

PROCUREMENT

SPECIALIST AREAS OF EXPERTISE

- Aspects requiring detailed knowledge of EC law
- Commercial disputes arising from performance of government contracts such as benchmarking, market testing and performance issues
- Concessions and part B contracts
- Health service procurement
- Procurement by EU institutions and outside the EU
- Project finance and PFI/PPP matters
- Regeneration schemes
- Social housing
- State aid and procurement
- Utilities procurement

Members of Monckton Chambers have appeared in procurement matters in the High Court, the Court of Appeal and in the European Court of Justice, as well as the courts of Northern Ireland. Members have also been involved in procurement

matters in Scotland, where members experienced in public procurement have also been called to the Scottish Bar, and in procurement cases concerning countries outside the EU

PUBLICATIONS

Members of Chambers are actively involved with the Procurement Law Association, the ICC Public Procurement Task Force, and are included in the editorial board of the Public Procurement Law Review. Members contribute articles to journals and speak frequently at conferences, including in the US and Europe. Monckton Chambers is also an active partner with Whitepaper Conferences in the production of their annual procurement conference in London, and associated Brussels conferences.

WHAT MONCKTON CAN PROVIDE

Members of Monckton Chambers provide suppliers, contracting authorities and utilities with a full range of services, from non-contentious advice during the tender process to representation in highly complex litigation and, where appropriate, mediation.

Monckton Chambers has 26 practitioners specialising in procurement law, dealing with hundreds of sets of procurement instructions each year. We believe our range of procurement experience and expertise surpasses that of any other chambers.

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Monckton Chambers is the market leader for procurement advocacy, partly because of the quality of its practitioners, and partly because of the sheer weight of numbers it has: 28 barristers working in this area carry the Monckton brand. As well as housing some of the leading silks in the sector, the set has taken the time to really develop its juniors. They have been introduced to procurement work early in their careers and have developed well. Commentators praised them and also paid tribute to Monckton's culture – the barristers here are “nice, sensible and helpful,” and the clerks are “very good at providing assistance quickly.”

- CHAMBERS UK

PUBLIC & ADMINISTRATIVE

SPECIALIST AREAS OF EXPERTISE

- Broadcasting, Entertainment and Media
- Competition
- Customs Duties
- Direct and Indirect Taxes
- Energy
- Environmental
- Financial Services
- Food, Fisheries and Agriculture
- Freedom of Information and Data Protection
- Health
- Human Rights
- Mutual Legal Assistance and International Regulatory Co-operation
- Pharmaceuticals
- Private International Law
- Procurement
- Public International Law
- State Aid
- Telecommunications
- Transport
- Utilities Regulation

WHAT MONCKTON CAN PROVIDE

Public law is at the heart of the relationship between the state, on one hand, and individuals or businesses on the other. Legal issues arising in the context of public law disputes are often cross-cutting, involving areas of law as diverse as EU Law, commercial regulation, human rights law or public and private international law. Regardless of the complexity of a particular public law dispute Monckton Chambers has a unique blend of expertise with members able to assist. Whether acting in a competition case, a challenge to telecommunications regulation, a corporate tax dispute or an important matter of civil liberties, Monckton is able to offer a range of market leading practitioners, at all levels of seniority, dedicated to assisting clients, whether individuals, regulatory bodies or companies, to ensure that their rights are upheld and their interests protected.

Our practitioners undertake

work on behalf of both claimants and defendants, offering the same exceptional quality of service our clients have come to expect. We offer broad experience in judicial review challenges before the Administrative Court and other courts and tribunals (including the Competition Appeal Tribunal, the Information Tribunal and the Court of First Instance as well as the European Courts). 20 members are appointed to the Attorney General's 'A', 'B' 'C' and 'PIL' Panel of Counsel. Our members' expertise is equally sought after in connection with judicial review claims arising in commercial regulatory context as it is in respect of high –profile public interest and civil liberties challenges.

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Monckton Chambers is clearly a set of choice for commercial public law. Its EU law and competition expertise is an invaluable asset in fighting procurement challenges in particular but also assists it in a whole raft of public law scenarios. Solicitors are keen to point out the fact that "the set has such strength in depth that I know that when I go to them, without fail, whoever I instruct will get the job done for me and my client."

- CHAMBERS UK

SPORTS

SPECIALIST AREAS OF EXPERTISE

- Agency
- Breakaway leagues
- Broadcasting and licensing
- Contract
- Corporate governance
- Corporate hospitality
- Data rights
- Disciplinary procedures and hearings
- Discrimination between participants
- Dominance of governing bodies
- Doping and sanctions
- Funding
- Ground and TV advertising
- ‘Home Grown’ player requirements
- Image rights
- Kit and equipment rules
- Kit supply and markings
- New competition entrants
- Passing off

- Regulatory oversight
- Sponsorship
- State aid
- Ticketing
- Transfers

WHAT MONCKTON CAN PROVIDE

Monckton Chambers has considerable expertise in the field of sports law and has particular strength in the fields of overlap between sports law and all aspects of commercial EU law, most notably competition law, freedom of movement and cross-border trading.

This experience sees members making regular appearances in all manner of specialist sports courts and tribunals. We also have unparalleled experience in sports disputes before the European Court of Justice, the Court of First Instance, the European Commission, the Competition Appeal Tribunal and the Competition Commission, as well

as litigating regularly in the High Court and above.

Monckton Chambers serves a broad range of clients within the sports sector from national sports governing bodies, individual participants, clubs, agents and broadcasters.

Members of Monckton Chambers belong to the British Association of Sport and the Law (BASL), of which one member is currently Deputy Chairman

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“Monckton Chambers enjoys ‘great strength in depth’. Members cover the full range of sports disputes and appear in all the associated tribunals, including FA arbitrations and disciplinary hearings, the Court of Arbitration for Sport and the FIA International Court of Appeal.”

- LEGAL 500

STATE AID

SPECIALIST AREAS OF EXPERTISE

Monckton Chambers offers a wealth of experience in litigating and advising on State aid issues at every level, including the UK courts, the EU General Court and the ECJ. The State aid cases we have handled have traversed multiple contexts, including:

- Rescue and restructuring aid
- Aids to particular industries or regions
- Aids with environmental and social objectives
- Public procurement and public-private partnerships
- Complaints and notifications to the European Commission
- Appeals against Commission decisions
- Taxation and other business levies
- Bank bail-outs and the financial crisis
- Support for media, broadcasting and the arts
- Regeneration schemes and infrastructure projects
- Government investments in new

high-tech industries

- Grants and contracts with charities and 'third sector' providers

PUBLICATIONS

State aids chapter of Bellamy & Child, European Community Law of Competition (6th ed.)

State aid chapter of Competition Law of the European Community

Contributions to the European State Aid Law Quarterly

WHAT MONCKTON CAN PROVIDE

Our members are recognised as among the most sought-after State aid experts at the English Bar. We can offer intimate knowledge of the procedures of the European Commission and UK Government in relation to State aid matters, and we have litigated multiple State aid cases before the High Court, the Court of Appeal and the EU Courts.

Our expertise in related areas of law, such as Competition, Public, Procurement, Local Government and Taxation, means we are

uniquely well placed to assist our clients in dealing with any State aid issue, no matter its complexity or the context in which it arises.

Members have over recent years advised and represented a wide range of private clients and central and local government bodies on a number of high profile state aid cases including cases arising out of the banking crisis, challenges to public funding of broadcasters, and public support for major infrastructure projects.

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"Monckton Chambers is a 'technically impressive and efficient set,' which is highly respected for its individual barristers' expertise in an array or areas, including EU law, environmental law and procurement and state aid."

- CHAMBERS UK

SPECIALIST AREAS OF EXPERTISE

- Assessments and penalties
- Exemptions and zero-rating
- Input tax and partial exemption
- Multiple/single supplies
- Place of supply
- Remedies, repayment and restitution of overpaid VAT and compound interest
- Special schemes
- Abusive practices
- VAT-related judicial review
- Vouchers, customer loyalty schemes
- MTIC fraud

Direct Tax

- Tax Avoidance
- Including general Anti Abuse Rule
- Residence and Domicile
- Groups and Consortia
- Transfer pricing
- Employment taxes including PAYE and Social Security
- Employment/ Self-employment status
- Private Equity
- Tax planning for businesses and individuals

- Land Taxation
- Stamp Taxes
- International Taxation
- European Law and Direct Tax
- Human Rights and Direct Tax

Customs Duties

- Tariff classification
- Preferential customs treatment
- Inward/outward processing
- Community transit
- Tariff quota

Excise duties

- Alcoholic liquor
- Tobacco
- Hydrocarbon oil
- Other related matters such as; Production; Processing; Holding; Movement of excise goods; Approval and registration of traders, warehouse keepers and tax warehouses.

Environmental & Other Taxes

- Aggregates Levy
- Air Passenger duty
- Anti-dumping duty
- Climate change levy
- Landfill Tax

WHAT MONCKTON CAN PROVIDE

Monckton Chambers can lay claim to having the largest team of indirect tax law specialists at the Bar, with an unrivalled breadth of experience. Chambers routinely acts for both the taxpayer and Her Majesty's Revenue and Customs (HMRC) and one of our greatest strengths is our ability to put together the right teams for the right cases.

Members combine specialist knowledge of Value Added Tax (VAT) and other indirect taxes with extensive expertise in EU, human rights and public law, which have for many years formed the bedrock of our reputation for excellence.

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**'A leading set in VAT',
Monckton Chambers
displays 'real strength in
depth'.**

- LEGAL 500

TELECOMMUNICATIONS

SPECIALIST AREAS OF EXPERTISE

- 2G and 3G mobile networks
- Broadcasting/ telecommunications convergence
- Bundling of TV/telecoms services
- Business direct exchange lines services
- Communications Act
- Competition Act (including margin squeeze, predatory pricing, price discrimination and anti-competitive agreements)
- Consumer issues in telecommunications services
- Contractual issues in telecommunications services
- EU Communications Directives
- GSM gateways
- Internet services
- Landing of cables
- Licensing of intellectual property, standards setting and FRAND
- Local loop unbundling
- Open access agreements
- Personal number services
- Premium rate services
- Radio base station backhaul circuits
- Siting of masts
- Termination charges to fixed and mobile networks
- VoIP (voice over internet protocol)
- Wireless Telegraphy Acts

WHAT MONCKTON CAN PROVIDE

Monckton Chambers has a leading-edge practice in telecommunications and electronic communications generally. Our barristers regularly appear in the leading telecommunications cases for mobile and fixed line telecommunications companies, broadcasters, content providers and Office of Communications (Ofcom).

In addition to extensive experience of advising on legal issues specific to the communications industry, members of Monckton Chambers are able to draw on their expertise in related areas such as competition law, EU law, and other public and regulatory law.

We are accordingly able to advise on and act in all telecommunications matters, from appeals under the Communications Act, through damages actions and applications for injunctions in the High Court, to judicial review challenges of regulatory decisions and EU legislation in the domestic and Community Courts.

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“Monckton Chambers is ‘the premier set for competition and telecoms work’”

- LEGAL 500

UTILITIES REGULATION

SPECIALIST AREAS OF EXPERTISE

- Administrative penalties for breaches of licence conditions and failure to meet performance standards
- EU Regulations and Directives
- Gas and Electricity Acts
- Water Industry Act
- Railways Act
- Transport Act
- Airports Act
- Postal Services Act
- Pricing regulation
- Licence and industry code modification issues
- Universal service obligations
- Network access issues
- Water supply licensing
- Water Resale Order
- Water mergers

WHAT MONCKTON CAN PROVIDE

Members of Monckton Chambers have substantial experience of litigation and advisory work in utilities regulation. The regulated sectors of which members have experience include airports, electricity, gas, postal services, rail, telecommunications and water.

In addition to extensive experience of advising on legal issues specific to these regulated sectors, members are able to draw on their expertise in fields such as competition law, EU law and public & administrative law.

Members regularly act for regulated companies, the sector-specific regulators (CAA, Coal Authority, Ofcom, Ofgem, Ofwat, ORR and Postcomm) and other industry participants at administrative hearings as well

as appearing in the Administrative Court, Competition Appeal Tribunal, Competition Commission, the Court of Appeal, House of Lords and European Court of Justice in cases concerning utility regulation.



GETTING IN TOUCH

Please contact our Senior Clerk David Hockney dhockney@monckton.com or alternatively call **+44 207 405 7211**.

For CVs please go to the 'Barristers' section of our website: www.monckton.com