

Discretionary increase litigation – Appeal to the Supreme Court

Trustee's application to use Scheme assets to fund the appeal agreed by the Court

In September 2018 we resolved to continue the appeal against the Court of Appeal's judgment in favour of British Airways plc (BA) in the APS discretionary increase litigation.

In December 2018 we requested permission from the Court to use Scheme assets to fund the appeal and meet BA's costs should an appeal be unsuccessful. This application was heard over two days on 18 and 19 December 2018.

The Court released its judgment today in which it approved the use of Scheme assets by the APS Trustee to fund an appeal to the Supreme Court. A full copy of the Court's judgement will be published on the "Other News" section of the member website as soon as it is available.

The appeal will therefore continue to the Supreme Court, which has been provisionally listed by the Court Registry to start on 3 July 2019.

We will continue to keep members updated on developments as soon as we are able to do so.

From the Trustee of the Airways Pension Scheme

15 January 2019