

Message from the APS Trustee – APS Discretionary Increase Litigation

In our [26 May 2017 update](#), we confirmed BA had been granted permission to appeal the High Court judgment on the APS discretionary increase litigation. At the time, we had referred to the Court of Appeal's heavy caseload. Based on input from our legal adviser, it had been our expectation that it could take a further 18 months or longer to obtain a judgment from the Court of Appeal.

The Court of Appeal recently confirmed to us that it is aiming for BA's appeal to be heard by 15 May 2018. This is earlier than we had previously anticipated although it should be noted that this is the Court's target date so it is not guaranteed. The exact date for the hearing will be fixed in due course. Following the hearing, there will be an interval while the three Lord Justices write up their decisions before the Court of Appeal judgment becomes public.

As before, we will keep members updated on developments as and when we are able to do so.