

## Message from the APS Trustee

### APS Discretionary Increase (DI) Litigation – Court of Appeal hearing

British Airways' (BA) appeal against the High Court judgment on the APS DI litigation is due to be heard by the Court of Appeal over three days from 1-3 May 2018. There will then be an interval while the three Lord Justices write up their decisions before the Court of Appeal judgment becomes public.

We cannot make any further comment regarding DI increases for 2013 and subsequent years until the outcome of the appeal is known. No specific date has been set for this but we anticipate the outcome will be known in summer 2018. We will keep you informed if we become aware the judgment is expected to be issued later in 2018.

We will provide further updates as soon as we are able to, once the outcome of the appeal is known. You can read all past updates regarding the APS DI litigation on the '[Other News](#)' page of the APS member website: [www.mybapension.com/APS](http://www.mybapension.com/APS)

The press statement we will provide in response to any press enquiries is provided below for your information.

### ***Press Statement from the Trustee of the Airways Pension Scheme***

*This is an ongoing legal matter between British Airways and the Trustee of the Airways Pension Scheme (APS) that is being heard by the Court of Appeal.*

*In May 2017, the High Court ruled that both the decision to introduce a discretionary increase power in 2011, and then to exercise that power by granting a 0.2% increase effective from 1 December 2013, were valid.*

*The High Court Judge allowed BA to appeal part of his decision on two technical points relating to the APS Trustee's powers under the APS trust deed.*

*BA's appeal does not challenge the High Court Judge's findings that the then Trustees and their advisers acted appropriately in relation to the 2011 and 2013 decisions – the appeal will not change this conclusion. No witness or expert evidence will be heard during the appeal – it will include legal submissions only.*

*The outcome of the appeal is expected to be known in summer 2018. In the intervening period, given the nature of the proceedings, the Trustee does not intend to make further public comment until the outcome of the appeal is published.*

*Media enquiries should be directed to: Finsbury, Michael Turner/Sarah Roberts +44 20 7251 3801 (For press queries only, member queries should be directed to British Airways Pension Services Limited)*

Date: 30 April 2018