

SCHEDULE 1

INDUSTRIAL TRIBUNALS RULES OF PROCEDURE

Notices, etc.

22.—(1) Any notice given under these Rules shall be in writing.

(2) All notices and documents required by these Rules to be presented to the Secretary may be presented at the Office of the Tribunals or such other office as may be notified by the Secretary to the parties.

(3) All notices and documents required or authorised by these Rules to be sent or given to any person hereinafter mentioned may be sent through a document exchange in accordance with paragraph (5), or by ordinary post (subject to paragraph (6)) or delivered to or at –

- (a) in the case of a notice or document directed to the Department in proceedings to which it is not a party (or in respect of which it is treated as a party for the purposes of these Rules by virtue of rule 10(6)), the offices of the Department for Employment and Learning at Adelaide House, 39/49 Adelaide Street, Belfast BT2 8FD, or such other office as may be notified by the Department;
- (b) in the case of a notice or document directed to the Attorney General for Northern Ireland pursuant to rule 18, the Attorney General’s Chambers, 9 Buckingham Gate, London SW1E 7JP;
- (c) in the case of a notice or document directed to a court, the office of the clerk of the court;
- (d) in the case of a notice or document directed to a party –
 - (i) the address specified in his originating application or notice of appearance to which notices and documents are to be sent, or in a notice under paragraph (4); or
 - (ii) if no such address has been specified, or if a notice sent to such an address has been returned, to any other known address or place of business in the United Kingdom or, if the party is a corporate body, the body’s registered or principal office in the United Kingdom, or, in any case, such address or place outside the United Kingdom as the President or the Vice-President may allow;
- (e) in the case of a notice or document directed to any person (other than a person specified in the foregoing provisions of this paragraph), his address or place of business in the United Kingdom or, if the person is a corporate body, the body’s registered or principal office in the United Kingdom,

and a notice or document sent or given to the authorised representative of a party shall be deemed to have been sent or given to that party.

(4) A party may at any time by notice to the Secretary and to the other party or parties (and, where appropriate, to the appropriate conciliation officer) change the address to which notices and documents are to be sent.

(5) Where –

- (a) the proper address for service of any notice or document required or authorised by these Rules to be sent or given to any person includes a numbered box at a document exchange; or
- (b) there is inscribed on the writing paper of the party on whom the notice or document is to be served (where such party acts in person) or on the writing paper of his solicitor (where such party acts by a solicitor) a document exchange box number, and such a party or his solicitor (as the case may be) has not indicated in writing to the party serving the notice or document that he is unwilling to accept service through a document exchange,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

service of the notice or document may be effected by leaving it addressed to that numbered box at that document exchange or at a document exchange which transmits documents every business day to that exchange; and any notice or document which is left at a document exchange in accordance with this paragraph shall, unless the contrary is proved, be deemed to have been served on the second business day following the day on which it is left.

(6) In any case he considers appropriate, the President or the Vice-President may direct that there shall be substituted service in such manner as he may deem fit.

(7) In proceedings brought under any statutory provision providing for conciliation the Secretary shall send copies of all documents and notices to a conciliation officer who in the opinion of the Secretary is an appropriate officer to receive them.

(8) Paragraph (7) does not apply in relation to documents or notices falling within a description of documents or notices in respect of which the Secretary and the Labour Relations Agency have agreed that copies need not be sent.

(9) In proceedings which may involve a payment out of the Northern Ireland National Insurance Fund, the Secretary shall, where appropriate, send copies of all documents and notices to the Department whether or not it is a party.

(10) Copies of every document and copy entry sent to the parties under rule 12(5) and (9) shall in the case of proceedings under the Act of 1970, the Order of 1976, the Order of 1988, the Act of 1995, the Order of 1997 or the Regulations of 2003 be sent to the Equality Commission.