

SCHEDULE 2

INDUSTRIAL TRIBUNALS (NATIONAL SECURITY) RULES OF PROCEDURE

Witness orders and discovery of documents

6.—(1) Where –

- (a) the Secretary of State has issued a direction or the tribunal or a chairman has made an order under rule 54 to exclude a claimant or his representative from all or part of the proceedings; and
- (b) a chairman or the tribunal is considering whether to make, or has made, an order described in rule 10(2)(c) or (d) of Schedule 1 (requiring a person to attend and give evidence or to produce documents) or under rule 7 of Schedule 4 or rule 6 of Schedule 5,

the Secretary of State (whether or not he is a party to the proceedings) may make an application to the tribunal or chairman objecting to the imposition of a requirement described in rule 10(2)(c) or (d) of Schedule 1 or under Schedule 4 or 5. If such an order has been made the Secretary of State may make an application to vary or set aside the order.

(2) The tribunal or chairman shall hear and determine the Secretary of State's application in private and the Secretary of State shall be entitled to address the tribunal or chairman. The application shall be made by notice to the Secretary and the Secretary shall give notice of the application to all parties.