
STATUTORY INSTRUMENTS

1989 No. 1129

The Copyright Tribunal Rules 1989

References and applications with respect to licensing schemes

Objections to applicant's credentials (Form 4)

6.—(1) Any organisation or person intending to object to the applicant's credentials shall, within the time specified under rule 5(2)(c), serve on the Secretary a notice of objection in Form 4:

Provided that the Tribunal or the Chairman may give leave, subject to such conditions as the Tribunal or Chairman may think fit, to serve such notice notwithstanding the expiration of the time specified under that rule.

(2) If notice of objection to the applicant's credentials has been served on the Secretary in accordance with this rule or if the Tribunal intends to make such objection of its own motion, the Secretary shall, on the expiration of the time specified in the advertisement under rule 5(2)(c), serve upon every party to the proceedings a notice of the same, and the proceedings shall (unless the Tribunal or the Chairman shall otherwise direct on the grounds that no reasonable cause of objection has been disclosed) be stayed from the date of such notice until further order.

(3) As soon as practicable after service of the notice under paragraph (2) above, the Chairman shall give directions for the making of representations in writing for the purpose of the consideration by the Tribunal of the objection. After consideration of the representations by the Tribunal the Chairman may, if he thinks fit, give the applicant, any objector and any other party an opportunity of being heard at a hearing to be appointed by the Chairman.

(4) If, after considering the objection and any written or oral representations, the Tribunal is not satisfied of the applicant's credentials, it shall direct that no further proceedings shall be taken by any party in connection with the reference or application, otherwise than in relation to any order for costs which the Tribunal may make under rule 48.

(5) If, after considering the objection and any written or oral representations, the Tribunal is satisfied of the applicant's credentials it shall direct that the reference or application shall proceed and the Tribunal or the Chairman may give such consequential directions as to the taking of any steps required or authorised under these Rules, or as to any further matter as the Tribunal or Chairman may think fit.

(6) When the Tribunal has arrived at its decision on the objection, or where the objection has been withdrawn or is not proceeded with, the Secretary shall serve notice of the same on every party to the proceedings.