
STATUTORY INSTRUMENTS

1997 No. 798

The Reserve Forces Appeal Tribunals Rules 1997

PART VI

MISCELLANEOUS

The register and publication of determinations

33.—(1) The register shall be kept at the office of the Secretary and shall be open to the inspection of any person without charge at all reasonable hours.

(2) The register may be kept by means of a computer.

(3) The Tribunal may make arrangements for the publication of its determinations as it considers appropriate, but in doing so shall have regard to the need to preserve the confidentiality of any evidence heard in private or to which rule 12(2) above applies, and for that purpose may make any necessary amendments to the text of a determination.

Proof of documents and certification of determinations

34.—(1) Any document purporting to be a document duly executed or issued by the Secretary on behalf of the Tribunal shall, unless the contrary is proved, be deemed to be a document so executed or issued as the case may be.

(2) A document purporting to be certified by the Secretary to be a true copy of any entry of a determination in the register shall, unless the contrary is proved, be sufficient evidence of the entry and of matters contained therein.

Method of sending, delivering or serving documents, etc.

35.—(1) Any document required or authorised by these Rules to be sent or delivered to any person shall be duly sent or delivered to that person if it is—

- (a) sent to him at his proper address by post;
- (b) sent to him at that address by means capable of producing a document containing a text of the communication, in which event the document shall be regarded as sent when it is received in a legible form;
- (c) delivered to him or left at his proper address.

(2) If any document is sent by first class recorded delivery or registered post, it shall be treated as if it had been delivered on the day after it was received for despatch by the Post Office.

(3) The proper address of any person to whom any such document is to be sent or delivered shall be—

- (a) in the case of the Secretary, the address included in or with the written notification of the disputed determination, or failing that—
The Secretary of the Reserve Forces Appeal Tribunals
c/o Mailroom

Ministry of Defence
Whitehall
London
SW1A 2HB;

- (b) in the case of any other person, any address that he has notified to the Secretary (whether in pursuance of rule 3(1)(a) or (f) above, or rule 8(1)(b) above or otherwise) as his address for the purposes of the appeal; or
- (c) in the case of a witness who has not notified an address as mentioned in sub-paragraph (b), any address provided by the appellant or the Authority in accordance with rule 3(1)(g) above or rule 8(1)(d) above; or
- (d) in the case of a secretary or clerk of any incorporated company or body for whom an address has not been provided as mentioned in sub-paragraph (b) or (c), that of the registered or principal office of the company or body; or
- (e) in any other case, the last-known address of the person in question.

Substituted service

36. If any person to whom any document is required to be sent or delivered under these Rules cannot be found or has died and has no known personal representative, or is out of the United Kingdom, or if for any other reason the document cannot readily be so sent or delivered, the Chairman may dispense with that requirement or may make an order for substituted service on such other person or in such other form (whether by advertisement in a newspaper or otherwise) as the Chairman may think fit.

Time

37. Where the time prescribed by these Rules for doing any act expires on a Saturday, Sunday or public holiday, the act shall be in time if done on the next following day which is not a Saturday, Sunday or public holiday.