

SCHEDULE 5

Industrial Tribunals (Non-Discrimination Notices Appeals) Rules of Procedure 1996 *For use in proceedings on an appeal against a non-discrimination notice*

Notices, etc.

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

(2) All notices and documents required or authorised by these Rules to be sent or given to any person hereinafter mentioned may be sent by post (subject to paragraphs (5) and (6)) or through a document exchange in accordance with paragraph (4) or delivered to or at—

- (a) in the case of a notice or document directed to the Secretary, the Office of the Tribunals or such other office as may be notified by the Secretary to the parties;
- (b) in the case of a notice or document directed to a party—
 - (i) the address specified in the notice of appeal or in a notice under paragraph (3) to which notices and documents are to be sent; or
 - (ii) if no such address is 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 Vice-President may allow;
- (c) in the case of a notice or document directed to any person (other than a person specified in sub-paragraph (a) or (b)), his address or place of business in the United Kingdom, or, if such a 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 representative of a party authorised in that behalf shall be deemed to have been sent or given to that party.

(3) A party may at any time by notice to the Secretary and to the other party change the address to which notices or documents are to be sent.

(4) 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, 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.

(5) Where a notice of appeal is not delivered, it shall be sent by the recorded delivery service.

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

(7) In this rule “document exchange” means any document exchange for the time being approved by the Lord Chancellor.