

SCHEDULE 5

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

Procedure at hearing

6.—(1) The tribunal shall, so far as it appears to it appropriate, seek to avoid formality in its proceedings and shall not be bound by any statutory provisions or rule of law relating to the admissibility of evidence in proceedings before the courts of law. The tribunal shall make such enquiries of persons appearing before it and witnesses as it considers appropriate and shall otherwise conduct the hearing in such manner as it considers most appropriate for the clarification of the issues before it and generally to the just handling of the proceedings.

(2) Subject to paragraph (1), at the hearing of or in connection with an appeal a party shall be entitled to give evidence, to call witnesses, to question any witnesses and to address the tribunal.

(3) If a party shall fail to appear or to be represented at the time and place fixed for the hearing of an appeal, the tribunal may if that party is an appellant dismiss, or in any case, dispose of the appeal in the absence of that party or may adjourn the hearing to a later date: provided that before disposing of an appeal in the absence of a party the tribunal shall consider any written representations submitted by that party in pursuance of rule 5(4).

(4) A tribunal may require any witness to give evidence on oath or affirmation and for that purpose there may be administered an oath or affirmation in due form.