

SCHEDULE 1

INDUSTRIAL TRIBUNALS RULES OF PROCEDURE

Appearance by respondent

3.—(1) A respondent shall, within 21 days of receiving the copy of the originating application, enter an appearance to the proceedings by presenting to the Secretary a written notice of appearance –

- (a) setting out his full name and address and, if different, an address within the United Kingdom to which he requires notices and documents relating to the proceedings to be sent;
- (b) stating whether or not he intends to resist the application; and
- (c) if he does intend to resist it, setting out sufficient particulars to show on what grounds.

(2) Upon receipt of a notice of appearance the Secretary shall send a copy of it to each other party.

(3) Two or more notices of appearance relating to originating applications in which the relief claimed is in respect of or arises out of the same set of facts may be presented in a single document, provided that in respect of each of the originating applications to which the notices so presented relate –

- (a) the respondent intends to resist the applications and the grounds for doing so are the same in each case; or
- (b) the respondent does not intend to resist the applications.

(4) A respondent who has not entered an appearance shall not be entitled to take any part in the proceedings except –

- (a) to apply under rule 17 for an extension of the time appointed by this rule for entering an appearance;
- (b) to make an application under rule 4(1);
- (c) to make an application under rule 13(4) in respect of rule 13(1)(b);
- (d) to be called as a witness by another person;
- (e) to be sent a copy of a document or corrected entry in pursuance of rule 12(5), (9) or (10);

and in the rules which follow, the word “party” only includes such a respondent in relation to his entitlement to take such a part in the proceedings, and in relation to any such part which he takes.