1967 No. 362

INDUSTRIAL TRIBUNALS

The Industrial Tribunals (Employment and Compensation) (Scotland) Regulations 1967

Made - - - -	8*th March* 1967
Laid before Parliament	21*st March* 1967
Coming into Operation	10*th April* 1967

The Minister of Labour in exercise of the powers conferred on him by section 46 of the Redundancy Payments Act 1965(a) and after consultation with the Council on Tribunals hereby makes the following Regulations:—

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Industrial Tribunals (Employment and Compensation) (Scotland) Regulations 1967 and shall come into operation on 10th April 1967.

(2) The Industrial Tribunals (Employment and Compensation) (Scotland) Regulations 1965(b) shall cease to have effect except in relation to proceedings instituted before that date.

Interpretation

2.—(1) The Interpretation Act 1889(c) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

" applicant " means a person who in pursuance of Rule 1 has sent an application to the Secretary of the Tribunals for a decision of a tribunal;

" the clerk to the tribunal " means the person appointed by the Secretary of the Tribunals to act in that capacity at one or more hearings;

" compensation question " means a question—

(*a*) as to a person's entitlement to compensation for loss of office or employment, or for loss or diminution of emoluments or of pension rights,

(*b*) as to the manner of a person's employment or the comparability of his duties, or

(*c*) as to whether a person's position is worsened by reason of a statutory provision;

" hearing " means a sitting of a tribunal duly constituted for the purpose of receiving evidence, hearing addresses and witnesses or doing anything lawfully requisite to enable the tribunal to reach a decision on any reference;

(a) 1965 c. 62.
(b) S.I. 1965/2020 (1965 III, p. 5968).
(c) 1889 c. 63.

" the Office of the Tribunals " means the Central Office of the Industrial Tribunals (Scotland);

" the panel of chairmen " means the panel of persons, being advocates or solicitors of not less than seven years' standing, appointed by the Lord President of the Court of Session in pursuance of Regulation 5(2) of the Industrial Tribunals (Scotland) Regulations 1965(a);

" the President " means the President of the Industrial Tribunals (Scotland) or the person nominated by the Lord President of the Court of Session to discharge for the time being the functions of the President;

" the Register " means the Register of Applications and Decisions kept in pursuance of these Regulations;

" respondent " means a party to the proceedings before a tribunal other than the applicant;

" Rule " means a Rule of Procedure contained in the Schedule to these Regulations;

" the Secretary of the Tribunals " and " an Assistant Secretary of the Tribunals " mean respectively the persons for the time being acting as the Secretary, or as an Assistant Secretary, of the Central Office of the Industrial Tribunals (Scotland);

" statutory provision " means a provision, whether of a general or a special nature, contained in, or in any document made or issued under, any Act, whether of a general or a special nature;

" tribunal " means an industrial tribunal (Scotland) established in pursuance of the Industrial Tribunals (Scotland) Regulations 1965 and in relation to any proceedings means the tribunal to which the proceedings have been referred by the President or by a member of the panel of chairmen for the time being nominated by the President for that purpose.

(3) A form referred to by number means the form so numbered in the Appendix to the Schedule to these Regulations.

Procedure of tribunals

3.—(1) The Rules of Procedure contained in the Schedule to these Regulations shall have effect in relation to proceedings to which this Regulation applies.

(2) This Regulation applies to proceedings—

(*a*) in pursuance of section 4A of the Contracts of Employment Act 1963(b) as to the written particulars of terms of employment required to be given by an employer to an employee under section 4 of that Act;

(*b*) in pursuance of references under any of the statutory provisions specified in Schedule 7 to the Redundancy Payments Act 1965 as modified by section 44 of that Act; or

(*c*) to determine any compensation question which, by or under any statutory provision passed or made on or after 5th August 1965, is directed to be referred to and determined by a tribunal established under section 12 of the Industrial Training Act 1964(c);

being proceedings instituted after the coming into operation of those Regulations—

(i) the respondent or one of the respondents to which resides or carries on business, or

(ii) which relate to a contract of employment the place of execution or performance of which is,

in Scotland.

(a) S.I. 1965/1157 (1965 II, p. 3266).

(b) 1963 c. 49. (c) 1964 c. 16.

Proof of decisions of tribunals

4. The production in any proceedings in any court of a document purporting to be certified by the Secretary of the Tribunals to be a true copy of an entry of a decision in the Register shall, unless the contrary is proved, be sufficient evidence of the document and of the facts stated therein.

8th March 1967. *R. J. Gunter.*

Minister of Labour.

SCHEDULE

RULES OF PROCEDURE

Application for determination of question

1.—(1) Proceedings for the determination by a tribunal of any question shall be instituted by the applicant sending to the Secretary of the Tribunals an application which—

(*a*) in the case of proceedings in pursuance of section 4A of the Contracts of Employment Act 1963 shall be substantially in accordance with Form 1; and

(*b*) in the case of any proceedings referred to in paragraph (*b*) or paragraph (*c*) of the preceding Regulation 3(2) shall be in accordance with Form 2,

and shall set out the grounds of the application.

(2) Where the Secretary of the Tribunals is of the opinion that the application does not seek or on the facts stated therein cannot entitle the applicant to a remedy which a tribunal has power to give, he may give notice to that effect to the applicant stating the reasons for his opinion and inviting the applicant to state in writing whether he agrees to withdraw his application or wishes to proceed with it.

(3) An application as respects which a notice has been given in pursuance of the preceding paragraph shall not be treated as having been received for the purposes of Rule 2 unless the applicant intimates in writing to the Secretary of the Tribunals that he wishes to proceed with it; and upon receipt of such an intimation the Secretary of the Tribunals shall proceed in accordance with that Rule.

(4) The withdrawal of an application under this Rule shall be without prejudice to any right of the applicant to make a further application to a tribunal.

Registering of application

2. Upon receiving the application referred to in Rule 1 the Secretary of the Tribunals shall enter particulars of it in the Register and shall forthwith send a copy of it to the respondent or respondents and inform the applicant and the respondent or respondents in writing of the case number of the application entered in the Register (which shall thereafter constitute the title of the proceedings) and of the address to which notices and other communications to the Secretary of the Tribunals shall be sent. The copy of the application sent by the Secretary of the Tribunals to a respondent shall be accompanied by a notice substantially in accordance with Form 3.

Appearance by respondent

3.—(1) A respondent shall within 14 days of receiving the copy application referred to in Rule 1 enter an appearance to the proceedings by sending to the Secretary of the Tribunals a notice of appearance which shall be substantially in accordance with Form 4 stating whether he intends to resist the application and, if so, on what grounds. Upon receipt of a notice of appearance the Secretary of the Tribunals shall forthwith send a copy of it to the other party or parties.

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

(i) to apply under Rule 12(1) for an extension of the time appointed by this Rule for entering an appearance; and

(ii) to be sent a copy of a decision or specification of reasons or corrected decision or specification in pursuance of Rule 9(3) or 9(6);

and accordingly (without prejudice to the generality of this provision) he shall not be entitled—

(*a*) to make an application under Rule 4;

(*b*) to notice of the date, time and place of the hearing in pursuance of Rule 5;

(*c*) to submit representations in writing for consideration by the tribunal in pursuance of Rule 6(2);

(*d*) to be heard or represented at the hearing in pursuance of Rule 7 or 8;

(*e*) to enter into a written agreement in pursuance of Rule 11(1)(*d*); or

(*f*) to apply for directions in pursuance of Rule 12(2) or to receive a notice in pursuance of Rule 12(4).

(3) A notice of appearance which is sent to the Secretary of the Tribunals after the time appointed by this Rule for entering an appearance shall be deemed to include an application under Rule 12(1) (by the respondent who has sent the notice of appearance) for an extension of the time so appointed. Without prejudice to Rule 12(4), if the tribunal grants the application (which it may do notwithstanding that the grounds of the application are not stated) the Secretary of the Tribunals shall forthwith send a copy of the notice of appearance to the other party or parties. The Tribunal shall not refuse an extension of time under this Rule unless it has given the person wishing to enter an appearance an opportunity to show cause why the extension should be granted.

Power to require further particulars and attendance of witnesses and to order recovery of documents

4.—(1) Subject to Rule 3(2), the tribunal may on the application of a party to the proceedings, made either by notice to the Secretary of the Tribunals or at the hearing of the application referred to in Rule 1—

(*a*) require a party to furnish in writing to another party further particulars of the grounds on which he relies and of any facts and contentions relevant thereto;

(*b*) grant to a party such a commission and diligence for the recovery or inspection of documents as might be granted by the sheriff; and

(*c*) require the attendance of any person (including a party to the proceedings) as a witness or require the production of any document relating to the question to be determined;

and may appoint the time at or within which or the place at which any act required in pursuance of this Rule is to be done.

(2) A party on whom a requirement has been made under paragraph (1)(*b*) of this Rule on an *ex parte* application and a person on whom a requirement has been made under paragraph (1)(*c*) thereof may apply to the tribunal to vary or set aside the requirement.

(3) No such application to vary or set aside shall be entertained (in a case where a time has been appointed under paragraph (1) of this Rule in relation to the requirement) unless it is made before the time or, as the case may be, expiration of the time so appointed. Notice of the application in accordance with Rule 11(2) shall be given to the party on whose application the requirement was made.

(4) Every document containing a requirement under paragraph (1)(*b*) or (1)(*c*) of this Rule shall contain a reference to the fact that under section 46(4) of the Redundancy Payments Act 1965 any person who without reasonable excuse fails to comply with any such requirement is liable on summary conviction to a fine not exceeding £50 or imprisonment for a term not exceeding three months or both.

Time and place of hearing and appointment of assessor

5.—(1) The President (or a member of the panel of chairmen for the time being nominated by the President for this purpose) shall fix the date, time and place of the hearing of the application referred to in Rule 1 and the Secretary of the Tribunals shall not less than 14 days before the date so fixed (subject to Rule 3(2)) send to each party a notice substantially in accordance with Form 5.

(2) Where in the case of any proceedings referred to in paragraph (*b*) or paragraph (*c*) of the preceding Regulation 3(2) the statutory provision in question provides for one or more assessors to be appointed the President (or a member of the panel of chairmen for the time being nominated by the President for this purpose) may if he thinks fit appoint a person or persons having special knowledge or experience in relation to the subject matter of the reference to sit with the tribunal as assessor or assessors.

The hearing

6.—(1) Any hearing of or in connection with the application referred to in Rule 1 shall take place in public, unless the tribunal determines at the request of a party to hear the application in private, but a member of the Council on Tribunals or of its Scottish Committee shall be entitled to attend the hearing in his capacity as such member.

(2) Subject to Rule 3(2), if a party shall desire to submit representations in writing for consideration by the tribunal at the hearing of the application referred to in Rule 1 that party shall send such representations to the Secretary of the Tribunals not less than 7 days before the hearing and shall at the same time send a copy thereof to the other party or parties.

Representation

7. Subject to Rule 3(2), at any hearing of or in connection with the application referred to in Rule 1 a party may appear and may be heard in person or be represented by counsel or solicitor or by a representative of a trade union or of an employers' association or with the leave of the tribunal by any other person.

Procedure at hearing

8.—(1) Subject to Rule 3(2), parties to the proceedings shall be entitled to make opening statements, to call witnesses, to cross-examine any witnesses called by any other party and to address the tribunal.

(2) Subject to Rule 3(2), a party may if he so desires give evidence on his own behalf.

(3) If a party shall fail to appear or to be represented at the time and place fixed for the hearing, the tribunal may dispose of the application in the absence of that party or may adjourn the hearing to a later date:

Provided that before disposing of an application in the absence of a party the tribunal shall consider any representations submitted by that party in pursuance of Rule 6(2).

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

Decision of tribunal

9.—(1) A decision of the tribunal may be taken by a majority thereof and, if in accordance with Regulation 5(1) of the Industrial Tribunals (Scotland) Regulations 1965 the tribunal shall be constituted of two members only, the chairman shall have a second or casting vote.

(2) The decision of the tribunal shall be recorded in a document signed by the chairman which shall contain the reasons for the decision.

(3) The clerk to the tribunal shall transmit the document signed by the chairman to the Secretary of the Tribunals who shall as soon as may be enter it in the Register, and shall send a copy of the entry to each of the parties:

Provided that the specification of the reasons for the decision shall be omitted from the Register in any case in which the tribunal on the application of either or any of the parties so directs on the ground that disclosure would be contrary to the interests of that party, and in that event a specification of the reasons shall be sent to the parties together with the copy of the entry.

(4) The Register shall be kept at the Office of the Tribunals and shall be open to the inspection of any person without charge at all reasonable hours.

(5) The chairman of the tribunal shall have power by certificate under his hand to correct in documents recording the tribunal's decisions clerical mistakes or errors arising therein from any accidental slip or omission.

(6) The clerk to the tribunal shall send a copy of any document so corrected and the certificate of the chairman to the Secretary of the Tribunals who shall thereupon make such correction as may be necessary in the Register and shall send a copy of the corrected entry or of the corrected specification of the reasons, as the case may be, to the parties.

Expenses

10.—(1) The tribunal shall not normally award expenses but where in its opinion a party to the proceedings (and if he is a respondent whether or not he has entered an appearance) has acted frivolously or vexatiously the tribunal may include in its decision—

(*a*) an order that that party shall pay to another party either a specified sum in respect of the expenses incurred by that other party or, in default of agreement, the taxed amount of those expenses;

(*b*) an order that that party shall pay to the Minister a specified sum in respect of the whole, or any part of, any allowances (other than allowances paid to members of tribunals or assessors) paid by the Minister

under section 12(3) of the Industrial Training Act 1964 (as amended by section 46(5) of the Redundancy Payments Act 1965) to any person for the purposes of, or in connection with, his attendance at the tribunal.

(2) Notwithstanding the provisions of paragraph (1) of this Rule, where on the application of a party to the proceedings the tribunal has postponed the day or time fixed for the hearing or has adjourned the hearing, the tribunal may include in its decision orders against that party as at (*a*) and (*b*) above as respects any expenses incurred or any allowances paid as a result of the postponement or adjournment.

(3) Any expenses required by an order under this Rule to be taxed may be taxed in the sheriff court according to such of the scales prescribed by sheriff court rules for civil proceedings in the sheriff court as shall be directed by the order.

Miscellaneous powers of tribunals

11.—(1) The tribunal may if it thinks fit,—

(*a*) extend the time appointed by these Rules for doing any act notwithstanding (subject to Rule 4(3)) that the time appointed may have expired;

(*b*) postpone the day or time fixed for, or adjourn, the hearing;

(*c*) if the applicant shall at any time give notice of the abandonment of his application referred to in Rule 1, dismiss the proceedings;

(*d*) if both or all the parties agree in writing upon the terms of a decision to be made by the tribunal, decide accordingly.

(2) Subject to the provisions of these Rules the tribunal may regulate its own procedure and may, if it thinks fit, before granting an application under Rule 4 or 12 require the party making the application to give notice of it to the other party or parties. The notice shall give particulars of the application and indicate the address to which and the time within which any objection to the application shall be made being an address and time specified for the purposes of the application by the tribunal.

(3) Any act (other than the hearing of the application referred to in Rule 1) required or authorised by these Rules to be done by the tribunal may be done by, or on the direction of, the President, the chairman of the tribunal or a member of the panel of chairmen for the time being nominated by the President for this purpose.

(4) Rule 10 shall apply to an order dismissing proceedings under paragraph (1)(*c*) of this Rule.

(5) Any functions of the Secretary of the Tribunals other than those mentioned in Rule 2 or Rule 9 may be performed by an Assistant Secretary of the Tribunals.

Applications

12.—(1) An application to the tribunal for an extension of the time appointed by these Rules for doing any act may be made by a party either before or (subject to Rule 4(3)) after the expiration of any time so appointed.

(2) Subject to Rule 3(2), a party may at any time apply to the tribunal for an order on any matter arising in connection with the proceedings.

(3) An application under the foregoing provisions of this Rule shall be made by sending to the Secretary of the Tribunals a notice of application, which shall state the title of the proceedings and shall set out the grounds of the application.

(4) Subject to Rule 3(2), the Secretary of the Tribunals shall give notice to both or all the parties of any extension of time granted or any order made in pursuance of this Rule.

Notices, etc.

13.—(1) Any notice given under these Rules shall be in writing and 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 by means of the recorded delivery service or delivered to or at—

(*a*) in the case of a document directed to the Secretary of the Tribunals, the Central Office of the Industrial Tribunals (Scotland) or such other office as may be notified by the Secretary of the Tribunals to the parties under Rule 2;

(*b*) in the case of a document directed to a party, his address for service specified in the application referred to in Rule 1 or in a notice under paragraph (2) of this Rule or (if no address for service is so specified) his last known address or place of business in the United Kingdom or, if the party is a corporation, the corporation's registered or principal office;

and if sent or given to the authorised representative of a party shall be deemed to have been sent or given to that party.

(2) A party may at any time by notice to the Secretary of the Tribunals and to the other party or parties change his address for service under these Rules.

APPENDIX

FORM 1

INDUSTRIAL TRIBUNALS (EMPLOYMENT AND COMPENSATION) (SCOTLAND) REGULATIONS 1967

APPLICATION FOR A DECISION UNDER SECTION 4A OF THE CONTRACTS OF EMPLOYMENT ACT 1963 AS TO WRITTEN PARTICULARS OF TERMS OF EMPLOYMENT

IMPORTANT NOTICE TO INTENDING APPLICANTS

A tribunal can only determine what particulars ought to have been given or referred to in a statement so as to comply with section 4 of the Contracts of Employment Act 1963. That section requires an employer to give to an employee written particulars of the terms of employment.

A tribunal has no power to order payment of arrears of wages or holiday pay or to award damages for alleged wrongful dismissal.

A tribunal will be unable to entertain an application if the employment began before 7th September 1965 (unless the application relates to a change in the terms of employment after 6th November 1965).

To

The Secretary of the Central Office
of the Industrial Tribunals (Scotland),

.....

.....

A. I hereby apply for a decision of a tribunal as to the written particulars of my employment by the employer(s) referred to below, on the undermentioned facts.

B. I/We* hereby apply for a decision of a tribunal as to the written particulars of the terms of the employment by me/us* of the employed person referred to below, on the undermentioned facts.

[*Note to applicants:* If this application is by the employed person he should delete B above. If the application is by the employer(s) he/they should delete A above.

Whether the application is being made by the employed person or by his employer(s) it will also be necessary to complete items 1 to 10 below and to date and sign this form at the end.]

All communications with regard to this application should be addressed

C. to me/us* at†.....

.....

D. to my/our* solicitor(s)/agent(s)*, Mr./Messrs.*

.....at†.....

.....

[*Note to applicants:* You should complete either C or D above and delete where inapplicable. When the application is heard by the tribunal you may appear and be heard in person or be represented by counsel or solicitor or by a representative of a trade union or of an employers' association or with the leave of the tribunal by any other person.]

1. Employed person's surname:

2. Employed person's first names:
[If a woman, state whether
Mrs. or Miss]

3. Employed person's address:.....

.....

Telephone number (if any): .....

4. Name, address and telephone.....
number of employer(s)
[If an individual, state the
surname and first names, ...
and in the case of a woman
whether Mrs. or Miss] .....

5. Date when employment began:

6. Is the employment still continuing? [State Yes or No and if No the date the employment ended]

7. Has/Have the employer(s) given the employed person written particulars of the terms of employment? [State Yes or No]

8. If the answer to 7 is Yes, is it alleged that these particulars are wrong or insufficient? [State Yes or No and if Yes give details]

9. Have the terms of employment changed? [State Yes or No]

If so,

(*a*) what was the date of the change? (*a*) .....

(*b*) in what respects were the terms of employment changed? (*b*) .....

(*c*) has/have the employer(s) given the employed person written particulars of the change? and (*c*) .....

(*d*) if the answer to (*c*) is Yes, state in what respects the particulars so given of the change are wrong or insufficient. (*d*)

10. State specifically what decision the tribunal is being asked to make.

[continue on a separate sheet if necessary]

Date..... Signature.....

Applicant(s).

* Delete if inapplicable.
† Insert address as applicable.

FORM 2

INDUSTRIAL TRIBUNALS (EMPLOYMENT AND COMPENSATION) (SCOTLAND) REGULATIONS 1967

APPLICATION FOR THE DETERMINATION OF A QUESTION UNDER A STATUTORY PROVISION

To

The Secretary of the Central Office
of the Industrial Tribunals (Scotland),

.....

.....

Title of statutory provision under which this application is made:—

.....

I/We*..... of.....

.....

hereby apply under the above-mentioned statutory provision for a decision of a tribunal to the following effect:—

The name(s)* and address(es)* of the person(s)* against whom this decision is sought are.....

.....

The grounds of this application are as follows:—

‡All communications with regard to this application should be addressed to me/us* at†.....

.....

to my/our* solicitor(s)/agent(s)*, Mr./Messrs.*.....

..... at†.....

.....

Dated .....19.....

Signed .....

Applicant(s).

* Delete if inapplicable.
† Insert address as applicable.
‡ When the application is heard by the tribunal the parties (other than a respondent who has not entered an appearance) may appear and be heard in person or be represented by counsel or solicitor or by a representative of a trade union or of an employers' association or with the leave of the tribunal by any other person.

FORM 3

INDUSTRIAL TRIBUNALS (EMPLOYMENT AND COMPENSATION) (SCOTLAND) REGULATIONS 1967

NOTICE OF APPLICATION

Case No.....

Central Office of the Industrial Tribunals (Scotland),

.....

.....

I send you herewith a copy of an application in which a decision of a tribunal is sought against you.

The proceedings on this application will be regulated by the rules of procedure contained in the Industrial Tribunals (Employment and Compensation) (Scotland) Regulations 1967. The case number of this application which is indicated above should be quoted in any communication to me with regard to these proceedings.

Under the rules you are required to enter an appearance within 14 days of receiving the copy application. You can do this by filling in and sending to me the enclosed form of notice of appearance.

The notice of appearance when completed (and any other notices or communications addressed to me) should be sent by post by the recorded delivery service or delivered to me [at the address mentioned at the head of this notice] [at the Regional Office of the Industrial Tribunals (Scotland)

.....

.....],

stating the case number of the proceedings.

If you do not enter an appearance you will not be entitled to take any part in the proceedings (except to apply for an extension of the time appointed by the rules for entering an appearance) or to receive any further notice of the proceedings and a decision *[(which may be registered for execution and enforced against you)] may be given against you in your absence. Whether or not you enter an appearance you will be sent a copy of the tribunal's decision.

When the application is heard by the tribunal the parties (other than a respondent who has not entered an appearance) may appear and be heard in person or be represented by counsel or solicitor or by a representative of a trade union or of an employers' association or with the leave of the tribunal by any other person.

Dated .....19.....

Signed .....

Secretary.

To the Respondent(s).....

* Omit in the case of applications on Form 1.

FORM 4

INDUSTRIAL TRIBUNALS (EMPLOYMENT AND COMPENSATION) (SCOTLAND) REGULATIONS 1967

NOTICE OF APPEARANCE BY RESPONDENT

Case No.

To

The Secretary of the Tribunals,
[Central] [Regional] Office of the Industrial Tribunals (Scotland),

.....

.....

I/We*..... of.....

hereby give notice that I/we* *intend to resist / *do not intend to resist the application made by

The grounds on which I/we intend to resist the said application are as follows:—

(continue on a separate sheet if necessary)

[*Note to respondents:* When completing this part of the form you should indicate whether you dispute the accuracy of any of the statements made in the application and if so in what respects.]

All communications with regard to the above-mentioned application should be addressed to me/us* at†.....

.....

to my/our* solicitor(s)/agent(s)*, Mr./Messrs.* .....

..... at†.....

.....

Dated .....19.....

Signed .....

Respondent(s).

* Delete if inapplicable.
† Insert address as applicable.

FORM 5

INDUSTRIAL TRIBUNALS (EMPLOYMENT AND COMPENSATION) (SCOTLAND) REGULATIONS 1967

NOTICE OF HEARING

Case No. .....

Tribunal .....

[Central] [Regional] Office of the Industrial Tribunals (Scotland),

.....

.....

NOTICE IS HEREBY GIVEN that the application of.....

..... dated.....

will be heard by an Industrial Tribunal at.....

on the ..... day of ..... 19..... at.....o'clock

in the .....noon or as soon as may be thereafter.

In his own interest each party should appear at the hearing with his witnesses (if any) at the above time and place and bring with him all documents on which he intends to rely.

Each party (other than a respondent who has not entered an appearance) is entitled to be represented by counsel or solicitor or by a representative of a trade union or of an employers' association or with the leave of the tribunal by any other person.

If for any reason a party does not propose, or is unable, to appear at the hearing either in person or by representative, that party should *immediately* inform me in writing at the address mentioned at the head of this notice, stating the case number of the proceedings and the reasons for the proposal not to, or the inability to, attend or to be represented.

The Rules provide that if a party (other than a respondent who has not entered an appearance) shall desire to submit representations in writing for consideration by the tribunal at the hearing that party shall send such representations to the Secretary of the Tribunals not less than 7 days before the hearing and shall at the same time send a copy thereof to the other party or parties. Any such written representations addressed to me should be sent or delivered to or at the address mentioned at the head of this notice.

Dated .....19.....

Signed .....

Secretary/Assistant Secretary.

To the Applicant(s) and Respondent(s).....

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations regulate the procedure of the industrial tribunals for Scotland on references on or after 10th April 1967 of questions with regard to—

(*a*) the written particulars of terms of employment required to be given by an employer to an employee under the Contracts of Employment Act 1963; and

(*b*) rights under a number of enactments to compensation for loss of employment or for loss or diminution of emoluments or of pension rights arising by reason of the nationalisation or denationalisation of certain industries or by the alteration of local government boundaries, etc.