

Guidelines – Issuance of Summons to Witness in relation to Appeals before the Public Bodies Appeal Tribunal (PBAT)

- 1) Pursuant to section 7(8)(c) and 7(8)(d) of the Public Bodies Appeal Tribunal Act (PBAT) 2008, the Tribunal may:
 - (i) on its own motion, summon and hear any person as witness; and
 - (ii) adopt such procedures as may be necessary for the proper functioning of the Tribunal.
- 2) The Secretary of the PBAT, may upon a motion of a party to an appeal, sign a summons to any third party, to appear as witness and give oral evidence and/or produce any record, document or exhibit. Such summons will be issued **only under the hands of the Secretary** or any such person performing the duties of the Secretary.
- 3) The onus of preparing and serving the summons rests on parties requesting for such summons to be issued. The parties shall be any of the following:
 - a) Appellant (only if he has opted to conduct his own case);
 - b) Attorney appearing for the Appellant;
 - c) Counsel appearing for the Appellant;
 - d) Trade Union representative appearing for the Appellant;
 - e) Attorney appearing for the Respondent;
 - f) Counsel appearing for the Respondent;
 - g) Co-Respondent (only if he has opted to conduct his own case);
 - h) Attorney appearing for the Co-Respondent;
 - i) Counsel appearing for the Co-Respondent; or
 - j) Trade Union representative appearing for the Co-Respondent.
- 4) Any of the party listed at paragraph (3) above shall make **a motion to the Panel of the PBAT, in the Tribunal**, for issuance of such summons.
- 5) Following approval of the Tribunal with respect to the said motion, the party may prepare the summons in accordance to the **template available on the website of the PBAT**. The template shall be filled in accordingly and typed by the party and thereafter deposited at the Registry of the PBAT.

- 6) The Secretary will sign the summons, not later than five (5) working days from the date same was deposited at the Registry of the PBAT, **at no cost**.
- 7) The Registry will inform the Party to collect the summons and needful for **service will be done at his end, at his own cost**. The party shall then file the return of the summons to the Tribunal, prior to the next hearing date.

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