



TRINIDAD AND TOBAGO GAZETTE

(EXTRAORDINARY)

VOL. 55

Caroni, Trinidad, Friday 3rd June, 2016—Price \$1.00

No. 69

792

REPUBLIC OF TRINIDAD AND TOBAGO

THE EQUAL OPPORTUNITY TRIBUNAL

RULES OF

PRACTICE AND PROCEDURE

2016

THE EQUAL OPPORTUNITY TRIBUNAL RULES OF PRACTICE AND PROCEDURE, 2016

INTRODUCTION

These are the Rules of Practice and Procedure of the Equal Opportunity Tribunal (the Tribunal) made pursuant to section 44(8) of the Equal Opportunity Act, 2000 as amended By Act No.5 of 2001 (The Act).

All matters that come before the Tribunal do so having been initiated by the Equal Opportunity Commission (the Commission) pursuant to section 39(2) of the Act. The purpose of these Rules of Practice and Procedure therefore is to outline how the jurisdiction of the Tribunal is exercised when matters are before it and when interim remedies are being sought by parties in an action that is engaging its attention.

“Ultimately, the purpose of rules of court is to guide the court and the litigants towards the just resolution of the cause. Moreover, rules are not designed to answer every question which could arise.” To be sure, the provisions of the Act must be complied with and will necessarily override these rules in the event that there is any variance.

Moreover, the Judge/Chairman of the Equal Opportunity Tribunal accepts full responsibility for any errors or flaws in these Rules.

These Rules are made by the Judge/Chairman with the concurrence of the Lay Assessors and Registrar of the Equal Opportunity Tribunal this **28th day of January, 2016.**

His Honour Mr. Rajmanlal Joseph

JUDGE/CHAIRMAN

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

REPUBLIC OF TRINIDAD AND TOBAGO

**THE EQUAL OPPORTUNITY ACT, 2000 AS AMENDED BY ACT No. 5
OF 2001 (THE ACT)**

**RULES OF PRACTICE AND PROCEDURE OF THE EQUAL
OPPORTUNITY TRIBUNAL (THE TRIBUNAL)**

**MADE BY THE TRIBUNAL WITH THE APPROVAL OF THE
PRESIDENT PURSUANT TO SECTION 44 (8) OF THE ACT.**

1. CITATION, APPLICATION AND DEFINITIONS.

- 1.1 The rules may be cited as the Equal Opportunity Tribunal RULES, 2016
- 1.2 A rule may be referred to by the number given to it.
- 1.3 These rules may apply to all proceedings before the Tribunal, however, the Judge/Chairman of the Tribunal may dispense with compliance with any requirement of these rules, either before or after the occasion for compliance arises.
- 1.4 The Tribunal may exercise any of its powers under these Rules on its own initiative or at the request of any party.
- 1.5 In proceedings before the Tribunal directions may be given as to the procedure to be followed in respect of a matter not dealt with by the Act or these Rules. Such directions where not covered by these Rules may be guided by the existing **Supreme Court of Judicature CIVIL PROCEEDINGS RULES 1998, as amended.**

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

1.6 No proceeding is invalid by reason only of a defect or other irregularity in form.

1.7 In these Rules -

“**Act**” means the Equal Opportunity Act, 2000 as amended by Act No. 5 of 2001

“**Tribunal**” means the Equal Opportunity Tribunal established under Section 41 of the Act.

“**Complainant**” means any person who consents to proceedings original or interim filed on his behalf

“**Respondent**” means the person against whom an order or remedy is sought by the complainant

“**Commission**” means the Equal Opportunity Commission (EOC) established under Section 26(1) of the Act

“**Directions Hearing**” means hearing by the Tribunal or Judge/Chairman in order to give directions concerning timelines for filing and service of the Complaint Form, Particulars of Complaint, Defence and Reply, the identification of issues, the scheduling of the delivery of documents, identification of witnesses and establishment of time frames for filing of such witness statements, the mediation or settlement of some or all of the issues in dispute and any other matters relevant to the trial of the action.

“**Document**” includes –

- (a) a complaint form, particulars of complaint, defence, reply, forms, correspondence, memoranda, files, books of account, agreements, reports, charts, graphs, and any other written or pictorial communication;

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TRIBUNAL 2016—CONTINUED

- (b) a sound recording, videotape, photograph, map, plan, survey or the like thing;
- (c) information recorded or stored by means of any device, including computer files; and
- (d) facsimiles or copies of documents;

“Fax” means electronic transmission of a facsimile of a document

“File” means to lodge at the Registry, in the form and condition acceptable to the Registry, together with payment of the prescribed fee (if any);

“Hearing” means the hearing of the proceedings before the Tribunal for which a complaint has been lodged in which the Tribunal is empowered to make a final determination of the proceedings, or the hearing of an interim application in advance of such hearing;

“Interim Application” means a request for the ruling of the Tribunal on a particular issue at any stage within a proceeding or intended proceeding, and includes an application for injunctive relief as well as for a stay or an interim stay of an order or decision of the Tribunal;

“Mediation” includes all forms of conciliation, facilitation, settlement, conferences and other forms of negotiation;

“Notice of Proceedings” means a document from the EOC in accordance with Section 39 (2) of the Act filed in the Registry which begins the proceedings in accordance with Rule 5.1;

“Party” means –

- (a) the Complainant and or Respondent in original, interim or appellate proceedings;

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

(b) for the purpose of these Rules, any person whom the Tribunal determines to be a party;

“Representative” means an attorney-at-law duly authorised to represent a person in a proceeding.

“Pleadings” means a complaint form, particulars of complaint, defence and reply.

2. TIME COMPUTATION

2.1 This rule demonstrates how to calculate any period of time for doing any act which is fixed –

- (a) by these Rules;
- (b) by any practice direction; or
- (c) by any order of the Tribunal

2.2 All periods of time expressed as a number of days are to be computed as clear days.

2.3 In this rule “clear days” means that in computing the number of days the day on which the period begins and the day on which the period ends are not included.

2.4 Where the specified period –

- (a) is 5 days or less; and
- (b) includes –
 - (i) a Saturday or Sunday; or
 - (ii) any other day on which the Tribunal office is closed, that day does not count.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

2.5 When the period fixed –

- (a) by these Rules;
- (b) by any practice direction; or
- (c) by any order,
for doing any act at the Tribunal Office ends on a day on which the Tribunal
is closed, it shall be in time if done before 4 p.m. on the next day on which
the Tribunal is open.

2.6 When the period fixed –

- (a) by these Rules;
- (b) any practice direction; or
- (c) by any order,
for doing any act which does not need to be done at Tribunal ends –
 - (i) on a Saturday or Sunday;
 - (ii) on any public holiday; or
 - (iii) on Carnival Monday or Carnival Tuesday,
it must be done on the next ordinary business day

2.7 TIME – VACATIONS

- (1) During the long vacation time prescribed by these Rules for serving any
Particulars of Complaint or amendment thereof other than the
complainant's Particulars of Complaint served with his Complaint Form
does not run.
- (2) However, this rule does not override any order of the Tribunal which
specifies a date for service of a Particulars of Complaint.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

MEANING OF MONTH

- 2.8 Where “month” occurs in any order or any other document, it means a calendar month.

DOCUMENTS

- 2.9 (a) So far as is practicable, every document prepared for use in the Tribunal must be on “letter size” paper; approximately 11 inches long by 8.5 inches wide. Margins of 1” (25mm) must be left at top and bottom and 1.5” (33mm) at each side.
- (b) Every document to be filed at the Tribunal must be headed with the title of the proceedings and –
- (i) a description of the document;
 - (ii) a statement of the nature of the case;
 - (iii) be endorsed with the name;
 - firm name
 - bar number
 - address
 - telephone and fax numbers (if any); and
 - E-mail address (if any),
of the attorney-at-law filing the document, and where an advocate attorney has been instructed,
 - the name;
 - bar number;
 - telephone and fax numbers (if any); and
 - E-mail address (if any) of that advocate

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

3. ADMINISTRATION

- 3.1 There shall be a Registry for the Tribunal in Chaguanas and in any other place as may hereafter be determined by the Judge/Chairman.
- 3.2 The Registry shall be under the control and direction of the Registrar. In exercising that control and direction, the Registrar is to have regard to any direction by the Judge/Chairman.
- 3.3 The Seal of the Tribunal shall be an impressed Seal with the wording “Seal Equal Opportunity Tribunal”.
- 3.4 Orders of the Tribunal (or copies of them) when issued out of the Tribunal and Summons / Warrants of the Tribunal shall be sealed with the seal of the Tribunal.
- 3.5 The places, dates and times of the sittings of the Tribunal are to be published if, and in such manner, as the Judge/Chairman directs.
- 3.6 The Tribunal shall observe the same vacation periods as the Supreme Court of Judicature of Trinidad and Tobago.
- 3.7 This Rule does not affect any right to leave or extended leave, of the Judge/Chairman or other members of the Tribunal.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

3.8 The offices of the Tribunal shall be open on every day of the year except –

- (a) Saturdays and Sundays;
- (b) Carnival Monday and Carnival Tuesday;
- (c) Public Holidays;
- (d) The next working day after Christmas day; and
- (e) Tuesday after Easter,

between 8 a.m. and 4 p.m. However, if the Judge/Chairman gives directions as to opening at other times and other days, the Registrar shall follow those directions.

4. THE REGISTRAR

4.1 The Registrar shall keep the books, files and other records of the Tribunal, and is to ensure that the appropriate entries are made in them. The Registrar shall retain custody of all documents filed in any proceedings.

4.2 The Registrar shall issue and sign all process of the Tribunal.

4.3 The Registrar shall keep an account of all fees, fines and money paid or payable into the Tribunal, give such receipts as are required under any law, and pay out any money to which a party is entitled. In addition, the Registrar may be authorised by the Judge/Chairman to open, operate and maintain an account at a commercial bank in Trinidad and Tobago in the name of the Tribunal for the safe keeping of moneys collected.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 4.4 The Registrar shall produce to an officer authorised by the Auditor General any book, file, or other record kept by the Registrar (whether or not it is a book of account) which the officer requires to be produced in the course of the officer's duties.
- 4.5 The Registrar may delegate any of the functions referred to in sub-rules 4.1 – 4.4 to any proper officer in the Registry as the Registrar sees fit.
- 4.6 The Registrar may tax bills of costs when required to so do by the Tribunal.
- 4.7 The Tribunal may by order direct the Registrar or any other officer of the Tribunal to do or to refrain from doing, in any proceedings, any act relating to the duties of the officer's office.
- 4.8 If the Registrar gives a direction, makes an order or does any act in any proceedings, the Tribunal may, on application by any party or on its own accord, review the direction, order or act, and make such order by way of confirmation, variation, discharge or otherwise as the Tribunal directs.

5. INITIATION OF PROCEEDINGS

- 5.1 Proceedings are begun/initiated by filing at the Registry the original and two copies of the following documents.
- (a) A letter from the Equal Opportunity Commission (EOC) in accordance with Section 39 (2) of the Act indicating that the complaint remains unresolved and the EOC has fulfilled the requirements set out in Subsection 1 (a) to (d)

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

of the Act and that the Complainant consents in writing to the matter being referred to the Tribunal.

(b) A copy of the published report of the EOC.

5.2 A Notice of Application (Form 4) shall –

- (a) include the title of the proceedings;
- (b) include a full description of the nature of the application;
- (c) specify any remedy that is being sought;
- (d) state the name and address of all persons intended to be served with the notice of application;
- (e) be accompanied by an affidavit outlining the evidence in support of the application;
- (f) a draft order must accompany the notice of application.

6. SERVICE

- 6.1 A sealed Complaint Form with Particulars of Complaint (Form 1) must be personally served on each Respondent together with all accompanying documents as directed by the Tribunal.
- 6.2 A sealed Notice of Application must be personally served on each Respondent together with supporting affidavits/s and all accompanying documents within 7 days of filing.
- 6.3 A copy may be delivered to a person by handing it to the person or by leaving it in the person's presence and informing the person of its nature.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 6.4 Except where personal service is required, service on a party may be effected by delivering a copy, at the residence or place of business of the party, to a person apparently not less than 16 years old and apparently residing at that residence or employed at that place of business.
- 6.5 For service of a document to be regular it is not necessary for the original to be produced to any person.
- 6.6 Documents other than a sealed complaint and / or a sealed Notice of Application may be served on a party by the Complainant/Applicant or his agent unless the Tribunal orders otherwise.
- 6.7 Where a document other than those referred to in subrule 6.6 is to be served on any person, it may be served by any of the following methods:
- (a) personal service in accordance with rule 6.1 – 6.3;
 - (b) registered mail
 - (c) delivery by courier service
 - (d) facsimile transmission; or
 - (e) E-mail.
- 6.8 If a party has given an address at which documents for him shall be served, the documents must be delivered or posted to him at that address.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 6.9 If a party has given a facsimile transmission number in his address for service the documents shall be sent to him by facsimile transmission to that number.
- 6.10 If a party to be served has not given an address at which documents for him shall be served, documents shall be served at –
- (a) the business address of any attorney who purports to act for him in the proceedings;
 - (b) in the case of an individual, his usual or last known place of residence; or
 - (c) in the case of a proprietor of a business, either –
 - (i) his usual or last known place of residence; or
 - (ii) his place or last known place of business
- 6.11 A party may change the address for service by filing and serving a notice of change showing the new address for service.
- 6.12 Service cannot be effected on a Sunday or any public holiday unless authorised by the Judge/Chairman.
- 6.13 In case of doubtful service, the Tribunal may not allow any fresh steps in proceedings to be taken against a party, and may adjourn or strike out the proceedings, or order fresh process to issue, as it considers just.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

6.14 In sub rule 6.13 “doubtful service” refers to a case where service of any document on a party has not been personal, and the Tribunal is satisfied on the evidence before it that the document either did not come to the knowledge of the party within reasonable time, or on that evidence, that the service is in doubt.

6.15 If for any reason it is impractical to effect service of a document on a person in any of the modes prescribed in this rule for that service, the Tribunal may, on application supported by an affidavit showing grounds, direct that, instead of service, such step be taken as specified in the order for the purpose of bringing the document to the notice of the person.

6.16 If the Tribunal makes an order under sub rule 6.15, it may order that service be taken to be effected on the happening of any specified event, or on the expiry of any specific time.

6.17 If it is impractical for any reason to effect service of a document, but steps have been taken for the purpose of bringing the document to the notice of the party, the Tribunal may, if it thinks fit, direct that the service be deemed to have been effected on a date specified in the order.

6.18 The Tribunal may dispense with service of a document if it is appropriate to do so.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 6.19 If an attorney or someone employed by that attorney endorses on any process a note that he accepts service of the process on behalf of any person, process is taken to have been duly served on the person on the date which a copy of the process was delivered to the attorney or left at the attorney's office.
- 6.20 Delivery of a copy of a document in proceedings to a party's attorney, or leaving a copy at the attorney's office, or sending a copy by registered post addressed to the attorney at the attorney's office, is taken to be good service of the document on the party as on the day when the copy is delivered or left, or would have been delivered in the ordinary course of post, as the case may require.
- 6.21 Delivery by any particular electronic means to the attorney's office of a reproduction of the document or copy, is sufficient service on that party as on the day after that delivery, if the attorney has indicated in writing that delivery by those means is acceptable as service.
- 6.22 Subrule 6.20 – 6.21 apply in a case where a party has on the record of any proceedings an attorney acting for him. These subrules do not apply to or in respect of the service of any Complaint Form or document if that service must be personal.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

6.23 For the purposes of the proof of service, evidence of a statement by a server of the person's identity, or that the person holds some office, as evidence of that identity, as the case may be, shall be admissible.

6.24 Service on a company incorporated and/or continued under the Companies Act 1995 which is a party in proceedings may be effected by delivery to a director, company secretary, officer, receiver, receiver-manager or liquidator or the manager of the company, or its registered office.

6.25 Subrule 6.24 applies where no other law applies to service on a company.

6.26 If a person is carrying on business within Trinidad and Tobago under a business name not registered under the Registration of Business Names Act, Chap. 82:05, any process or document relating to any proceedings may be served on such person –

- (a) by leaving it at a place within Trinidad and Tobago where the business is carried on with someone apparently engaged (whether employee or otherwise) in the business and apparently not less than 16 years old; or
- (b) by sending it by registered mail addressed to the business name, or to the person at a place within Trinidad and Tobago where the business is carried on.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

6.27 Subrule 6.26 applies whether or not the person is named in the proceedings in his name or in the business name.

6.28 Service in accordance with subrule 6.26 has effect as personal service.

6.29 Subrules 6.26 – 6.28 does not limit the operation of the Registration of Business Names Act, or any other Act or regulation relating to service.

7. APPEARANCE

7.1 If the Respondent wishes to dispute the complaint or to dispute the Tribunal's jurisdiction, he must enter an appearance (Form 2) giving notice of intention to defend within 8 days after service of the Complaint Form and Particulars of complaint.

7.2 However, he need not enter an appearance if he files a defence (Form 3) within the time prescribed by the Tribunal.

7.3 Failure to file a defence within the time stipulated to so do may result in the Tribunal dealing with the matter in his absence.

7.4 An Appearance must state the date on which the Respondent received the Complaint Form and Particulars of complaint.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 7.5 A Respondent may state in an appearance that he admits all or part of the complaint.
- 7.6 A Respondent who admits part of a complaint must state what part/s of the complaint he admits.
- 7.7 Where a Respondent admits all or part of a complaint he may file with his appearance his proposals for settlement of the entire complaint or the part/s that he admits.
- 7.8 If a Respondent admits part only of the complaint he must also file a defence as to those parts of the complaint he disputes within the time for filing a defence.
- 7.9 An Appearance must be signed by the Respondent or his attorney.
- 7.10 The Respondent must include in an appearance an address to which documents may be sent.
- 7.11 That address must be within 3 miles of the Tribunal's office at which the complaint was issued.
- 7.12 A Respondent who enters an appearance does not by doing so lose any right that he may have to dispute the Tribunal's jurisdiction.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

7.13 A Respondent who wishes –

- (a) to dispute the Tribunal's jurisdiction to try the complaint; or
- (b) to argue that the Tribunal should not exercise its jurisdiction, may apply to the Tribunal by notice for an order declaring that it has no such jurisdiction or should not exercise any jurisdiction which it may have.

7.14 A Respondent who wishes to make such an application must first enter an appearance.

7.15 An application under this subrule must be made within the period for filing a defence.

7.16 An application under subrule 7.15 must be supported by evidence.

7.17 If the Respondent –

- (a) enters an appearance; and
- (b) does not make such an application within the period for filing a defence, he is treated as having accepted that the Tribunal has jurisdiction to try the complaint and is precluded from making any such application during the proceedings.

8. DEFENCE

8.1 A Respondent who wishes to defend all or part of a complaint must file a defence within the time stipulated by the Tribunal.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 8.2 If a Respondent fails to file a defence within the period for filing a defence, the Tribunal may proceed to deal with the complaint in his absence.
- 8.3 A Respondent may apply for an order extending time for filing a defence.
- 8.4 The parties to the proceedings may agree to extend the period for filing a defence up to a maximum of 2 months after the date of service of the complaint form and particulars of complaint.
- 8.5 Only one agreement to extend the time for filing a defence may be made, and the Respondent must file details of such an agreement.
- 8.6 Any further extensions may only be made by an order of the Tribunal.
- 8.7 When a Respondent files a defence, he must also serve a filed copy on all other parties.
- 8.8 The Respondent must include in his defence a statement of all the facts on which he relies to dispute the complaint against him.
- 8.9 In his defence the Respondent must say –
- (a) which (if any) allegations in the complaint form and/or particulars of complaint he admits;
 - (b) which (if any) he denies; and

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- (c) which (if any) he neither admits nor denies, because he does not know whether they are true, but which he wishes the complainant to prove.

8.10 Where the Respondent denies any of the allegations in the complaint form and/or particulars of complaint –

- (a) he must state his reason for doing so; and
- (b) if he intends to prove a different version of events from that given by the complainant, he must state his own version.

8.11 If, in relation to any allegation in the complaint form and/or particulars of complaint the Respondent does not –

- (a) admit or deny it; or
- (b) put forward a different version of events, he must state each of his reasons for resisting the allegation.

8.12 The Respondent must identify in or annex to the defence any document which he considers to be necessary to his defence.

8.13 The Respondent may not rely on any allegation which he did not mention in his defence, but which he should have mentioned there, unless the Tribunal gives him permission to do so.

8.14 The Tribunal may give the Respondent such permission on an Application Hearing.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

8.15 Where the defence is filed by an attorney it must –

- (a) be signed by the attorney;
- (b) give his name and business address, telephone number and facsimile transmission number (if any) and his E-mail address (if any);
- (c) if that address is not within 3 miles of the Tribunal's office where the complaint form was issued, give an address for service within that distance.

8.16 Where the defence is filed by the Respondent personally (or in the case of a body corporate by an officer of that corporate), it must give an address at which documents may be served, unless he has filed an appearance which includes such an address.

8.17 The address must be within 3 miles of the Tribunal office where the complaint form was issued.

8.18 The Respondent must certify on the defence that he believes that its contents are true.

8.19 If it is impractical for the Respondent to give the certificate required by subrule 8.18 it may be given by his attorney.

8.20 If the certificate is given by the attorney he must also certify the reasons why it is impractical for the Respondent to give the certificate and that the certificate is given on the Respondent's instructions.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

9. DIRECTIONS HEARING

9.1 A Directions hearing may be held to deal with any of the following –

- (a) Establishing timelines for the filing and service of the Complaint Form, Particulars of Complaint, Defence and Reply
- (b) determining the length and schedule of the hearing;
- (c) determining whether the hearing will be conducted orally or in writing or a combination of both;
- (d) hearing preliminary and interim applications, including applications to dismiss for non-compliance;
- (e) addressing procedural issues;
- (f) identifying and defining issues;
- (g) arranging for the production and exchange among parties of all documents relevant to the proceeding;
- (h) identifying witnesses and establishing time frames for filing and service of witness statements;
- (i) establishing facts or evidence that may be agreed on;
- (j) determining whether the matter may benefit from an alternative dispute resolution process (e.g. mediation) to resolve the issue/s before the Tribunal prior to the date set for the hearing; and
- (k) any other matters that may assist in the just and expeditious disposition of the proceedings.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 9.2 Any representative attending a directions hearing must have the authority to make procedural and /or other agreements and give undertakings respecting the matters to be addressed.
- 9.3 There shall be an adjourned directions hearing to determine whether all directions given were carried out and to fix a date for hearing.

10. ADJOURNMENTS

- 10.1 If, after the date of hearing of any proceedings has been fixed, the parties want an adjournment, they must communicate with the Tribunal at least 7 days before the date of hearing or its continuance, stating the grounds for an adjournment. However, such a request for an adjournment, though by consent of the parties, may not necessarily be granted. If an adjournment is sought at a late stage, the Tribunal may order the payment of costs. In granting or refusing an adjournment the Tribunal may impose such conditions as it considers appropriate.

11. APPLICATIONS FOR INTERIM REMEDIES

- 11.1 This Rule applies to applications for interim remedies in relation to proceedings before the Tribunal and includes an application for –
- (a) an interim injunction; or
 - (b) an interim order or declaration.
- 11.2 An application for an interim remedy shall be made by filing in the Registry of the Tribunal the following documents -
- (a) Notice of application (Form 4);
 - (b) Affidavit/s and other documents in support of the application; and
 - (c) A draft of the order sought.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

11.3 Once the documents are filed as required by subrule 11.2 the Registry shall as soon as practicable submit all filed documents to the Judge/Chairman for consideration of the application and hearing thereof.

11.4 Every application for an interim remedy shall –

- (a) state the precise relief/s sought;
- (b) state the grounds to be argued, including a reference to any statutory provision or rule to be relied on;
- (c) list and exhibit the documentary evidence to be used at the hearing of the application;
- (d) name each party to be affected by the order which is sought; and
- (e) indicate any previous order made by the Tribunal in connection with the subject matter of the application.

11.5 If an application for an interim remedy is required to be served, it must, unless the Tribunal otherwise orders, be served not less than 3 clear days before the date fixed for the hearing of the application.

11.6 Nothing in these rules shall prohibit the Tribunal from ordering that time be abridged or extended for the service of an interim application.

11.7 A hearing date shall be obtained from the Registry before the application is served and it shall be endorsed on the copies for service.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 11.8 Unless the Tribunal permits oral evidence, the evidence in the hearing of an interim application shall be by affidavit. A party who intends at the hearing to rely on any affidavit must file the affidavit in the proceeding and serve a copy on every other interested party (except a person on whom service is dispensed with in accordance with these rules) not less than 2 days before the hearing or within such period as the Tribunal may order.
- 11.9 Every affidavit shall be endorsed with a note showing on whose behalf it is filed and the dates of swearing and filing, and an affidavit which is not so endorsed, must not be filed or used without leave of the Tribunal.
- 11.10 The Tribunal, on the hearing or adjourned hearing of any interim application, may make or refuse the order sought and may make such order or give directions as may be just.
- 11.11 An interim application in relation to any proceedings shall include, as far as practicable, all or as many applications as the applicant may wish to make in relation to the proceedings and having regard to the nature of the proceedings, can conveniently be dealt with at the same time.
- 11.12 On the hearing or the adjourned hearing of the interim application, a respondent is at liberty to make an application for an order in relation to the proceedings.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

11.13 The Tribunal may either grant or refuse the order applied for by the respondent, and give such directions as may be just, or may adjourn the hearing of the application and direct that notice to be given of the application.

11.14 If the Tribunal grants or refuses any order upon the hearing or adjourned hearing of an interim application, it may do so on terms.

12. MEDIATION

12.1 In accordance with Section 47 of the Act, the Tribunal encourages parties to consider mediation as a viable tool to settle their matter. If agreed to by the parties mediation shall be conducted in confidence by a member of the Tribunal. If no settlement is reached the hearing will take place with no reference to the information disclosed during the mediation, except with the consent of the parties. The Tribunal member who conducted the mediation may not sit or continue to sit as a member of the coram exercising jurisdiction to hear and determine the matter.

12.2 Where parties consent to mediation, the proceedings will stand adjourned to enable the mediation to be conducted, unless the Tribunal considers that, in all the circumstances, they should not be adjourned.

12.3 The member of the Tribunal to whom a matter is referred for mediation –

- (a) shall, within 7 days of being notified of the referral, in writing, appoint a time and place for mediation;
- (b) may appoint a preliminary meeting of the parties; and

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- (c) may give directions relating to preparations for the conduct of the mediation.
- 12.4 A mediation session shall be attended by each party or, by a representative having the necessary authority to settle the matter.
- 12.5 Other persons may attend a mediation session with leave of the mediator.
- 12.6 The mediator shall within 7 days of the conclusion of the mediation, advise the Tribunal of that fact but not the details thereof.
- 12.7 The parties may advise the Tribunal of the terms agreed between them, or any agreement or arrangement arrived at or arising out of mediation.
- 12.8 A mediator may terminate a mediation.
- 12.9 A party may terminate a mediation at any time by giving notice of the termination to the Tribunal, the mediator and every other party.
- 12.10 If a mediation is terminated, the proceedings are to be sent to the Judge/Chairman for further directions, if necessary.
- 12.11 All documents submitted and all statements made at the mediation are confidential and without prejudice.
- 12.12 Any confidential documents used at the mediation shall –
- (a) not be accessible to the public;

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- (b) be returned to the party who submitted the documents after the mediation;
- (c) not be considered to be filed in the proceedings; and
- (d) not part of the record.

13. HEARING PROCEDURE

- 13.1 Every party to a complaint, must file a written submission (5 copies) with the Registry of the Tribunal and serve a copy on every other party at least 7 days before the date of hearing.
- 13.2 A written submission shall contain -
- (a) a summary of the facts and evidence to be relied on by the party; and
 - (b) a list of witnesses to be called on by the party and a summary of the evidence of each witness including photographs and other relevant documents.
- 13.3 Unless the Tribunal directs otherwise, at the beginning of every hearing the complainant or his attorney may give a brief opening statement that describes the issues that he will address at the hearing. The statement may further include an outline of the evidence he intends to introduce, a list of witnesses, the topics to be covered and the expected amount of time required to so do.
- 13.4 After the complainant presents his case the respondent may then present his evidence to the Tribunal, make his closing submission, with the complainant having the right to reply.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 13.5 The closing submissions and reply may be oral or in writing or a combination of both, as directed by the Tribunal.
- 13.6 If two or more proceedings before the Tribunal involve the same or similar facts, law or policy, the Tribunal may, with the consent of the parties, combine the proceedings or any part of them or hear the proceedings at the same time.
- 13.7 A witness having technical or special knowledge, who is retained by any of the parties before the Tribunal to give evidence shall provide a written curriculum vitae of his qualifications and experience, and file same at the Registry of the Tribunal at least 7 days prior to the hearing.
- 13.8 Witness summonses (Form 5) must be served no later than 7 working days before the date of hearing, except where the witness would attend willingly, and the issue of a summons is a matter of form, the Tribunal will not normally issue a witness summons less than 5 working days before the date of hearing.

14. EVIDENCE

- 14.1 The Tribunal shall admit any relevant oral or documentary evidence that is not privileged. Relevant evidence means evidence having any tendency to make the existence of any fact that is of consequence to the administration of the proceeding more probable or less probable than it would be without the evidence. The Tribunal may, however, exclude evidence if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issue, or consideration of undue delay, waste of time, or needless presentation or repetition.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

14.2 The fact that evidence is deemed admissible does not mean that it will be determinative of the issue.

14.3 Where there is full compliance with the Evidence Act and with any legislation dealing with privilege, the Tribunal may limit introduction of evidence or issue such protective or other order that in its judgement is required to prevent undue disclosure of classified, confidential or sensitive matters including but not limited to matters of national security, business or of a personal or proprietary nature.

14.4 Where the Tribunal determines that information in documents containing classified, confidential or sensitive matters should be made available to another party, the Tribunal may direct the party to prepare an unclassified or non-sensitive summary or extract of the original. The summary or extract may be admitted as evidence in the record.

14.5 If the Tribunal determines that the procedure described at subrule 14.4 is inadequate and that classified or otherwise sensitive matters must form part of the record in order to avoid prejudice to a party, the Tribunal may advise the parties and provide opportunity for arrangements to permit a party or representative to have access to such matters.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

14.6 The Tribunal may accept and enter into the record direct testimony of a witness made by a written witness statement rather than by oral presentation at the hearing. A witness whose testimony is presented by a witness statement shall be available for cross-examination, as may be required.

14.7 A witness statement must –

- (a) give the name, address and occupation of the witness;
- (b) be dated;
- (c) be signed by the intended witness;
- (d) as far as reasonably practicable, be in the intended witness's own words;
- (e) sufficiently identify any document to which the statement refers without repeating its contents unless this is necessary in order to identify the document;
- (f) not include any matters of information or belief which are not admissible and, where admissible, must state the source of such information or belief of any matters of information or belief; and
- (g) include a statement by the intended witness that he believes the statements of fact in it to be true.

14.8 The Tribunal may order that any inadmissible, scandalous, irrelevant or otherwise oppressive matter be struck out of any witness statement. In addition the Tribunal may on application by a party to the proceedings grant leave for that party to file, serve and use a supplemental witness statement in circumstances where further matters on which the witness can give evidence arises or become relevant or known to the party after his witness statement has been served.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 14.9 Cross-examination shall be limited to the scope of the direct evidence and subject to the discretion of the Tribunal, and shall always be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Cross-examination will be permitted to the extent necessary for full and true disclosure of the facts. The Tribunal may, in the exercise of its discretion, permit inquiry into additional matters as if on direct evidence.
- 14.10 Evidence of a confidential or sensitive nature or evidence so deemed can with the leave of the Tribunal, be heard in camera.
- 14.11 A technical witness is a person who gives scientific and technical observations, tests, measurements and estimates. He may be able to collect this information because of special training and expertise, but he is not an expert who interprets scientific and technical evidence and provides opinions.
- 14.12 An expert witness is someone who has specialised education, training and experience that qualifies him to reliably interpret scientific or technical information or to express opinions about matters for which untrained or inexperienced persons cannot provide reliable opinions.
- 14.13 The Tribunal expects the witness giving technical and / or expert evidence to remain within their area of competence, and to disclose in their witness statements all tests, observations and data relating to the issues in the matter, regardless of which party the information appears to favour.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

15. STAY

- 15.1 A party against whom a judgement has been given or an order made may apply to the Tribunal for a stay of execution of the judgement or order or other relief on the ground of matters which have occurred since the date of the judgement or order, and / or pending the filing of a notice of appeal.
- 15.2 Upon an application for a stay, the Tribunal may –
- (a) make an order staying the judgement or order;
 - (b) dismiss the application for a stay;
 - (c) issue directions on procedure, inviting submissions from all affected persons on whether or not a stay should be granted.

16. JOINDER OF PARTIES AND INTERVENTIONS

- 16.1 Where any matter or issue connected with the subject matter of the proceedings should be determined not only as between the original parties but also as between either or both of them and a person not already a party, such person may make an application to intervene in the proceedings or may be joined as a party on the application of any party.
- 16.2 Such application to intervene or to join or be joined shall be by notice supported by affidavit/s and shall contain particulars of the person's interest in the subject matter of the proceedings.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 16.3 In order to make a determination of an application to intervene, the Tribunal shall consider whether –
- (a) the applicant’s participation will materially assist the Tribunal in determining the matter by providing testimony, cross-examining witnesses, or offering arguments or other evidence directly relevant to the matters and whether the applicant has a sufficient interest in the subject matter of the proceeding and his intervention will not unnecessarily delay the progress of the matter;
 - (b) the applicant’s position is or is not supportive of the proceedings;
 - (c) the applicant will not repeat or duplicate evidence presented by other parties; and
 - (d) if the application is late, there are satisfactory reasons therefore.

17. DISCONTINUANCE OR WITHDRAWAL

- 17.1 A party may, with the leave of the Tribunal or the consent of the other parties, discontinue or withdraw the whole or any part of the proceedings brought by him.
- 17.2 A respondent may with the consent of the complainant and all other parties, have the proceedings withdrawn.
- 17.3 A discontinuance or withdrawal shall be made by filing in the Registry of the Tribunal, a notice stating the extent of the discontinuance or withdrawal (Form 6).

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 17.4 If the discontinuance or withdrawal is by consent, the consent shall be endorsed by each consenting party on the notice before filing.
- 17.5 Where leave of the Tribunal is sought to discontinue or withdraw, an application in that behalf shall be made and notice of such application shall be served on all parties.

18. AMENDMENTS TO PLEADINGS

- 18.1 Amendments to pleadings (Particulars of Complaint, Defence, Reply) may be made with leave of the Tribunal prior to a date of hearing being fixed.
- 18.2 However, once a date of hearing has been fixed by the Tribunal, applications for leave to amend pleadings would only be entertained in exceptional circumstances.

19. BURDEN OF PROOF

- 19.1 In a case in which the Tribunal hears evidence, any party offering such evidence shall have the burden of introducing appropriate evidence to support its position. Where there is conflicting evidence, the Tribunal shall decide which evidence to accept and generally act on the preponderance of the evidence.

20. COSTS

- 20.1 Any party to a proceeding before the Tribunal may make an application for an award of costs on a application for interim remedy or on the conclusion of the final hearing of a matter.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- 20.2 No party shall be entitled to any recovery costs of or incidental to any proceedings from any other party to the proceedings, except under an order of the Tribunal.
- 20.3 An order for costs of an application for an interim remedy may be assessed by the Tribunal or may be sent to the Registrar to be assessed.
- 20.4 An order for costs at the conclusion of a final hearing and determination of a matter would be dealt with on the basis of prescribed costs as follows:
- (a) where the compensation awarded does not exceed \$30,000 the amount of costs to be awarded would be 30%
 - (b) exceeds \$30,000 but not exceeding \$50,000. 25%
 - (c) exceeds \$50,000 but not exceeding \$100,000. 20%
 - (d) exceeds \$100,000 a flat rate of 15% shall apply
 - (e) where no compensation is awarded by the Tribunal but an order or declaration is made in favour of a complainant a value of \$50,000 shall be assumed and the complainant would be entitled to 25% of the value as his costs.

21. SITE VISIT AND INSPECTION

- 21.1 The Tribunal may make one or more site visits or inspections to better understand the evidence given at the hearing, and may in each case issue directions for the procedures to be followed during the site visit or inspection.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

22. DECISIONS, JUDGEMENTS AND ORDERS OF THE TRIBUNAL

- 22.1 In this Rule “order” includes a decision or judgement;
- 22.2 The Tribunal may at any stage of any proceedings, on the application of any party, make such order as the nature of the case requires.
- 22.3 The Tribunal may do so even if the applicant did not make a claim for relief extending to that order.
- 22.4 (i) A minute of the final order disposing of the proceedings shall be signed, sealed and filed by the Registrar
- (ii) The Registrar shall prepare, sign and seal a minute of any other order when directed to do so by the Tribunal.
- 22.5 A final order disposing of any proceedings takes effect when it is made or given, unless otherwise ordered by the Tribunal.
- 22.6 An order, which requires a person to do an act other than the payment of money, shall specify the time within which the person is required to do the act.
- 22.7 The time shall be 7 days after the date of service of a copy of the order on the person required to do the act, unless the Tribunal otherwise orders.
- 22.8 The Tribunal may, by a later order, require the person to do the act within another specified time.
- 22.9 The Tribunal may, on terms, set aside or vary an order in any of the following cases:

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

- (a) if the order has been made in the absence of a party, whether or not the absent party is in default of appearance or otherwise in default, and whether or not the absent party had notice of the matter on which the order was made;
- (b) the absent party is required to make an application or set aside an order within 7 days of the said order being made;
- (c) however, if the order was obtained by fraud or the other party/ies consents then the Tribunal may be minded to deal with the application to vary or set aside an order, even though it may be made after the seven day period as outlined in rule 22.9 (b).

23. CASES ORIGINATING IN TOBAGO

- 23.1 All cases that originate in Tobago shall be dealt with in Tobago except when the matter is referred to the Tribunal by the Equal Opportunity Commission in accordance with Section 39(2) of the Act.

24. APPLICATION OF CIVIL PROCEEDINGS RULES

- 24.1 In any case where the foregoing rules do not expressly provide, the existing rules of the Supreme Court of Trinidad and Tobago shall apply *mutatis mutandis*.


25. APPEALS FROM THE DECISION OF THE TRIBUNAL

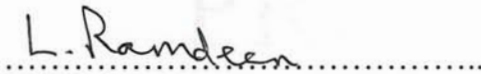
- 25.1 A party wishing to appeal a decision of the Tribunal shall comply with the provisions of section 50 of the Act and Part 64 of the Civil Proceedings Rules 1998 of the Supreme Court of Judicature as amended.

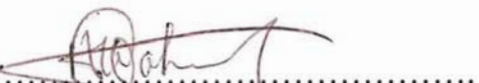
792—Continued

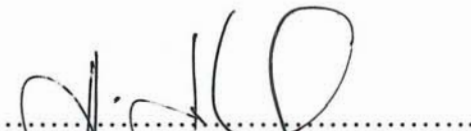
RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

Made by the Judge/Chairman with the concurrence of the Lay Assessors of the
Equal Opportunity Tribunal this 28th day of January, 2016.



.....
His Honour Mr. Rajmanlal Joseph
JUDGE/CHAIRMAN


.....
Her Honour Ms. Leela Ramdeen
Lay Assessor


.....
His Honour Mr. Haridath Maharaj
Lay Assessor


.....
Mr. Narendra Lalbeharry
Registrar
Registrar
Equal Opportunity Tribunal

Approved by His Excellency the President of the Republic of Trinidad and
Tobago this eighteenth day of May..... 2016


.....
HIS EXCELLENCY
Anthony Thomas Aquinas Carmona O.R.T.T., S.C.
PRESIDENT

792—*Continued*

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

PRESCRIBED FORMS

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

FORM No. 1

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE EQUAL OPPORTUNITY TRIBUNAL

(Referred pursuant to S. 39(2) of the Equal Opportunity Act 2000 as amended by Act No. 5 of 2001)

E.O.T. No. OF 20

BETWEEN

Complainant

AND

Respondent

COMPLAINT FORM

The Complainant () of () complains
against

give full names/s

give full address

the Respondent () of () (set out briefly

give full names/s

give full address

the nature of the complaint and the remedy requested)

PARTICULARS OF COMPLAINT

(Set out full particulars of the complaint)

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED**Certificate of Consent and Truth**

I/we hereby consent to this complaint being referred to the Tribunal and that the contents of this complaint are true and that I am entitled to the remedy requested.

SIGNED:
Complainant/s

SIGNED:
Attorney-at-Law for the Complainant

The Tribunal office is at #55-57 Manic Street, Chaguanas, 500621, Telephone Number 672-2929. The office is open between 8:00am and 4:00pm Monday to Friday except public holidays and court holidays.

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

FORM No. 2

REPUBLIC OF TRINIDAD AND TOBAGO

APPEARANCE TO COMPLAINT

IN THE EQUAL OPPORTUNITY TRIBUNAL

(Referred pursuant to S. 39(2) of the Equal Opportunity Act 2000 as amended by Act No. 5 of 2001)

E.O.T. No. OF 20

BETWEEN

Complainant

AND

Respondent

APPEARANCE

Please enter appearance for
State name(s) of Respondent(s)

WARNING: If this form is not fully completed and returned to the Tribunal at the address below
 within **EIGHT** days of service of the complaint on you, the complainant will be entitled
 to have the matter dealt with by the Tribunal in your absence.

- | | |
|---|-------------------|
| 1. Have you received the complaint form with the above number? | YES / NO |
| 2. If so, when? |/...../..... |
| 3. Did you also receive the complainant's particulars of complaint? | YES / NO |

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

4. If so, when?/...../.....
5. Are your names properly stated on the complaint form? YES / NO
If not, what are your full names:
6. Do you intend to defend the complaint? YES / NO
If so, you must file a defence with **28 days** of the service of the complaint on you.
7. Do you admit the whole of the complaint? YES / NO
If you do, you shall be contacted by the Registrar within **14 days** of the filing of this appearance.
8. Do you admit any part of the complaint? YES / NO
9. If so, how much do you admit?
10. What is your own address?
11. What is your address of service:
If you are acting in person you must give an address within 3 miles of the Tribunal's Office to which documents may be sent either from other parties or from the Tribunal. You should also give your telephone number, Fax number and e-mail address, if any.

Dated

Signed

(Respondent in person) (Respondent's Attorney-at-law)

The Tribunal office is at #55-57 Manic Street, Chaguanas, 500621, Telephone Number 672-2929. The office is open between 8:00am and 4:00pm Monday to Friday except public holidays and court holidays.

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

FORM No. 3

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE EQUAL OPPORTUNITY TRIBUNAL

(Referred pursuant to S. 39(2) of the Equal Opportunity Act 2000 as amended by Act No. 5 of 2001)

E.O.T. No. OF 20

BETWEEN

AND

Complainant

Respondent

DEFENCE

I dispute the complaint on the following grounds:

I certify that all the facts set out in my defence are true to the best of my knowledge,
information and belief. My address for service is:

.....

Telephone No.: Fax No.: E-mail address:

Signed:.....
(Respondent)

Dated:.....

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

We are acting for the Respondent, our address for service is:

.....

Signed:.....
(Attorney-at-law for Respondent)

The Tribunal office is at #55-57 Manic Street, Chaguanas, 500621, Telephone Number 672-2929. The office is open between 8:00am and 4:00pm Monday to Friday except public holidays and court holidays.

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

FORM No. 4

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE EQUAL OPPORTUNITY TRIBUNAL

(Referred pursuant to S. 39(2) of the Equal Opportunity Act 2000 as amended by Act No. 5 of 2001)

E.O.T. No. OF 20

BETWEEN

Complainant

AND

Respondent

NOTICE OF APPLICATION

The (Complainant) (Respondent) applies to the Tribunal for an order that:-

A draft of the order that I seek is attached.

The grounds of the application are –

I/We hereby certify that the facts stated above are true to the best of my/our knowledge,
information and belief.

(An affidavit in support accompanies this application)

Dated:

Signed: (Attorney-at-law for) (Complainant)
(Respondent)

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED**NOTICE:**

This application will be heard by the Tribunal on the
Day of 20... at am/pm at the Tribunal's courtroom at the
undermentioned address.

If you do not attend this hearing an order may be made in your absence.

**N.B. This notice of application must be served as quickly as possible on the respondent
to the application.**

The Tribunal office is at #55-57 Manic Street, Chaguanas, 500621, Telephone Number
672-2929. The office is open between 8:00am and 4:00pm Monday to Friday except
public holidays and court holidays.

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

FORM No. 5

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE EQUAL OPPORTUNITY TRIBUNAL

(Referred pursuant to S. 39(2) of the Equal Opportunity Act 2000 as amended by Act No. 5 of 2001)

E.O.T. No. OF 20

BETWEEN

Complainant

AND

Respondent

WITNESS SUMMONS

TO: (Witness name)

OF: (Witness address)

You are summoned to attend at the Equal Opportunity Tribunal at #55-57 Manic Street,
Chaguanas, at am on the
day of 20... .., the day fixed for the hearing of this complaint and from day to day till the
end of the trial to give evidence (and to bring with you and produce the following
documents):

Sum to be paid to witness: \$.....

Dated

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

This summons was issued on the application of the (Complainant) (Respondent) whose
Attorney-at-law is of
.....

Signed:.....

Telephone No.: Fax No.: E-mail address:

The Tribunal office is at #55-57 Manic Street, Chaguanas, 500621, Telephone Number
672-2929. The office is open between 8:00am and 4:00pm Monday to Friday except
public holidays and court holidays.

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

FORM No. 6

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE EQUAL OPPORTUNITY TRIBUNAL

(Referred pursuant to S. 39(2) of the Equal Opportunity Act 2000 as amended by Act No. 5 of 2001)

E.O.T. No. OF 20

BETWEEN

Complainant

AND

Respondent

NOTICE OF DISCONTINUANCE

TAKE NOTICE that the Complainant herein **HEREBY** discontinues all of this complaint against the Respondent/s herein following the complainant's application before His Honour Mr. Rajmanlal Joseph, who granted permission for the complainant to discontinue all of his complaint by order dated theday of, 20

Dated this..... day of, 20

Signed:
Complainant or his Attorney-at-law

The Tribunal office is at #55-57 Manic Street, Chaguanas, 500621, Telephone Number 672-2929. The office is open between 8:00am and 4:00pm Monday to Friday except public holidays and court holidays.

792—Continued

RULES OF PRACTICE AND PROCEDURE OF THE EQUAL OPPORTUNITY
TRIBUNAL 2016—CONTINUED

FORM No. 7

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE EQUAL OPPORTUNITY TRIBUNAL

(Referred pursuant to S. 39(2) of the Equal Opportunity Act 2000 as amended by Act No. 5 of 2001)

E.O.T. No. OF 20

BETWEEN

Complainant

AND

Respondent

REGISTRAR'S CERTIFICATE

(Issued pursuant to S. 48(2) of the Act)

By a judgment (or order) of this Tribunal dated the day of
....., 20..... it is adjudged (or ordered) that
(.....)
(give particulars of the judgment or order)

I HEREBY CERTIFY that the amount payable to..... by
..... in pursuance of the said judgment (or order) is
\$..... together with interest thereon at the rate of per cent per annum
until payment and together with costs which have been assessed at \$
Interest is payable on the said cost at the rate ofper cent per annum from the
..... day of, 20..... until payment.

Dated the day of, 20

REGISTRAR