

GREFFE
ROYAL COURT
1 6 SEP 1993
GUERNSEY

Guernsey Statutory Instrument 1993 No. 22

Board of Employment, Industry and Commerce

THE INDUSTRIAL DISPUTES (SUMMONSING OF
WITNESSES AND DOCUMENTS) ORDER, 1993

Made .13th.September..... 1993

Laid before the States 27th.October..... 1993

Coming into force 1st.October..... 1993

Under the powers conferred upon it by paragraph 17 of the Schedule to the Industrial Disputes and Conditions of Employment (Guernsey) Law, 1993, and in the exercise of all other powers enabling it in that behalf, the Board hereby makes the following Order:-

Summonsing of Witnesses.

1. The Industrial Disputes Tribunal ("the Tribunal") may summons any person to appear before it as a witness.

Summonsing of Documents.

2. The Tribunal may also summons any person to appear before it and to produce before the Tribunal any document, exhibit or other relevant item or material in his possession, custody or power.

Parties may require issue of summons.

3. On the request of any party to the proceedings, the Tribunal shall summons any person to appear before it under section 1 or 2 unless the Tribunal decides that-

- (a) in the case of a summons under section 1, the evidence to be given by the witness in question would be irrelevant;
- (b) in the case of a summons under section 2, the document, exhibit, item or material in question would be irrelevant.

Administration of oath.

4. The Chairman of the Tribunal may require any witness appearing before the Tribunal to take the oath or affirmation, which the Chairman may administer.

Form of summons.

5. Every summons shall be in writing and shall contain the following information-

- (a) the names of the parties to the proceedings;
- (b) the place where the proceedings are to be heard;
- (c) the date upon which and the time at which the witness is to appear;
- (d) the descriptions of any document, exhibit or other relevant item or material or any class thereof which the witness is to produce;

- (e) where the witness is summonsed to appear under section 3 on the request of any party to the proceedings, the name of that party.

Issue and service of summons.

6. A summons shall be issued under the hand of the Chairman or Secretary of the Tribunal and shall be served on the witness-

- (a) by being delivered to him or by being left at, or sent by registered post or recorded delivery service to, his usual or last known place of abode or employment; or
- (b) in any manner in which a document may be served under Part I of the Royal Court Civil Rules, 1989.

Interpretation.

7. The provisions of the Interpretation (Guernsey) Law, 1948(a) shall apply to the interpretation of this Order as they apply to the interpretation of an enactment.

Commencement.

8. This Order shall come into force on the 1st day of October, 1993.

(a) Ordres en Conseil Vol.XIII, p.355.

Citation.

9. This Order may be cited as the Industrial Disputes (Summoning of Witnesses and Documents) Order, 1993.

Signed 

D. Evans
President (for and on behalf of the Board).

Date ... *13th September 1993*

EXPLANATORY NOTE

The purpose of this order is to provide for the summoning of witnesses to appear before proceedings of the Industrial Disputes Tribunal, either to give testimony or to produce documents.