



INVESTMENTS AND SECURITIES TRIBUNAL (PROCEDURE) RULES 2021

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SCHEDULES



**INVESTMENTS AND SECURITIES TRIBUNAL
(PROCEDURE) RULES 2021**

In exercise of the powers conferred by section 290(1) of the Investments and Securities Act, 2007, and all other powers enabling it in that behalf, the Investments and Securities Tribunal hereby makes the following Rules:

PART A

ORDER 1- CITATION, APPLICATION, INTERPRETATION, ETC.

Rule 1:
Citation,
Commencement,
Repeal, and
Application

1. (1) These Rules may be cited as the Investments and Securities Tribunal (Procedure) Rules 2021 and shall come into force on.....
- (2) The Investments and Securities Tribunal (Procedure) Rules 2014 and all Practice Directions issued thereunder are hereby repealed.
- (3) (a) These Rules shall apply to all proceedings before the Tribunal in respect of:
 - (i) actions instituted against, or appeals from any decision of the Securities and Exchange Commission pursuant to section 289(1) of the Act;
 - (ii) disputes and controversies arising under the Act;
 - (iii) matters referred to under sections 284, 294, and any other relevant section of the Act;
 - (iv) applications made to the Tribunal under section 36(4) and any other relevant section of the Act; and
 - (v) any other matter that may by any other enactment be conferred on the Tribunal.
- (b) These Rules shall apply to all proceedings including all part-heard causes and matters in respect of steps to be further taken in such causes and matters for the attainment of a just, efficient and speedy dispensation of justice.

Rule 2
Interpretation
and Definitions

2. (1) These Rules shall be interpreted in accordance with the Interpretation Act Cap I. 23 LFN 2004 or any subsequent enactment of it.
- (2) In these Rules, unless it is otherwise expressly provided or required in the context:

“The Act” means the Investments and Securities Act 2007.

“ADR” means Alternative Dispute Resolution.

“Appellant” means a person who files an appeal or cross-appeal against a decision of the Securities and Exchange

	<p>Commission, and shall include a legal or personal representative of a person entitled to make an appeal or a person appointed under Order 4 Rule 2(3) of these Rules to institute or proceed with the Appeal on behalf of a person entitled to make an Appeal.</p> <p>“Chairman” means the Chairman of the Tribunal, or a person appointed to act as Chairman in the absence of the substantive Chairman.</p> <p>“Chief Registrar” means the person appointed as Chief Registrar of the Tribunal pursuant to section 282 of the Investments and Securities Act (ISA) 2007.</p> <p>“Claimant” means an Applicant under the Act and a person who files an Originating Application and includes a Claimant in a Counter Claim.</p> <p>“Decision” means a ruling or judgment of the Tribunal.</p> <p>“Defendant” means any person against whom an Originating Application is brought, and includes a defendant to a Counter Claim.</p> <p>“Direction” means any order or other determination by the Tribunal other than a decision and, in relation to interim proceedings, includes an order and a witness summons.</p> <p>“Disputed decision” means the decision of the Commission against which an appeal is brought to the Tribunal under these Rules.</p> <p>“Expert” means a person having special skill, knowledge in respect of the subject matter he has been instructed to give or prepare evidence or report for the purpose of the proceeding before the Tribunal.</p> <p>“Hearing” means a sitting of the Tribunal for the purpose of enabling the Tribunal reach or announce a decision other than such a sitting in exercise of the power to decide an Appeal without hearing or in interim proceedings.</p> <p>“IST ADR Centre” means a centre established in the Tribunal for the purpose of amicable settlement of matters between parties through mediation and conciliation.</p> <p>“Legal Practitioner” means a legal practitioner or counsel within the meaning of the Legal Practitioners’ Act.</p>	
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<p>Rule 1 The Overriding Objective</p>	<p>“Originating Process” means any process by which a suit or appeal is initiated.</p> <p>“Location of the Tribunal” means the state in Nigeria where the Tribunal’s office is located.</p> <p>“Party” means in the case of Appeal, the Appellant, or Respondent; and in the case of Originating Application, the Claimant or Defendant.</p> <p>“Pre-hearing review” means a review of the Appeal or Originating Application as provided under Order 15 Rule 4 of these Rules in preparation for a hearing.</p> <p>“Presiding Chairman” means a Member appointed to preside over any hearing pursuant to section 276 of the Investments and Securities Act (ISA) 2007.</p> <p>“Referral” means, in relation to ADR, a mediation process where the Tribunal has directed a dispute to the IST ADR Centre.</p> <p>“Register” means the register of Appeals or Originating Applications and decisions kept in accordance with these Rules.</p> <p>“Registrar” includes the Chief Registrar and all other registrars of the Tribunal.</p> <p>“Reply” means a Response or answer by a Respondent or Defendant as provided in Order 16 Rules 9 and 10 of these Rules.</p> <p>“Respondent” means a person against whom an appeal or cross appeal is brought.</p> <p>“The Tribunal” means the Investments and Securities Tribunal established under section 274 of the Investments and Securities Act No. 29 of 2007.</p> <p>“Walk-in” means a matter, other than a referral by the Tribunal, filed with a view to its resolution at the IST ADR Centre.</p> <p>ORDER 2- OVERRIDING OBJECTIVE AND ITS APPLICATION</p> <p>1. (1) The overriding objective of these Rules is to enable the Tribunal, with the assistance of the parties, deal with cases fairly and justly.</p>	
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	<p>(2) Dealing with cases fairly and justly includes:</p> <ul style="list-style-type: none"> (a) Providing a reliable, informed, expedient, flexible and affordable dispute settlement mechanism for investors, public companies, capital market operators, self-regulatory organisations, and other market participants; (b) Promoting capital market integrity and stable economy; (c) Dealing with cases in ways which are proportionate to the complexity of the issues and the resources of the parties; (d) Ensuring, so far as practicable, that the parties are on an equal footing procedurally, including assisting an unrepresented party in the presentation of his or her case without advocating the course he or she should take; (e) Using the Tribunal’s special expertise effectively; and (f) Avoiding delay, so far as compatible with the proper consideration of the issues. 	
<p>Rule 2 Application of the Overriding Objective</p>	<p>2. (1) The Tribunal shall seek to give effect to the overriding objective when it:</p> <ul style="list-style-type: none"> (a) exercises any power under the Act or other enabling law or these Rules; or (b) interprets any Rule. <p>(2) In particular, the Tribunal shall manage cases actively in accordance with the overriding objective.</p>	
<p>Rule 1 Alternative Dispute Resolution</p>	<p>ORDER 3- ALTERNATIVE DISPUTE RESOLUTION</p> <p>1. (1) In any action pending before it, the Tribunal shall promote reconciliation between the parties, encourage and facilitate the amicable settlement of the dispute, and may with the consent of parties refer a dispute to the IST Alternative Dispute Resolution (ADR) Centre.</p> <ul style="list-style-type: none"> (2) A settlement agreement entered into at the ISTADR Centre, arising from a walk-in, may, by leave of the Tribunal, be made the judgment or order of the Tribunal and enforced in the same manner as a judgment or order of the Tribunal. (3) Every motion on notice to make the settlement agreement of the ISTADR Centre a judgment or order of the Tribunal shall state in general terms the grounds of such application, and where any such motion is founded on evidence by affidavit, a copy of any affidavit intended to be used shall be served with the motion on notice. 	

<p>Rule 2 Commencement of ADR Process</p>	<p>(4) Any party relying on a settlement agreement entered into at the IST ADR Centre, in applying to make the settlement agreement a judgment or order of the Tribunal, shall supply the duly authenticated settlement agreement or a certified true copy of it.</p> <p>2. (1) WALK-INS</p> <p>(a) Any party or parties to a dispute may initiate mediation by filing a written request for mediation with IST ADR Centre.</p> <p>(b) Upon receipt of a request for mediation, IST ADR Centre shall contact the other party involved in the dispute and attempt to obtain a submission to mediation, provided the matter is within the Tribunal’s jurisdiction.</p> <p>(2) TRIBUNAL’S REFERRALS</p> <p>The Tribunal may at its own instance refer a dispute for resolution to the IST ADR Centre which shall invite the parties to submit to the ADR process.</p>	
<p>Rule 3 Role of the ADR Centre</p>	<p>3. (1) The IST ADR Centre may assist the parties in an impartial manner to reach an amicable settlement of their dispute but shall not impose a settlement on the parties.</p> <p>(2) The IST ADR Centre may assist the parties in drawing up a Settlement Agreement.</p>	
<p>Rule 4 Role of the Tribunal</p>	<p>4. (1) The Tribunal shall control and manage proceedings and issue orders which would encourage the adoption of ADR methods in dispute resolution.</p> <p>(2) The Tribunal shall ensure the adoption of Terms of Settlement reached at the IST ADR Centre as a judgment or order of the Tribunal.</p>	
<p>Rule 5 Settlement Agreement</p>	<p>5. (1) When the IST ADR Centre is satisfied that there exist elements of a settlement which would be acceptable to the parties, the Centre may formulate possible terms of settlement and submit them to the parties for their observations. On receipt of the draft, the Centre may reformulate the terms of a possible settlement in the light of the observations.</p>	

<p>Rule 6 Adoption and Enforcement</p>	<p>(2) Each party may, on his own initiative or at the invitation of the IST ADR Centre, submit to the Centre suggestions for the settlement of the dispute.</p> <p>(3) Upon a resolution of the dispute, parties will draw up and sign a written Settlement Agreement containing the terms of the settlement. Where requested by the parties, the Centre shall draw up or assist parties draw up the Settlement Agreement.</p> <p>(4) Upon signing the Settlement Agreement parties shall be bound by its terms.</p> <p>Once reduced into writing and signed by the parties, the Settlement Agreement shall be attached to a motion for adoption and enforced as a judgment or order of the Tribunal in accordance with these Rules and the Act.</p>	
<p>Rule 1 Mode of Commencement</p>	<p style="text-align: center;">PART B</p> <p>ORDER 4: COMMENCEMENT OF PROCEEDINGS</p> <p>1. Proceedings may be commenced in the Tribunal by means of:</p> <p>(a) Notice of Appeal; or</p> <p>(b) Originating Application.</p>	
<p>Rule 2 Notice of Appeal and Grounds of Appeal</p>	<p>2. (1) An appeal to the Tribunal shall be made by a written notice. An approved form for making an Appeal may be obtained from the Registry of the Tribunal. If a copy of the approved form is for any reason not used, the Notice of Appeal may be in any other form acceptable to the Tribunal.</p> <p>(2) The Notice of Appeal shall state:</p> <p>(a) the name, email, telephone number, and office address of the Appellant;</p> <p>(b) that the notice is a Notice of Appeal;</p> <p>(c) the date, the reference number of the decision against which the Appeal is brought and the names and addresses of the Respondent(s);</p> <p>(d) concise and distinct grounds upon which the Appellant intends to rely at the hearing of the appeal without any argument or narrative, and shall be numbered consecutively; and</p> <p>(e) the name, email, telephone number, office address, and</p>	

<p>Rule 3 Originating Application</p>	<p>profession of the representative of the Appellant, if any, and whether the Tribunal should send replies or notices concerning the Appeal to the representative instead of the Appellant.</p> <p>(3) The notice of appeal shall be signed by the Appellant or his legal or other representative.</p> <p>(4) A notice of appeal may be amended with the leave of the Tribunal at any time before the determination of the appeal.</p> <p>(5) Every Appeal shall be accompanied by:</p> <ul style="list-style-type: none"> (a) the disputed decision; (b) record of the disputed decision or bundle of documents relating to the trial being appealed against; and (c) Appellant’s brief of argument. <p>(6) Notwithstanding the provisions of subrule 5 of this Rule, an Appellant’s brief of argument may be accepted for filing where it is not accompanied by the record of Appeal if same has not been received from the trial body.</p> <p>(7) An Appellant shall ensure that the Record of Appeal is made available to the Tribunal expeditiously. No hearing date shall be fixed until the Record of Appeal and the briefs of argument of the parties have been filed before the Tribunal.</p> <p>(8) When a Record of Appeal accompanies a Notice of Appeal, such Appeal shall be filed together with the Appellant’s brief of argument.</p> <p>(9) The Appellant or his representative or legal practitioner shall sign the Notice of Appeal.</p> <p>(10) The Appellant shall send or deliver the Notice of Appeal to the Chief Registrar of the Tribunal so that it is received not later than 30 days after the date on which the disputed decision was sent to or received by the Appellant. Where the disputed decision does not include the full reasons for it, the period of 30 days shall not start to run (for the purposes of this subrule) until the full reasons are received by the Appellant.</p> <p>3. (1) Every Originating Application to be filed at the Tribunal shall be made in writing. An approved form for making an Originating Application may be obtained from the Registry of the Tribunal or any other designated location. If a copy of the approved form is for any reason not used, the application may be in any form</p>	
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<p>Rule 1 Issue of originating process</p>	<p>acceptable to the Tribunal.</p> <p>(2) An Originating Application shall state:</p> <ul style="list-style-type: none"> (a) the name, email, telephone number, and address of the Claimant; (b) that the application is an Originating Application; (c) the name and address of the person, regulatory body, self-regulatory organisation (SRO), capital market operator, or market participant against whom the application is brought or relief is sought; (d) the specific claim of the Claimant and the reasons for it or the reasons for claiming relief; and (e) the originating application shall be endorsed with the Claimant’s address and email and his legal practitioner’s name or firm (if he is represented by a legal practitioner) and a business address of his within the location of the Tribunal’s office and, if the legal practitioner is the agent of another, the name or firm and business of his principal. <p>(3) There shall be attached to the Originating Application a witness statement together with any document referred to in it, and any other document relevant to the Claimant’s case including any expert’s report.</p> <p>(4) There shall be attached to the Originating Application a List of witnesses to be called at the hearing of the application.</p> <p>(5) The witness statement referred to in subrule (3) of this Rule shall be made on oath in numbered paragraphs.</p> <p>(6) The Claimant or his representative or legal practitioner shall sign the application.</p> <p style="text-align: center;">ORDER 5: ISSUE OF ORIGINATING PROCESS AND SEALING</p> <p>1. (1) A party shall submit to the Tribunal clean and clear copies of Processes printed in black ink on white opaque A4 paper of good quality, otherwise the process may not be accepted for filing.</p> <ul style="list-style-type: none"> (2) The Chief Registrar shall seal every originating process and it shall be deemed to be issued by the Tribunal. (3) A party presenting any process for sealing shall submit to the Chief Registrar as many copies of the process as there are respondents or defendants to be served and a copy for endorsement of service on each respondent or defendant, provided that the number of copies shall not be less than eight 	
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<p>Rule 2 Affixing of Seal by Counsel on Processes</p> <p>Rule 1 Every process to be endorsed</p> <p>Rule 2 Process without address or with</p>	<p>(8) in any given case.</p> <p>(4) Each copy shall be signed by the Claimant or his legal practitioner or representative and shall be certified after verification by the Chief Registrar as being a true copy of the original process filed.</p> <p>(5) An originating process shall not be amended after it is sealed except with the leave of the Tribunal.</p> <p>(6) No filing shall be processed until after payment of the prescribed fees. At the point of payment for filing, a party shall, in addition, pay for personal service or service by courier of the process.</p> <p>(7) A party may undertake personal service of any process other than an originating process.</p> <p>(8) In the case of a party desiring to undertake personal service of a process the undertaking shall be in writing and reflected on all the copies of the processes filed, provided that such service shall not be valid until an affidavit of service of the process is filed or there is an acknowledgment of the service by the other party upon whom the service was effected.</p> <p>(9) No date shall be fixed for the hearing of an Appeal or Originating Application unless all relevant processes by the parties have been filed and served. This is, however, without prejudice to any application by a party for judgment or an order striking out the suit.</p> <p>(10) An originating process in respect of a matter in which the Tribunal has jurisdiction shall be filed in any Registry of the Tribunal nearest to where the Defendant or Respondent resides or has presence or carries on business.</p> <p>All processes filed by a legal practitioner at the Registry shall bear the seal of the counsel filing the suit as approved by the Nigerian Bar Association (NBA).</p> <p>ORDER 6: ENDORSEMENT OF ADDRESS</p> <p>Where any Notice of Appeal, Originating Application or process is required under these Rules to have an address endorsed on it, it shall not be deemed properly filed unless such address has been endorsed on it.</p> <p>If the originating process does not state an address, it shall not be accepted and if any such address is illusory, fictitious or misleading, the process may be set aside by the Tribunal on the application of the</p>	
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<p>fictitious address</p> <p>Rule 3 Endorsement of address for service</p> <p>Rule 4 Endorsement of legal practitioner's address for service</p> <p>Rule 5 Change of address</p> <p>Rule 1 Filing Fee</p> <p>Rule 2 Mode of payment</p> <p>Rule 3 Waiver of Fee</p>	<p>Respondent or Defendant.</p> <p>Where an Appellant or Claimant is suing in person, the Appeal or Originating Application shall state:</p> <ul style="list-style-type: none"> (a) the Appellant's or Claimant's residential or business address as the Appellant's or Claimant's address for service; (b) the Appellant's or Claimant's telephone number and e-mail address where available; and (c) an address within the location of the Tribunal, supplied by the Appellant or Claimant as his address for service, where the Appellant or Claimant lives and carries on business outside the location of the Tribunal. <p>Where an Appellant or Claimant sues through a legal practitioner, the legal practitioner shall state on the Notice of Appeal or Originating Application:</p> <ul style="list-style-type: none"> (a) his law office address as the address for service; (b) his telephone number and e-mail address; and (c) A law office address within the location of the Tribunal as his address for service where he is based outside the location of the Tribunal. <p>Where a party or a party's legal practitioner desires to change his address for service, he shall notify the Chief Registrar and shall also communicate the new address to all other parties to the action.</p> <p>ORDER 7: FILING FEE</p> <p>The Appellant or Claimant shall send to the Chief Registrar with the Notice of Appeal or Originating Application, the fee set out in the Second Schedule to these Rules or as may be prescribed by the Tribunal from time to time.</p> <p>The filing fee shall be paid through any prevailing means of payment approved by the Tribunal.</p> <p>The Chairman, on the recommendation of the Chief Registrar, may, on application of a party, reduce or waive the fee in any particular case for reason of financial hardship.</p>	
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<p>Rule 1: Acknowledgment of Notice Appeal or Originating Application by Chief Registrar</p>	<p>ORDER 8: RECEIPT OF NOTICE OF APPEAL OR ORIGINATING APPLICATION</p> <p>1. (1) Upon receiving and sealing a Notice of Appeal or Originating Application, the Chief Registrar shall:</p> <ul style="list-style-type: none"> (a) acknowledge receipt of the Notice of Appeal or Originating Application; (b) enter particulars of it in the Cause Book inclusive of the appeal or suit number of the Appeal or Originating Application (which shall thereafter constitute the title of the proceedings), respectively, and of the address to which processes and other documents to the Tribunal shall be sent; and (c) inform the Appellant or Claimant or the Appellant's or Claimant's representative of any further steps which the Appellant or Claimant shall take to enable the Tribunal decide the Appeal or Originating Application and, subject to paragraph (b) of this Rule, the time and place of the hearing of the Appeal or Originating Application. <p>(2) The acknowledgment of receipt of the Notice of Appeal or Originating Application shall include:</p> <ul style="list-style-type: none"> (a) a notification that general procedural advice in relation to the proceedings may be obtained from the Registry of the Tribunal; and (b) a statement that, if the Appellant or Claimant wants a hearing in private or does not want an oral hearing, the Appellant or Applicant shall notify the Tribunal as soon as possible. 	
<p>Rule 2: Action of Respondent on Receipt of Notice of Appeal</p>	<p>2. (1) Upon receipt of a Notice of Appeal specifying the reasons for appeal the Respondent shall send or deliver to the Chief Registrar a written reply acknowledging receipt of the Notice of Appeal and stating:</p> <ul style="list-style-type: none"> (a) whether or not the Respondent intends to oppose the Appeal and the reasons for the opposition; (b) the name, address and profession of the representative of the Respondent and whether such address is the address for the sending or delivery of documents to the party for the purposes of the Appeal; and (c) if in the opinion of the party, any other person has a direct interest in the subject matter of the appeal, the name and address of that person. 	

Rule 3:

Action by
Defendant on
Receipt of
Originating
Application

(2) In addition to Rule 1 of this Order, upon being served with a Notice of Appeal and Appellant's brief of argument, the Respondent shall also file a Respondent's brief of argument, and shall send or deliver to the Chief Registrar such number of copies as maybe required.

(3)(a) The Respondent's brief of argument shall be signed by the Respondent or his representative or legal practitioner and sent or delivered to the Chief Registrar at the office of the Tribunal not later than 14 days from the date on which the copy of the Notice of Appeal was received.

(b) The provisions of Order 15 Rule 2 shall apply in relation to any document required to be included with the Respondent's brief of argument.

3. (1) Upon receiving a copy of an Originating Application containing the Claimant's claim and reliefs, the defendant shall send or deliver to the Chief Registrar a memorandum of appearance and a written Defence acknowledging receipt of the originating application and setting out:

(a) the Defendant's full name and address;

(b) a statement whether or not the Defendant intends to contest the Originating Application and, if so, the reasons on which the Defendant relies in opposing it or what position the Defendant will adopt, and whether the Defendant intends to be present or represented at the hearing of the case;

(c) the name, address and profession of any representative of the Defendant and whether the Tribunal should send notices concerning the Originating Application to the representative instead of the Defendant.

(2) The Defendant shall attach to the Defence, which shall be specific or positive denial of claims, a witness statement or together with any document referred to in it, and any other document necessary for the Defendant's defence including any expert's report.

(3) The witness statement referred to in subrule 2 of this Rule shall be made on oath in numbered paragraphs.

(4) The memorandum of appearance and Defence shall be signed by the Defendant or his representative and sent or delivered to the Chief Registrar of the Tribunal not later than twenty one (21) days after the date on which the notification of the Originating Application was received by the Defendant.

<p>Rule 4 Further action by Defendant</p>	<p>4. (1) A Defendant who has not sent or delivered a written Defence may not take part in the proceedings before the Tribunal on an Originating Application except:</p> <ul style="list-style-type: none"> (a) to apply for an extension of time to file a Defence; (b) to apply for direction that the Claimant provides further particulars of his claim; (c) to apply under Order 20 Rule 4 for a review of the Tribunal’s decision for the reason that the decision was given in default; (d) to be called as a witness to another person; and (e) to be sent a copy of the decision or reviewed decision. <p>(2)(a) Upon being served the Originating Application, the Defendant shall read through, and indicate any objection or otherwise he intends to make to the admissibility of any frontloaded document. His grounds of objection shall be canvassed at the hearing of the suit. Those to which he is not objecting shall be regarded as “Agreed Bundle of Exhibits” and shall be accordingly marked for the hearing. The Applicant shall also have a corresponding obligation when served the Defendant’s Defence.</p> <p>(b) Any document or exhibit in the Agreed Bundle of Exhibits to which the Defendant does not object may be admitted and shall not be allowed to be objected to at the hearing except the Tribunal directs otherwise.</p>	
<p>Rule 5 Cross-appeal</p>	<p>The Respondent may cross-appeal against any part of the decision of the Commission within seven(7) days of service of the appellant’s notice and grounds of appeal, and the notice and grounds of the cross appeal shall be served on the appellant or his legal practitioner before the hearing.</p>	
<p>Rule 6: Counter-claim and Set-Off</p>	<p>6. (1) A defendant in an action before the Tribunal shall have a right of counter-claim or set-off.</p> <p>(2) Where a defendant sets up any counter-claim or set-off which raises questions between him and the Claimant along with other persons, the defendant shall add to the title of his defence a further title similar to the title in the Claim setting out the names of persons who, if such counter-claim were to be enforced by cross-action, would be defendants to the cross action, and shall deliver his defence to parties to the action within the period he is required to deliver it to the Claimant.</p>	

<p>Rule 7: Reply</p> <p>Rule 1: Distribution of Document by the Chief Registrar</p> <p>Rule 2 Service: By whom effected</p>	<p>7. (1) A Claimant who desires may make and file a Reply within 7 days from the service of the Defence. (2) Where a counterclaim is pleaded, a reply is called a Defence to counterclaim and shall be subject to the rules applicable to the defence.</p> <p>ORDER 9: RECEIPT, SERVICE AND DISTRIBUTION OF PROCESS, ETC.</p> <p>1. (1)(a) The Chief Registrar shall, upon payment of the prescribed fee, send a copy of any document received from a party to all the other parties to the proceedings and any person who is subsequently joined as a party to that suit. (b) Where the document referred to in subrule 1(a) of this Order is sent or delivered to the Chief Registrar after the time prescribed by these Rules, the Chief Registrar may defer the sending of the copies pending a decision by the Tribunal about the extension of the time limit. (2) The Chief Registrar shall send with any copy of the Notice of Appeal or Originating Application information which is appropriate to the case about: (a) the means and time for the delivery of a defence; (b) the consequences of failure to do so; (c) the right to receive a copy of the decision; and (d) the availability of general procedural advice in relation to the application from the Registry of the Tribunal. (3) Upon receiving a Notice of Appeal or Originating Application or a Defence or Reply in which any person other than a party is named as having a direct interest or having participated in proceedings which led to the disputed decision, the Chief Registrar shall send to that person: (a) copies of the Notice of Appeal or Originating Application or Defence; (b) information on the method of applying to be made a party to the proceedings as a Defendant and of delivering a defence if he so desires; and (c) a notification of the availability of general procedural advice in relation to the Appeal from the Registry of the Tribunal.</p> <p>2. (1) Service of a Notice of Appeal or Originating Application shall be made by an officer of the Tribunal appointed for that purpose. (2) Where a party is represented by a legal practitioner, service</p>	
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<p>Rule 3: Service on a Corporation or Company</p> <p>Rule 4: Substituted Service</p>	<p>of any process filed in the Tribunal of which personal service is not required may be made on the legal practitioner or on a person under his control.</p> <p>(3) No personal service of a Notice of Appeal or Originating Application shall be required where the Respondent or the Defendant has authorised his legal practitioner in writing to accept service and the legal practitioner enters appearance.</p> <p>(4) All processes for which personal service is not expressly required under these Rules or any law either on an individual, company or business shall be sufficiently served if left with an adult person resident or employed at the address for service given under Order 5 Rule 1 or if served by any other means as the Tribunal may order.</p> <p>Subject to any provision regulating service on a registered company, corporation or body corporate, every originating process requiring personal service may be served on the chief executive officer or any other senior official of the registered company, corporation or body corporate at the registered office of the organisation.</p> <p>4.(1)(a) Where service of a Notice of Appeal or Originating Application is required under these Rules and the Tribunal is satisfied that prompt service cannot be effected, the Tribunal may upon application by the Appellant or Claimant make an order for substituted service as may seem just in the circumstance.</p> <p>(b) Every application to the Tribunal for substituted service, or for the substitution of notice for service shall be supported by an affidavit setting forth the grounds upon which the application is made.</p> <p>(2) Where it appears to the Tribunal (either after or without an attempt at service) that for any reason prompt service cannot be conveniently effected, the Tribunal may order that service be effected by:</p> <p>(a) delivery of the document to any adult inmate at the usual or last known residential or business address of the person to be served; or</p> <p>(b) delivery to any person being an agent of the person to be served, or to some other person, on it being proved that there is reasonable probability that the document would, in the ordinary course of business, through that agent or other person, come to the knowledge of the person to be served; or</p> <p>(c) advertisement in the Federal Gazette, or in any national daily newspaper; or</p>	
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<p>Rule 5: Substituted Service Outside Nigeria</p> <p>Rule 6: Proof of Service</p> <p>Rule 7: Record of Service</p> <p>Rule 1: Reference to the Tribunal from the Commission</p>	<p>(d) notice put up at the usual or last known residential or business address of the person to be served; or</p> <p>(e) E-mail or any other electronic communication device now known or later developed or courier service as the Tribunal may direct.</p> <p>Any document required to be served outside Nigeria shall be sealed with the seal of the Tribunal and shall be transmitted to the Honourable Minister of Foreign Affairs by the Chief Registrar, on the directive of the Chairman, together with a copy thereof translated into the language of that country. The request shall be in Form 12 with such modification or variation as the circumstances may require.</p> <p>6. (1) The officer who serves a process shall after serving it promptly depose to and file an affidavit setting out the fact, date, time, place and mode of service, describing the process served and shall exhibit the acknowledgment of service.</p> <p>(2) Proof of service by email or any other electronic means of communication shall be by an affidavit with a printout of the email or other notifier attached to it.</p> <p>(3) The affidavit shall be <i>prima facie</i> proof of service.</p> <p>7. (1) The Chief Registrar shall keep a register in such form as the Chairman may direct for recording service of processes by an officer of the Tribunal. The Chief Registrar shall record the names of the parties, the method of service, and the manner used to ascertain that the right person was served.</p> <p>(2) Where any process was not served, the cause of failure in serving it shall be recorded in the register. Every entry in the register or certified copy of same shall be <i>prima facie</i> evidence of such matters.</p> <p>ORDER 10: REFERENCE FROM THE COMMISSION</p> <p>1. (1) Where, under section 36(4) (e) or any other relevant section of the Act, a body corporate requests the Securities and Exchange Commission to refer a notice to prohibit trading in the securities of the body corporate, the Commission shall promptly refer the notice to the Tribunal and shall provide the Tribunal with copies of the Claimant’s request and any other material considered by the Commission in reaching its decision.</p> <p>(2) The Securities and Exchange Commission shall give notice to</p>	
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<p>Rule 1: Application for Extension of Time</p>	<p>the Claimant and every interested person of the reference to the Tribunal.</p> <p>(3) Nothing in subrule (2) of this Rule may preclude the Commission from first making an <i>ex parte</i> application.</p> <p>ORDER 11: EXTENSION OF TIME</p> <p>1. (1) The Tribunal may extend the time limit prescribed for filing an Appeal or Originating Application or Defence or Reply under Order 4 or Order 8 of these Rules if:</p> <p>(a) it is just and equitable; and</p> <p>(b) refusal to do so will result in miscarriage of justice.</p> <p>(2) In the event that a Notice of Appeal or Originating Application is received at the Registry of the Tribunal after the expiration of the time limit prescribed under these Rules, the Appellant or Claimant may include with the Notice of Appeal or Originating Application, an application for extension of time.</p>	
<p>Rule 2: Representations by parties</p>	<p>2. Before deciding whether or not to extend the time limit, the Tribunal shall give the parties an opportunity to be heard and, in addition, to the particular representations made by the Appellant or Claimant:</p> <p>(a) in the case of an application to extend the time limit for a Notice of Appeal:</p> <p>(i) whether the sending or delivery of the disputed decision to the Appellant was such as to notify him properly and effectively of the disputed decision; and</p> <p>(ii) whether the Appellant was notified of the existence of his right of Appeal to the Tribunal and the relevant time limit in the disputed decision or otherwise.</p> <p>(b) In the case of an application to extend the time limit for an Originating Application, whether the Claimant was notified of the existence of the right to apply to the Tribunal and the relevant time limit.</p>	
<p>Rule 1: Additional Parties</p>	<p>ORDER 12: OTHER PARTIES</p> <p>1. (1) Any person having interest in an Originating Application or who otherwise claims substantial interest in an Originating Application may apply to the Chief Registrar that he desires to take part in the proceedings as a party.</p> <p>(2) Any person who desires to take part in the proceedings as a</p>	

<p>Rule 2: Necessary Parties</p> <p>Rule 3: Persons with Interest</p> <p>Rule 1: Motions and Applications</p> <p>Rule 2: Form of motion</p> <p>Rule 3 Counter affidavit</p> <p>Rule 4 Time for filing motion</p>	<p>party shall send or deliver to the Chief Registrar sufficient number of additional copies of the application and accompanying affidavit and such other documents to enable the Chief Registrar send copies to each of the other parties.</p> <p>If the Tribunal considers, whether on the application of a party or otherwise, that it is necessary that any person be made a party to the proceedings, the Tribunal may order that the person be joined as a Defendant and may give such directions as may be just, including directions as to the delivery or sending of documents.</p> <p>Whenever a person is interested or deemed interested in the outcome of an Originating Application, the person shall be entitled to be heard in the proceedings, and may be joined as a Defendant except for the purposes of Order 8 Rule 4 subrule 1 or Order 20 Rule 6 subrule 2.</p> <p>ORDER 13: MOTIONS, AFFIDAVITS, AND OTHER APPLICATIONS</p> <p>Where any application is required to be made under these Rules, the application shall be made by motion supported by affidavit, and shall state the Rule under which it is brought: PROVIDED that nothing under this rule shall preclude the Tribunal from taking oral applications in appropriate circumstances.</p> <p>2. (1) Every motion shall be accompanied by an affidavit and a written argument intended to be relied upon at the hearing of the motion, and except with the leave of the Tribunal, shall be filed and served at least 4 (four) clear days before the hearing date. (2) Where a party intends to oppose an application, that party shall file and serve a counter affidavit on the applicant at least 48 hours before the day of hearing, provided that where the Tribunal grants leave, there shall be at least two clear days between the filing and service of any counter affidavit to a motion, and no process in respect of any matter set for hearing shall be received on the set date.</p> <p>Every counter affidavit shall be accompanied by a written argument intended to be relied upon in opposition at the hearing of a motion to which the counter affidavit is filed.</p> <p>Notwithstanding anything to the contrary, the Tribunal may reduce the time required for filing any process under this Order as it deems fit to make in the circumstance.</p>	
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<p>Rule 1: Additional Matters</p> <p>Rule 2: Front Loading of Documents</p>	<p style="text-align: center;">PART C</p> <p>ORDER 14: PROVISIONS RELATING TO ALL APPLICATIONS, APPEALS, AND DEFENCES.</p> <p>1. (1) The Appellant or Claimant may include in the Notice of Appeal or Originating Application or in a separate application to the Tribunal:</p> <ul style="list-style-type: none"> (a) A request that the disputed decision or action be stayed until a decision has been given on the Appeal or Originating Application, or for other interim relief; and (b) Any request or statement specified in Rule 2 of this Order. <p>(2) A party may include in the Notice of Appeal or Originating Application, or Defence or Reply, or a separate application to the Tribunal, as appropriate:</p> <ul style="list-style-type: none"> (a) a request for further particulars of a Notice of Appeal or Originating Application, Reply, or other written representation; (b) a request for a decision on any question, as a preliminary issue; (c) a request for an early hearing of the Appeal or Originating Application or of any question arising out of the Appeal or Originating Application, and the reasons for that request; (d) a statement that a party wants a hearing in camera or does not want an oral hearing; (e) a request for leave, at the hearing of his Appeal or Originating Application, to rely on the evidence of an expert witness and the name and address of the proposed witness; and (f) a request that an expert who was concerned in the taking of the disputed decision or action attends the hearing of the Originating Application and gives evidence. <p>2. (1) A party (including a person seeking to be made an additional party to the proceedings as a Respondent or Defendant) shall send or deliver to the Chief Registrar with his Notice of Appeal or Originating Application or Defence, as the case may be, a copy of every document on which he intends to rely for the purposes of the Appeal or Originating Application or Defence, together with sufficient number of additional copies of</p>	
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<p>Rule 3: Amendment of Notice of Appeal or Originating Application or Defence or Reply</p>	<p>documents to enable the Chief Registrar provide a copy to each member of a panel and other parties to the proceedings.</p> <p>(2) Where a party fails to comply with the provisions of any Rule relating to time, mandatory attachment, or content of any process or the doing of any other thing, his Originating Application, Notice of Appeal or Defence, as the case may be, shall not be accepted for filing.</p> <p>(3) The Tribunal may, on terms, excuse a party from providing any document required to be furnished under these Rules where the document or a copy is already in the possession of the Tribunal or some other party so that to require it to be provided at that stage would be unreasonable for reasons of expense or otherwise.</p> <p>(4) If any document on which a party relies contains any matter that relates to intimate personal or financial circumstances or is commercially sensitive, or consists of information communicated or obtained in confidence, or concerns national security, and for that reason the party seeks to restrict its disclosure, the party shall inform the Chief Registrar of that fact and of the reasons for seeking such a restriction, and the Chief Registrar shall send the copies as provided in this Rule only in accordance with the directions of the Tribunal.</p> <p>3. (1) A party may, at any time before being notified of the date of the hearing of an Appeal or Originating Application, amend the Notice of Appeal or Originating Application, or Defence or Reply.</p> <p>(2) A party may amend any Notice of Appeal or Originating Application, or Reply with leave of the Tribunal at any time after he has been notified of the date of the hearing of the Appeal or Originating Application or at the hearing itself. The Tribunal may grant this leave on such terms as it may deem fit, including the payment of costs or incidental expenses.</p> <p>(3) A party shall send sufficient number of copies of every amendment made pursuant to this Order to the Chief Registrar.</p> <p>(4) Notwithstanding the provisions of Rules 1 and 2 of this Order, a party may, for very cogent and compelling reasons, amend, not more than twice, any Notice of Appeal or Originating Application or Reply with leave of the Tribunal at any time after he has been notified of the date of hearing of the Appeal or Originating Application.</p>	
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<p>Rule 4: Notice that Appeal or Originating Application is Misconceived</p>	<p>4. (1)(a) Where the Respondent or Defendant is of the opinion that an Appeal or Originating Application cannot be made to, or entertained by the Tribunal, the Respondent or Defendant shall file an application to that effect to the Chief Registrar stating the reasons for such contention and apply for the Appeal or Originating Application to be struck out. (b) The Chief Registrar shall send a copy of the application and any accompanying documents to the Appellant or Claimant. (2) Subject to Rule 2 of Order 16 of these Rules, an application under this Rule may be heard as a preliminary point of law or at the hearing of the substantive Appeal or Originating Application.</p>	
<p>Rule 5: Death of a Party</p>	<p>5. (1) (a) The death of a party shall not cause the suit to abate if the cause of action survives. (b) If there are two or more Appellants or Claimants or Respondents or Defendants, and one of them dies, and if the cause of action survives the surviving Claimant(s) alone, or against the surviving Respondent(s) alone, the suit shall proceed at the instance of the surviving Claimant(s), and against surviving Respondent(s). (c) If there are two or more Claimants or Appellants and one of them dies, and if the cause of action does not survive the surviving Claimant(s) alone, but survives them and the legal representative of the deceased Claimant jointly, the Tribunal may: (i) on the application of the legal representative of the deceased Claimant enter the name of the legal representative in the suit in the place of the deceased Claimant, and the suit shall proceed at the instance of the surviving Claimant and the legal representative of the deceased Claimant. (ii) if no application is made to the Tribunal by any person claiming to be the legal representative of the deceased Claimant, the suit shall proceed at the instance of the surviving Claimant(s)/Appellant(s), and the legal representative of the deceased Claimant shall, after notice to appear, if he be interested in the suit, be bound by the judgment given therein, as if the suit had proceeded at his instance jointly with the surviving Claimant(s)/Appellant(s), unless the Tribunal directs otherwise. (2) In case of the death of a sole Appellant/Claimant or sole surviving Appellant/Claimant, the Tribunal may: (i) on the application of the legal representative of the deceased sole Claimant, enter the name of the legal representative in the place of the Appellant/Claimant, and the suit shall proceed. (ii) if no such application is made to the Tribunal within a reasonable time by any person claiming to be the legal</p>	

	<p>representative of the deceased sole Appellant/Claimant or sole surviving Appellant/Claimant, the Tribunal may order that the suit abate, and award reasonable costs to the Respondent or Defendant incurred in defending the suit, to be recovered from the estate of the deceased sole claimant or surviving Claimant.</p> <p>(iii) if it thinks proper, upon the application of the Respondent or Defendant, and on such terms as to costs as may seem just, make an order for the joinder of the legal representative of the deceased sole Appellant/Claimant or surviving Appellant/Claimant and for proceeding with the suit in order to come to a final determination of the matter in dispute.</p> <p>(3) If any dispute arises as to who is the legal representative of a deceased Appellant/Claimant, the Tribunal may either stay the suit until the fact has been duly determined in another suit, or decide at or before the hearing of the suit who shall be admitted as the legal representative for the purpose of prosecuting the suit.</p> <p>(4) If one out of two or more Respondents or Defendants dies, and the cause of action survives not only against the surviving Respondents or Defendants but also against a nonparty:</p> <p>(i) In the case of the death of a sole Respondent or Defendant or sole surviving Respondent or Defendant, where the cause of action survives, the Appellant or Claimant may apply to the Tribunal, specifying the name, description and address of any person who he alleges to be the legal representative of the deceased Respondent or Defendant and who he desires to be made the Respondent or Defendant in the place of the deceased.</p> <p>(ii) the Tribunal shall thereupon enter the name of the legal representative in the suit in the place of the Respondent or Defendant, and issue an order to him to appear on a day therein mentioned to defend the suit and the case shall thereupon proceed in the same manner as if the legal representative had originally been made a Respondent or Defendant, and had been a party to the former proceedings in the suit.</p> <p>(5) Where a registered company has gone into receivership or become bankrupt or liquidated, the Appellant or Claimant may apply to the Tribunal, specifying the name, description and address of any person appointed as the receiver/manager or liquidator of the company to be made the Defendant or Respondent in its place.</p>	
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<p>Rule 6: Withdrawal of Appeal or Application</p>	<p>6. (1) An Appellant or Claimant may:</p> <ul style="list-style-type: none"> (a) at any time, before the hearing of an Appeal or Originating Application, withdraw the Appeal or Originating Application by sending to the office of the Chief Registrar a notice signed by the Appellant or Claimant or the Appellant's or Claimant's representative or counsel stating that the Appeal or Originating Application is withdrawn; or (b) at the hearing of the Appeal or Originating Application, with the leave of the Tribunal, withdraw the Appeal or Originating Application. <p>(2) Where an Appeal or Originating Application is withdrawn, a fresh Appeal or Originating Application may be made with the prior leave of the Tribunal sought and obtained.</p>	
<p>Rule 1: Decision before or at hearing; Interim Relief</p>	<p style="text-align: center;">PART D</p> <p style="text-align: center;">ORDER 15: MANAGEMENT POWERS OF THE TRIBUNAL</p> <p>1. (1) The decision of the Tribunal on any matter included in the Notice of Appeal or Originating Application or in a separate application under Order 12 may be given before or at the hearing and whether there has been a hearing or not, shall be recorded as soon as possible in a document which, save in the case of a decision by consent, shall contain a statement of the reasons for the decision and shall be dated and signed under the hand of the Presiding Chairman.</p> <p>(2) Save in exceptional circumstances, the Tribunal shall limit the number of interlocutory applications to one (1) in matters on Appeal, and two (2) in Originating Applications.</p> <p>(3) The Chief Registrar shall upon an application and payment of the prescribed fees, send a copy of the document recording the decision to each party.</p>	
<p>Rule 2: Disclosure and Inspection of Documents and Other Materials</p>	<p>2. (1) Subject to subrules 2 and 3 of this Rule, the Tribunal may give directions:</p> <ul style="list-style-type: none"> (a) requiring a party to deliver to the Tribunal any document or other material which the Tribunal may require and which is in the power of that party to deliver, and the party shall send or deliver to the Chief Registrar sufficient number of copies of such document or other material, to enable the Chief Registrar provide a copy to each Member of the panel 	

<p>Rule 3: Documents Relating to Proceedings before the Tribunal</p> <p>Rule 4: Pre-hearing Review</p>	<p>and other parties to the proceedings.</p> <p>(b) granting to a party a right to inspect and or take copies of any document or other material which is in the power of that party to disclose, and appointing the time at/or within which and the place at which any such act is to be done; or</p> <p>(c) that any document or material produced under this Rule by a party shall be used only for the purpose of the proceedings.</p> <p>(2) The provisions of subrule 1 of this Rule shall not apply in relation to any document or material which the party could not be compelled to produce in a proceeding before a court of law in Nigeria.</p> <p>(3) In giving effect to this Order, the Tribunal shall take into account the need to protect any matter which relates to intimate personal or financial circumstance, is commercially sensitive, or consists of information communicated or obtained in confidence or touches on national security.</p> <p>(4) The Tribunal shall ensure that each party is served a copy of any document relevant to the proceedings, which has been received from another party.</p> <p>3. Where at any hearing:</p> <p>(a) any document relevant to the proceeding is not in the possession of the party present at that hearing; and</p> <p>(b) that party has not been served with a copy of that document by the other party in accordance with the provisions of Rule 2(4) of this Order; unless:</p> <p>(i) that party consents to the continuation of the hearing; or</p> <p>(ii) the Tribunal is of the view that the party has a sufficient opportunity of dealing with that document without occasioning an adjournment of the hearing; the Tribunal shall adjourn the hearing for a period which it considers will afford that party sufficient opportunity of dealing with that document.</p> <p>4. (1) If any proceeding may be facilitated by holding a pre-hearing review, the Presiding Chairman shall, on the application of a party or on his own initiative, give directions for a review to be held. The Chief Registrar shall give the parties not less than 7 days' notice, or a shorter notice, if the</p>	
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<p>Rule 1: Preliminary Issues</p>	<p>parties agree, of the time and place of the pre-hearing review.</p> <p>(2) The pre-hearing review shall be held in public, unless the Presiding Chairman otherwise directs, upon being satisfied that one of the exceptions specified in Order 18 Rule 6 would be applicable to the hearing, and the parties may appear and be represented by counsel.</p> <p>(3) During a pre-hearing review the Presiding Chairman or, subject to subrule 5 of this Rule, the Chief Registrar shall, in accordance with the overriding objective of the Tribunal, give directions which appear necessary or desirable in the conduct of the Appeal or Originating Application, and shall fix the time and place, not less than 7 days thereafter, unless the parties agree to a shorter notice, for the hearing of the Appeal or Originating Application and, where appropriate, set a timetable for the hearing.</p> <p>(4) The Tribunal may, if the parties agree and notwithstanding Order 15 Rule 2 subrule 3, decide the Appeal or Originating Application on the documents and statements placed before the Tribunal without any further oral hearing.</p> <p>(5) The Chief Registrar shall exercise the powers conferred by subrule 3 of this Rule in accordance with the directions of the Presiding Chairman; and any direction given by the Chief Registrar on a pre-hearing review may be set aside or varied by the Tribunal on the application of a party or on the Tribunal's own initiative.</p> <p>(6) Each party shall attend the pre-hearing review or be represented by counsel.</p> <p>ORDER 16: PRELIMINARY ISSUES</p> <p>1. (1) Subject to Rule 2 of this Order, the Tribunal may direct that any question of fact or law which appears to be in issue in an Appeal or Originating Application be decided at a preliminary hearing.</p> <p>(2) If, in the opinion of the Tribunal, deciding that question substantially disposes of the whole Appeal or Originating Application, the Tribunal may treat the preliminary hearing as the hearing of the Appeal or Originating Application and may give such direction as it deems fit to dispose of the Appeal or Originating Application.</p> <p>(3) The Tribunal may decide the question, and also dispose of the case, without a hearing, but, in each case only if:</p> <p>(a) the parties so agree in writing,</p> <p>(b) the Tribunal has considered any representations made by them, and</p> <p>(c) there is no important public interest consideration that</p>	
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<p>Rule 2: Preliminary Objection to be included in Final Written Address</p> <p>Rule 3: Case Management Powers</p>	<p>requires a hearing in public.</p> <p>(4) The decision of the Tribunal in relation to a preliminary issue may be given orally at the end of the hearing or reserved and, in any event, whether there has been a hearing or not, shall be recorded in a document which, shall also contain a statement of the reasons for the decision and shall be dated and signed under the hand of the Presiding Chairman.</p> <p>(5) The Chief Registrar shall, upon application from, and payment of the prescribed fee by, a party, make available a copy of the document recording the decision on a preliminary issue.</p> <p>2. (1) Notwithstanding any provision and only as the Tribunal may otherwise direct, any Respondent or Defendant may, at the hearing of any Appeal or Originating Application, raise any point of law as preliminary objection, provided always that such preliminary objection is incorporated and forms part of the Respondent's brief of argument or the Defendant's defence in the matter.</p> <p>(2) Every preliminary objection so raised shall only be argued in the Respondent's brief of argument or the Defendant's final written address.</p> <p>3. (1) The list of powers in this Rule is in addition to any powers given to the Tribunal by any other Rule or enactment or any powers it may otherwise have.</p> <p>(2) Subject to the provisions of the Act, the Tribunal may regulate its own procedure.</p> <p>(3) Except where these Rules provide otherwise, the Tribunal may:</p> <ul style="list-style-type: none"> (a) extend the time appointed by or under the Act or these Rules for doing any act even if the time appointed has expired; (b) postpone the date or time or change the place fixed for any hearing or adjourn any hearing (particularly to enable the case to be settled amicably among the parties); (c) require a party or his representative to attend the Tribunal; (d) require the parties to provide a statement of agreed facts, facts in dispute, and issue(s) to be decided by the Tribunal including a list of agreed documents; (e) hold a hearing and receive evidence through a video or electronic link or by using any other method of direct oral 	
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	<p>communication where the Tribunal is satisfied that this would not prejudice the interest of justice;</p> <ul style="list-style-type: none"> (f) decide that a part of any proceedings be dealt with as separate proceedings; (g) stay the whole or part of any proceedings or decisions either generally or until a specified date or event; (h) decide the order in which issues are to be considered; (i) exclude an issue from consideration; (j) strike out an Appeal or Originating Application upon the Appellant's or Claimant's notice of withdrawal; (k) subject to the proviso under paragraph (m), order the striking out or amendment of any notice of appeal, claim, or Defence or supplementary statement or written representation on the grounds that it is scandalous or vexatious; (l) subject to the proviso under paragraph (m), order the striking out of any Appeal or Originating Application if it is not diligently pursued by the Appellant or Claimant; or (m) take any other step or make any other decision for the purpose of managing the case and furthering the overriding objective: Provided that before exercising the power conferred by paragraph (k) of this Rule, the Tribunal shall send notice to the party likely to be affected by the exercise of the power giving that party an opportunity to appear before the Tribunal to state whether or not the power should be exercised. <p>(4) Except where a Rule or some other enactment provides otherwise, the Tribunal may exercise its powers on an application by a party or on its own initiative.</p> <p>(5) Where the Tribunal proposes to exercise a power on its own initiative:</p> <ul style="list-style-type: none"> (a) it may give any person likely to be affected an opportunity to make representations; and (b) where it does so it shall specify the date, time, and manner in which the representations shall be made. <p>(6) Where the Tribunal proposes:</p> <ul style="list-style-type: none"> (a) to exercise a power on its own initiative, and (b) to hold a hearing to decide whether to exercise the power, it shall give each party likely to be affected at least 3 days' notice of the hearing. 	
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<p>Rule 4: Representative Parties with the same interest</p>	<p>(7) Where the Tribunal has exercised a power under subrule 5 of this Rule, a party affected may apply to have the exercise of the power or an order or directive given pursuant to that power set aside, varied or stayed.</p> <p>(8) An application under subrule 7 of this Rule shall be made:</p> <p>(a) within the period specified by the Tribunal; or</p> <p>(b) if the Tribunal does not specify a period, not more than 7 days after the party making the application was notified of the exercise of the power.</p> <p>(9) The Presiding Chairman or, subject to Rule 8 of this Order, the Chief Registrar may exercise the power conferred by subrule 3 (d) of this Rule.</p> <p>(10) The Chief Registrar shall exercise the power conferred by Rule 8 of this Order in accordance with the directions of the Presiding Chairman, and any direction given by the Chief Registrar under that Rule may be set aside or varied by the Presiding Chairman or by the Tribunal upon the application of a party or on the initiative of the Presiding Chairman or the Tribunal.</p> <p>4.(1) Where more than one person has the same interest in an Appeal or Originating Application:</p> <p>(a) The Appeal or Originating Application may be commenced, or</p> <p>(b) The Tribunal may order that the Appeal or Originating Application be continued by one or more of the persons who have the same interest as representatives of other persons who have such interest.</p> <p>(2) The Tribunal may direct that a person may not act as a representative if the interest of justice so requires.</p> <p>(3) Any party or person having the same interest may apply to the Tribunal for a direction under subrule 2 of this Rule.</p> <p>(4) Unless the Tribunal otherwise directs, any decision taken, direction given or order made in an Appeal or Originating Application in which a party is acting as a representative under this Rule:</p> <p>(a) is binding on all persons represented in the Appeal or Originating Application; but</p> <p>(b) may only be enforced by or against a person who is not a party to the Appeal or Originating Application, with leave of the Tribunal.</p>	
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<p>Rule 5: Representation of Interested Persons who cannot be ascertained</p>	<p>5. (1) The Tribunal may make an order appointing a person to represent any other person or persons in the Appeal or Originating Application where the person or persons to be represented:</p> <ul style="list-style-type: none"> (a) cannot be found; (b) cannot easily be ascertained; or (c) are a class of persons who have the same interest in an Appeal or Originating Application, and: <ul style="list-style-type: none"> (i) one or more members of that class are within paragraphs (a) or (b);and (ii) to appoint a representative would further the overriding objective. <p>(2) An application for an order under subrule 1 of this Rule may be made by:</p> <ul style="list-style-type: none"> (a) any person who seeks to be appointed under the order; or (b) any party to the Appeal or Originating Application; and (c) at any time before or after the hearing of the Appeal or Originating Application has commenced. <p>(3) An application for an order under subrule 1 shall be served by the Tribunal on:</p> <ul style="list-style-type: none"> (a) all parties to the Appeal or Originating Application, if the hearing of the Appeal or Originating Application has commenced, (b) the person sought to be appointed, if that person is not the Applicant for the order or a party to the Appeal or Originating Application; and (c) any other person as may be directed by the Tribunal. 	
<p>Rule 6: Settlement of Appeal or Originating Application.</p>	<p>6. (1) The Tribunal's leave shall be required to settle an Appeal or Originating Application in which a party is acting as a representative under this Rule.</p> <p>(2) The Tribunal may approve the settlement of an Appeal or Originating Application where it is satisfied that the settlement is for the benefit of all the represented persons.</p> <p>(3) Unless the Tribunal otherwise directs, any decision or order made or direction given in an Appeal or Originating Application in which a party is acting as a representative under this Order:</p> <ul style="list-style-type: none"> (a) is binding on all persons represented in the Appeal or Originating Application; but (b) may only be enforced by or against a person who is not a party to the Appeal or Originating Application 	

<p>Rule 7: Interpreters</p>	<p style="text-align: center;">with the leave of the Tribunal.</p> <p>7. (1) If a party to any proceedings before the Tribunal is unable to speak or understand the English language, the Chief Registrar shall make arrangements for that party to be provided throughout the hearing with the assistance of an interpreter free of charge for the purposes of any hearing at which that party is present (whether or not he or she is represented).</p> <p>(2) A party who requires the assistance of an interpreter shall so notify the Chief Registrar of the Tribunal.</p> <p>(3) The interpreter shall, before being allowed to interpret, affirm or state under oath that he will interpret to the best of his ability.</p> <p>(4) There shall be paid to an interpreter attending a hearing in accordance with arrangements made under this Rule, as remuneration for his services, such fees and travelling expenses to be determined by the Tribunal.</p> <p>(5) A claim by an interpreter for fees or expenses payable under this Rule shall be made in writing to the Chief Registrar of the Tribunal.</p>	
<p>Rule 8: Directions</p>	<p>8. (1) At any stage of proceedings before it, the Tribunal may, either on its own initiative or on the application of a party, give any direction it considers necessary or desirable to further the overriding objective of these Rules in the conduct of the Appeal or Originating application, and may in particular:</p> <p>(a) direct any party to provide any further particulars or to produce any documents which may reasonably be required;</p> <p>(b) where a party has access to information which is not reasonably available to the other party, direct the party who has access to the information to prepare and file a document containing the information;</p> <p>(c) summon any person to attend as a witness, at the time and place specified in the summons, at the hearing of any application for leave to appeal or of any appeal or originating application and to answer any question or produce any documents in his custody or under his control which relate to any matter in question in the proceedings: Provided that no person shall be required to attend in obedience to the summons unless he or she is given at least 7 days' notice of the hearing or if less than 7 days, has informed the Tribunal that he or she accepts the notice he</p>	

<p>Rule 9: Directions as to Respondent's or Defendant's Defence.</p>	<p>or she has been given;</p> <p>(d) by direction specify the persons who may be admitted to and restrictions on the reporting of the hearing in any matter which the Tribunal has granted permission for a private hearing;</p> <p>(e) give a direction as to:</p> <p>(i) the issues on which it requires evidence;</p> <p>(ii) the nature of the evidence which it requires to decide those issues; and</p> <p>(iii) the manner in which the evidence is to be placed before the Tribunal.</p> <p>(f) by direction, exclude evidence that would otherwise be admissible, if it touches on national security or if it is in the public interest to do so;</p> <p>(g) give any direction necessary for the exercise of any of the powers conferred by this Rule.</p> <p>(2) The Tribunal may, on the application of a party, set aside the summons issued under subrule 1(c) of this Rule.</p> <p>(3) When a document required under subrule 1(b) of this Rule has been filed, the Tribunal shall ensure that a copy of it is sent to the other party.</p> <p>(4) An application by a party for direction under subrule 1 of this Rule (otherwise than during a pre-hearing review or a hearing) shall be made in writing to the Tribunal and shall set out the direction which the Claimant seeks and the reasons for the application. Unless it is accompanied by the written consent of all the parties, a copy of the application shall be sent by the Chief Registrar to any other party who may be affected by the direction. If the other party objects to the direction sought, the Tribunal shall consider the objection and, if it considers it necessary for deciding the application, shall give the parties an opportunity of being present or represented before it.</p> <p>(5) A direction under this Rule which requires a person to act or refrain from acting shall, as appropriate, include a statement of the consequences under Order 16 Rule 11, of a party's failure to comply with the direction within the time allowed by the Tribunal.</p> <p>9. (1) A direction under Rule 8 of this Order may require a party to state in his defence:</p> <p>(a) which allegations in the Appeal or Originating Application the party denies;</p>	
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<p>Rule 10: Varying or Setting Aside of Direction</p> <p>Rule 11: Failure to comply with directions</p>	<p>(b) which allegations the party is unable to admit or deny, but which the party requires the Appellant or Claimant to prove; and</p> <p>(c) which allegations the party admits.</p> <p>(2) Where in response to such a direction a party denies an allegation:</p> <p>(a) the party shall state the reasons for doing so; and</p> <p>(b) if the party intends to put forward a version of events different from that given by the Appellant or Claimant, the party shall state his own version.</p> <p>(3) A party who in response to such a direction:</p> <p>(a) fails to deal with an allegation; but</p> <p>(b) has set out in his Defence the nature of the Respondent's or Defendant's case in relation to the issue to which the allegation is relevant, shall be required to provide proof thereof.</p> <p>(4) Subject to subrule 3 of this Rule, when the statement required by subrule 5 of this Rule is included in the direction, a Respondent who, in response to the direction, fails to deal with any allegation shall be taken to have admitted same.</p> <p>(5) A direction provided in subrule 1 of this Rule shall include a statement of the consequence under subrule 4 of this Rule of failing to deal with an allegation.</p> <p>Where a person to whom a direction (including any order or summons) issued under these Rules is addressed had no opportunity of objecting to the direction, that person may apply to the Tribunal to vary or set it aside, but the Tribunal shall not do so without first notifying the other parties and considering any representations made by them.</p> <p>11. (1) If any direction (including an order) given to a party under these Rules is not complied with by that party, the Tribunal may, before or at the hearing, dismiss the whole or part of the Appeal or Originating Application, or strike out the whole or part of a Respondent's or Defendant's defence: Provided that the Tribunal shall not dismiss, strike out or give further direction unless it has sent notice to the party who has not complied giving that party an opportunity to comply within the period specified in the notice or to establish why the Tribunal should not dismiss, strike out or give further direction.</p> <p>(2) In addition to the consequences prescribed in subrule (1) of this</p>	
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<p>Rule 12 Consolidation of Appeals or Originating Applications</p>	<p>Rule, an offending party or counsel may be sanctioned for being in contempt of the Tribunal.</p> <p>12.(1) Where two or more Notices of Appeal or Originating Applications have been lodged in respect of the same matter, or in respect of several interests in the same subject in dispute, or which involve the same issues, the Tribunal may, on the application of a party to any of the Appeals or Originating Applications or on its own initiative, direct that the Appeals or Originating Applications or any particulars, issues or matters raised in the Appeals or Originating Applications be consolidated or heard together.</p> <p>(2) Before giving a direction under this Rule, the Tribunal shall give notice to the parties to the relevant Appeals or Originating Applications and consider any representations made in consequence of the notice.</p>	
<p>Rule 13 Test Cases</p>	<p>Where the Tribunal considers that two or more Appeals or Originating Applications involve the same issues, the Tribunal may, with the written consent of all parties to the Appeals or Originating Applications, direct that one or more Appeals or Originating Applications selected by the Tribunal be heard in the first instance as a test case or test cases and that the parties to each Appeal or Originating Application shall, without prejudice to their right to appeal further to the Court of Appeal, be bound by the decision of the Tribunal on the selected Appeal or Originating Application.</p>	
<p>Rule 1: Summoning of Witness</p>	<p style="text-align: center;">PART E ORDER 17: EVIDENCE</p> <p>1. (1) The Tribunal may by summons require any person to attend as a witness at a hearing of an Appeal or Originating Application at the time and place specified in the summons and, subject to Rule (2) of this Order, at the hearing, to answer any questions or produce any documents in that person's custody or under that person's control which relate to any matter in question in the Appeal or Originating Application; but:</p> <p style="padding-left: 40px;">(a) no person may be required to attend in obedience to the summons unless that person has been given at least 7 days' notice of the hearing or, if less than 7 days, that person has informed the Tribunal that he accepts the notice which he has been given, and</p> <p style="padding-left: 40px;">(b) no person, other than the Appellant or Claimant or the</p>	

<p>Rule 2: Evidence of Witness; General Rule</p>	<p>Respondent or Defendant, may be required in obedience to the summons to attend and give evidence or to produce any document unless reasonable expenses for attendance are paid or tendered to that person.</p> <p>(2) No person may be compelled to give any evidence or produce any document or other material which that person cannot be compelled to give or produce in a proceeding before a court of law in Nigeria.</p> <p>(3) In addition to making reference to the penalty for failure to attend, as provided by Order 16 Rule 11, every summons under subrule 1 of this Rule shall, unless the person to whom the summons is addressed had an opportunity of objecting to it, contain a statement to the effect that, under Order 16 Rule 10, that person may apply to the Tribunal to vary or set aside the summons.</p> <p>(4) Save on the initiative of the Tribunal, the party at whose instance a summons is issued shall ensure that the other party is served a copy of the summons.</p> <p>(5) In exercising the powers conferred by this Rule, the Tribunal shall take into account the need to protect any matter that relates to intimate personal or financial circumstances, is commercially sensitive, and consists of information communicated or obtained in confidence or touches on national security.</p> <p>2. (1) Any fact that needs to be proved by the evidence of witnesses shall be proved:</p> <ul style="list-style-type: none"> (a) at the hearing by their witness statement and oral evidence; (b) in any interlocutory proceedings, by affidavit; (c) during oral examination of a witness, his evidence in-chief shall be limited to confirming his witness statement and tendering in evidence all documents or other exhibits referred to in the witness statement, subject to: <ul style="list-style-type: none"> (i) any provision to the contrary contained in these Rules or the Evidence Act 2011; or (ii) any direction of the Tribunal. <p>(2) At the hearing or interlocutory proceedings a party may also rely on the matters set out in his Notice of Appeal or Originating Application or Defence.</p> <p>(3) Unless at or before trial the Tribunal for special reason otherwise orders or directs, no document, plan, photograph or model shall be admitted in evidence at the trial of an action unless it has been filed along with the Appeal or Originating</p>	
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<p>Rule 3: Evidence by Electronic Video Link and Other Means</p> <p>Rule 4: Use of Witness Statement at Hearing</p> <p>Rule 5: Form of Witness Statement</p>	<p style="text-align: center;">Application of the parties under these Rules.</p> <p>3. (1) The Tribunal may allow a witness to give evidence by telephone, through a video link or by any other electronic means of direct oral communication, provided that the Tribunal is satisfied that it would not prejudice the interest of justice.</p> <p>(2) Subject to the provisions of the Evidence Act 2011, evidence in any proceedings may be recorded in writing by mechanical, electronic, or any other scientific means.</p> <p>(3) Where circumstances do not permit physical hearing of any case, the Tribunal may conduct electronic audio-visual hearing of same, after due notice has been given to parties and their legal practitioners or representatives.</p> <p>4. (1) A witness statement is a written statement signed by a person which contains the evidence which that person would be allowed to give orally.</p> <p>(2) If:</p> <p>(a) a party has filed a witness statement; and</p> <p>(b) that party wishes to rely at the hearing on the evidence of the witness who made the statement, the party shall call the witness to give oral evidence unless the Tribunal directs that the party may put the statement in evidence without doing so.</p> <p>(3) Where a witness is called to give oral evidence under subrule (1) of this Rule, the witness statement of the witness shall stand as the witness's evidence in-chief.</p> <p>(4) A witness giving oral evidence at a hearing may, with the leave of the Tribunal:</p> <p>(a) amplify his witness statement; and</p> <p>(b) give evidence on new information which was not available when the witness statement was filed.</p> <p>(5) If a party who has filed a witness statement does not:</p> <p>(a) call the witness to give evidence at the hearing; or</p> <p>(b) put the statement in without calling the witness; any other party may tender the witness statement without calling the witness to give oral evidence.</p> <p>5. (1) A witness statement shall be headed with the title of the proceedings followed by a statement of the parties to the proceedings.</p> <p>(2) The witness statement shall be in the intended witness's own words, expressed in the first person and shall also state:</p>	
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<p>Rule 6: Use of Witness Statements and Affidavits for Other Purposes</p>	<ul style="list-style-type: none"> (a) the full name of the witness; (b) the place of residence or, if the witness is making the statement in his or her professional, business or other occupational capacity, the address at which the witness works, the position he holds and the name of his firm or employer; (c) the witness's occupation, or if he has none, his description; and (d) the fact that the witness is or has been a party or is the employee of such a party, if that be the case. <p>(3) A witness statement shall indicate:</p> <ul style="list-style-type: none"> (a) which of the statements in it are made from the witness's own knowledge and which are matters of information and belief; and (b) the source for any matters of information and belief. <p>(4) A document referred to in a witness statement shall be verified and identified by the witness.</p> <p>(5) A witness statement shall:</p> <ul style="list-style-type: none"> (a) be signed and dated by the person making the statement; (b) be fully legible and typed or written on only one side of the paper; (c) be bound securely in a manner which would not hamper filing or otherwise each page should be endorsed with the case number and bear the initials of the witness; and (d) have the pages numbered consecutively. <p>(6) Any alteration to a witness statement shall be initialled by the person making the statement.</p> <p>6. (1) Except as provided by this Rule, a witness statement or affidavit may be used only for the purpose of the proceedings in which it is filed.</p> <ul style="list-style-type: none"> (2) Subrule (1) of this Rule does not apply if and to the extent that: <ul style="list-style-type: none"> (a) the witness or deponent gives consent in writing to some other use of it; (b) the Tribunal grants leave for some other use; or (c) it has been put in evidence at a hearing held in public. (3) Certified true copies of Appeals and Originating Applications, records or documents filed in the Tribunal shall be admissible in evidence in all causes and matters between all persons or parties to the same extent as the original is admissible. 	
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Rule 7:

Inspection of witness statements or affidavit.

7. (1) A witness statement or affidavit which has been received in evidence shall be open to inspection during the course of the hearing unless the Tribunal otherwise directs, either on its own initiative or on the application of a party.
- (2) A direction under subrule (1) of this Rule may exclude from inspection words or passages in the statement or affidavit.
- (3) Any party may apply for a direction that a witness statement or affidavit, or words or passages in it, shall not be made open to inspection.
- (4) The Tribunal shall not give a direction under subrule (1) of this Rule unless it is satisfied that a witness statement or affidavit, or words or passages in it, should not be open to inspection because of:
- (a) the interest of justice;
 - (b) public interest;
 - (c) the nature of any expert medical evidence in the witness statement or affidavit;
 - (d) the nature of any confidential information (including information relating to personal financial matters and national security) in the statement or affidavit; or
 - (e) the need to protect the interest of any child or patient.

Rule 8:

Expert Witness and Report.

8. (1) A party may call an expert or put in evidence an expert's report.
- (2) When a party intends to call an expert or put in evidence an expert's report under this Rule, the party shall identify:
- (a) the subject in which the party wishes to rely on expert evidence; and
 - (b) where practicable the expert in that subject on whose evidence the party seeks to rely.
- (3) When a party calls or puts in evidence an expert's report under this Rule, it shall be in relation only to the expert named or the subject identified under subrule (2) of this Rule.

Rule 9:

Expert's Overriding Duty to the Tribunal.

9. (1) It shall be the duty of an expert to help the Tribunal on the matters within his expertise.
- (2) The expert's duty to the Tribunal overrides any obligation to the party from whom the expert received instructions or by whom the expert is paid.

Rule 10:

Tribunal's Power to Restrict Expert

Expert evidence shall be restricted to that which is reasonably required to resolve the proceedings.

<p>Evidence</p> <p>Rule 11: Content of Expert's Report</p> <p>Rule 12: Discussions between experts</p>	<p>11. (1) Expert evidence is to be given in a written report unless the Tribunal directs otherwise.</p> <p>(2) An expert's report shall be addressed to the Tribunal and not to the party from whom the expert has received instructions.</p> <p>(3) An expert's report shall:</p> <ul style="list-style-type: none"> (a) give details of the expert's qualifications; (b) contain a statement of the substance of all material instructions, whether written or oral, on the basis of which the report was written; (c) give details of any literature or other material which the expert has relied on in making the report; (d) say who carried out any test or experiment which the expert used for the report and whether or not the test or experiment was carried out under the expert's supervision; (e) where there is a range of opinion on the matter dealt with in the report: <ul style="list-style-type: none"> (i) summarise the range of opinion, and (ii) give reasons for the expert's own opinion. (f) contain a summary of the conclusions reached; and (g) contain a statement that the expert understands his or her duty to the Tribunal and has complied with that duty. <p>12. (1) The Tribunal may, at any stage, direct a discussion between experts for the purpose of requiring the experts to:</p> <ul style="list-style-type: none"> (a) identify the issues in the proceedings; and (b) where possible, reach agreement on an issue. <p>(2) The Tribunal may specify the issues which the experts shall discuss.</p> <p>(3) The Tribunal may direct that following a discussion between the experts they shall prepare a written statement for the Tribunal showing:</p> <ul style="list-style-type: none"> (a) issues on which they agree; and (b) issues on which they disagree and a summary of their reasons for disagreeing. <p>(4) The content of the discussion between the experts shall not be referred to at the hearing unless the parties agree.</p> <p>(5) Where experts reach agreement on an issue during their discussions, the agreement shall not bind the parties unless the parties expressly agree to be bound by it.</p>	
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Rule 13:

Evidence by Joint
Experts

13. (1) Where two or more parties seek to submit expert evidence on a particular issue, the Tribunal may direct that the evidence on that issue shall be submitted by one expert only.
- (2) Where the parties wishing to submit the expert evidence cannot agree on who should be the expert, the Tribunal may:
- (a) select the expert from a list prepared or identified by those parties; or
 - (b) direct that the expert be selected in such a manner as the Tribunal deems appropriate.
- (3) Where the Tribunal gives a direction under subrule (1) of this Rule for a single joint expert to be used, each party seeking to submit expert evidence (instructing party) may give instructions to the expert.
- (4) When a party gives instructions to the expert that party shall, at the same time, send a copy of the instructions to the other parties.

Rule 14:

Expert's Fees and
Expenses

14. (1) The Tribunal may give directions about:
- (a) the payment of the expert's fees and expenses; and
 - (b) any inspection, examination or experiment which the expert seeks to carry out.
- (2) The Tribunal may, before an expert is instructed:
- (a) limit the amount that can be paid to the expert by way of fees and expenses; and
 - (b) direct that the instructing parties pay that amount to the Tribunal.
- (3) Unless the Tribunal otherwise directs, the instructing parties shall be jointly and severally liable for the payment of the expert's fees and expenses

Rule 15:

Written
Questions to
Experts

15. (1) A party may put to:
- (a) an expert instructed by another party;
 - (b) a single joint expert appointed under Rule 13 of this Order,
or
 - (c) an expert instructed by the Tribunal under Rule 17 of this Order, written questions about that expert's report.
- (2) Written questions under subrule (1) of this Rule:
- (a) may be put only once;
 - (b) shall be put within 7 days of receipt of the expert's report;
and
 - (c) shall be only for the purpose of clarification of the report,
unless in any case:

<p>Rule 16: Use of expert's report at Hearing</p> <p>Rule 17: Tribunal's Power to Obtain Assistance of Expert</p> <p>\</p> <p>Rule 1: Hearing Notice: Time and Date</p>	<p>(i) the Tribunal grants leave; or (ii) the other party agrees.</p> <p>(3) An expert's answers to questions put in accordance with subrule (1) of this Rule shall be treated as part of the expert's report.</p> <p>(4) Where:</p> <p>(a) a party has put a written question to an expert instructed by another party in accordance with this Rule; and (b) the expert does not answer that question, the Tribunal may not rely on the evidence of that expert.</p> <p>16.(1) A party who fails to file an expert's report may not use the report at the hearing or call the expert to give evidence orally unless with the leave of the Tribunal.</p> <p>(2) Where a party has filed an expert's report or the Tribunal has obtained an expert's report under Rule 17 of this Order, any party may use that expert's report as evidence at the hearing.</p> <p>17.(1) Where the Tribunal is of the view that any technical question arises on which it would be desirable to have the assistance of an expert, it may make arrangements for a person having appropriate qualifications to enquire into and report in writing on the matter, and may require the expert to be present at the hearing, give evidence, and answer questions, if a party so requests.</p> <p>(2) A copy of the report shall be supplied to each party in advance of the hearing.</p> <p style="text-align: center;">PART F ORDER 18: HEARING</p> <p>1. (1) The Chief Registrar shall fix the date, time, and place of the oral hearing and, where appropriate, set a timetable for the hearing and, not less than seven (7) days before the date fixed (or a shorter time if agreed to by the parties), send to each party a notice that the hearing is to be on that date and at that time and place and the details of any timetable for the hearing.</p> <p>(2) The Chief Registrar shall include in the notice of hearing:</p> <p>(a) information and guidance, in a form approved by the Chairman of the Tribunal, as to attendance at the hearing of the parties and witnesses, the production of documents, and the right of representation or assistance by another person, the rules of evidence and</p>	
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<p>Rule 2: Alteration of hearing date & time; Adjournments</p>	<p>the burden and standard of proof and the procedure applicable to the hearing;</p> <p>(b) a statement of the right of the parties to receive reasons in writing for a decision of the Tribunal;</p> <p>(c) a statement explaining the importance of attendance, consequences of non-attendance and of the right of an Appellant or Applicant and of any Respondent or Defendant who has presented a reply, but is not present or represented, to make representations in writing.</p> <p>2. (1) The Tribunal may alter the date, time or place of any hearing and the Chief Registrar shall give the parties not less than 3 days (or a shorter time if the parties agree) notice of any such alteration.</p> <p>(2) When any hearing is adjourned in order that further information or evidence may be obtained, the Tribunal may give directions regarding the disclosure of the information or evidence to, and the filing of comments on the information or evidence by, the parties prior to the resumption of the hearing.</p> <p>(3) Notwithstanding the provisions of subrule (1) of this Rule, when a matter has been fixed for hearing and any of the parties intends to seek an adjournment, the party shall apply to the Tribunal in writing for adjournment, with cogent reasons, and send a copy of the application to the other party or his counsel not later than 24 hours before the date fixed for the hearing of the matter.</p> <p>(4) The Tribunal may adjourn the oral hearing to any subsequent time and place, and shall notify the parties of such adjournment.</p> <p>(5) No adjournments may be allowed:</p> <p>(a) because of the absence of one or more parties or tardiness in filing any document;</p> <p>(b) to enable any party who had sufficient notice of the proceedings which he seeks adjourned; or</p> <p>(c) on the hearing date of the matter.</p>	
<p>Rule 3: Service of Hearing Notice</p>	<p>3. Any hearing notice or notice of adjourned date issued by the Tribunal for service on any party may be served:</p> <p>(a) By telephone call or short message service (sms) to the number(s) provided by the parties or their counsel; or</p> <p>(b) By any e-mail, <i>WhatsApp</i> or other electronic medium; or</p> <p>(c) By any other means permitted by the Tribunal's Rules or as may be directed by the Tribunal.</p> <p>(d)</p>	

<p>Rule 4: Hearing Procedure</p>	<p>4. (1) Subject to this Rule, the Tribunal may, in accordance with the overriding objective, conduct the hearing in the manner it considers most suitable to the clarification of the issues before it and generally to the just handling of the proceedings.</p> <p>(2) The parties shall be entitled to give evidence, call witnesses, question witnesses, and address the Tribunal both on the evidence and generally on the subject matter of the proceedings.</p> <p>(3) The Tribunal may at any stage of the proceedings require the personal attendance of any maker of a witness statement or deponent of an affidavit, or any expert whose report has been filed.</p> <p>(4) The Tribunal may receive evidence of any fact which seems to it to be relevant and would ordinarily be admissible in evidence in a court of law but, subject to Order 16 Rule 8 subrule 1(f) and Order 17 Rule 6, shall admit any evidence presented in due time which is admissible at law and is relevant.</p> <p>(5) The Tribunal may require any witness to give evidence on oath or affirmation and for that purpose there shall be administered an oath or affirmation in due form.</p>	
<p>Rule 5: Absence of a Member of the Tribunal</p>	<p>5. (1) Subject to section 276 (1) of the Act if, after the commencement of any hearing, a member or some members other than the Chairman is or are absent, the other members may hear the Appeal or Originating Application and, in that event, the Tribunal shall be deemed to be properly constituted.</p> <p>(2) In this Rule, reference to the Chairman shall be construed to include a Presiding Chairman of a Panel of the Tribunal.</p>	
<p>Rule 6: Hearing in Public or in Private</p>	<p>6. (1) All hearings by the Tribunal (including preliminary hearings) shall be in public except where all parties to the proceedings have indicated in writing that they require the hearing to be in private: Provided that the Tribunal is satisfied that there is no important public interest consideration that calls for the hearing to be in public.</p> <p>(2) The Tribunal may decide under subrule (1) of this Rule that only a part of the hearing shall be in private or that information about the proceedings before the Tribunal, the names and identity of persons concerned in the proceedings or specified evidence given in the proceedings shall not be made public.</p>	
<p>Rule 7: Legal Representation</p>	<p>7. (1) At the hearing of an Appeal or Originating Application or at any pre-hearing review, a party or his representative may conduct his case or may be represented by a legal practitioner.</p>	

<p>Rule 8: Persons Entitled to be Present at Private Hearing</p>	<p>(2) Every legal practitioner engaged in any matter before the Tribunal shall conduct the matter on behalf of the party by or for whom that legal practitioner is engaged until judgment, unless for any reason he ceases to act.</p> <p>(3) An application for change of legal practitioner or withdrawal may be made by any party or the legal practitioner, as the case may be, not less than two(2) days before the date of hearing.</p> <p>(4) The Tribunal shall assist any party without legal representation who appears unable to make the best of his case, without advocating the course that he should take.</p> <p>8. (1) The following persons shall be entitled to attend the hearing of an Appeal or Originating Application and the Tribunal's deliberations on the hearing of the Appeal or Originating Application in private:</p> <p>(a) The Chairman or any member of the Tribunal, even if not constituting the Tribunal, for the purpose of the hearing;</p> <p>(b) The parties and their legal practitioners;</p> <p>(c) Any other person permitted by the Tribunal or with the consent of the parties who would take no part in the proceedings.</p> <p>(2) Where the Tribunal sits in private it may admit persons to the hearing on such terms and conditions as it considers appropriate.</p>	
<p>Rule 9: Persons Disrupting Proceedings</p>	<p>9. (1) Without prejudice to any other powers it may have, the Tribunal may exclude from the hearing, or part of it, any person (including a party or party's representative) whose conduct disrupts or is capable of disrupting the hearing or whose conduct is capable of interfering or has otherwise interfered with the proceedings.</p> <p>(2) In deciding whether to exercise the power conferred by subrule(1), the Tribunal shall, apart from other considerations, have regard to:</p> <p>(a) the interest of the parties;</p> <p>(b) in the case of the exclusion of a party, the extent to which the proceedings involve an assessment of the party's conduct, personal character or manner of life; and</p> <p>(c) in the case of the exclusion of a party or a party's representative, whether the party will be adequately represented.</p> <p>(3) If the Tribunal decides to exclude a party it shall allow the party's legal representative sufficient opportunity to consult the</p>	

Rule 10:

Failure of parties to attend hearing

party.

10. (1) If a party fails to be present or represented at a hearing, the Tribunal may, if it is satisfied that the party was duly notified of the hearing and that there is no sufficient reason for such absence:
 - (a) hear and decide the Appeal or Originating Application in the party's absence; or
 - (b) adjourn the hearing, and give such directions as it deems fit (including orders for the payment of costs and expenses).
- (2) Before deciding to dispose of any Appeal or Originating Application in the absence of a party, the Tribunal shall consider any representations in writing submitted by that party in response to the notice of hearing and, for the purpose of this Rule, the Appeal or Originating Application and any reply may be treated as representations in writing.
- (3) Where an Appellant or Claimant has failed to be present or represented at a hearing of which he was duly notified, and the Tribunal has disposed of the Appeal or Originating Application, no fresh Appeal or Originating Application may be filed by the Appellant or Claimant with the Tribunal against the same disputed decision or for relief arising out of the same facts without the prior leave of the Tribunal: Provided that nothing in this subrule shall preclude the Appellant or Claimant from making an application for a review of the Tribunal's decision under Order 20 Rule 4 of these Rules.
- (4) Where judgment is entered pursuant to subrule (1) of this Rule, the Tribunal may set aside or vary such judgment on such terms as it deems appropriate upon an application by the Defendant. The Defendant must make the application within a reasonable time, show a good defence to the claim and a just cause for the default.

Rule 11:

Inability to attend Hearing.

11. (1) If the Presiding Chairman is satisfied that any party is unable, through physical or mental infirmity, to attend the Tribunal and that the infirmity is likely to continue for a prolonged period, the Presiding Chairman may give such directions as he deems fit in the circumstances of the case and, in particular, may give directions:
 - (a) for the infirm party to be visited at some convenient place by one or more members of the Tribunal, for the purpose of recording the infirm party's evidence and any statement he

<p>Rule 1: Power to order written address</p> <p>Rule 2: Order and Time for filing of final written address.</p>	<p>or she may desire to make;</p> <p>(b) for taking, whether before the Tribunal or otherwise, the evidence of medical or other witnesses on behalf of the infirm party and the other party or parties and, in particular, the evidence of the close relatives, guardian or other representative of the infirm party;</p> <p>(c) for enabling the infirm party's legal representative and the other party or parties to comment, whether at a hearing of the Tribunal or in writing, on the evidence so taken and to make a statement in writing or to address the Tribunal;</p> <p>(d) for the hearing of the Appeal or Originating Application to take place at the infirm party's home, hospital or elsewhere convenient to the infirm party; and</p> <p>(e) for the Appeal or Originating Application to be decided in the absence of the infirm party: Provided that any direction given under paragraph (a), (b) or (d) shall make provision for enabling the representative of the other party or parties, if the representative so wishes, to be present while the evidence of the infirm party and other witnesses is taken and to ask questions of the infirm party and other witnesses.</p> <p>(2) The Tribunal may, notwithstanding the provisions of subrule (1) of this Rule, direct that an infirm party gives evidence by electronic means.</p> <p>ORDER 19: FILING OF WRITTEN ADDRESSES</p> <p>1. The Tribunal shall have the power to:</p> <p>(a) order the filing of written addresses in any case; or</p> <p>(b) dispense with the filing of written addresses where the interest of justice so demands.</p> <p>2. (1) Where the Defendant calls evidence, he shall, after the close of evidence, file a final written address within the period directed by the Tribunal.</p> <p>(2) Upon being served with the Defendant's written address, the Claimant shall, within the period directed by the Tribunal, file a Reply address.</p> <p>(3) Where a Defendant does not call evidence, the Claimant shall, within the period directed by the Tribunal, after the close of evidence, file a written address. Upon being served the Claimant's written address, the Defendant shall, within the period directed by the Tribunal, file a Reply address.</p> <p>(4) The party who files the first written address shall:</p>	
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Rule 3:

Form and Content of Written Address

- (a) have a right of reply on points of law only; and
- (b) shall file the reply within the period directed by the Tribunal, after service of the other party’s address.

3. (1) A written address shall be printed on good quality white opaque A4 size paper and set out in paragraphs numbered serially and shall contain:
- (a) the claim or application on which the address is based;
 - (b) a brief statement of the facts with reference to the exhibit(s) attached to the application or tendered at the hearing;
 - (c) the issues for determination arising from the evidence; and
 - (d) a succinct statement or argument on each issue incorporating the purport of the authorities referred to, together with full citation of each authority.
- (2) Every written address shall be concluded with a numbered summary of the points raised and the party’s prayer.
- (3) A list of all authorities referred to shall be submitted with the written address.
- (4) Where any unreported judgment is relied upon, the Certified True Copy shall be submitted with the written address.

Rule 4:

Oral Arguments

When parties to an Appeal or Originating Application or an interlocutory application have filed their written addresses, oral argument of not more than 20 minutes may be allowed for each party to address salient issues while any reply by counsel on points of law may be for a period not exceeding 10 minutes, except the Tribunal otherwise directs.

Rule 5:

Deeming Written Address as adopted.

The Tribunal may require parties to file their written addresses at the close of hearing, and deem same adopted.

PART G

ORDER 20: DECISIONS

Rule 1:

Power to Decide Appeal or Originating Application without Hearing

1. (1) If:
- (a) no defence to an Appeal or Originating Application is received by the Chief Registrar within the time appointed under these Rules or any extension of time allowed by the Tribunal; or
 - (b) the Respondent or Defendant states in writing that he

Rule 2:
Decisions of the
Tribunal

- does not oppose the Appeal or Originating Application;
or
- (c) the Respondent or Defendant withdraws his opposition to the Appeal or Originating Application; or
 - (d) all parties agree in writing; the Tribunal may decide the Appeal or Originating Application on the basis of the Notice of Appeal or Originating Application and any Defence without a hearing, if there is no other opposition to the Appeal or Originating Application and there is no important public interest consideration that requires a hearing in public.
- (2) Before deciding an Appeal or Originating Application in the absence of a party, the Tribunal shall consider any representations in writing made by that party in response to the notice of hearing.
2. (1) The decision of the Tribunal may be taken by a majority and shall record whether it was unanimous or taken by a majority, but where the Tribunal is constituted by an even number of members, the Presiding Chairman shall have a second or casting vote.
- (2) The decision of the Tribunal:
- (a) shall be given at the end of the hearing;
 - (b) whether there has been a hearing or not, shall be recorded in a document which, save in the case of a decision by consent, shall also contain a statement of the reasons for the decision; and
 - (c) shall be signed and dated by the Presiding Chairman.
- (3) The Chief Registrar shall, on application and upon payment of the prescribed fee, issue a copy of the document recording the decision to each party.
- (4) Where any document refers to any evidence that has been heard in private, only a summary of the document, omitting the material, shall be entered in the Register, as the Tribunal may direct, but copies of the complete document shall be sent to the parties together with a copy of the entry.
- (5) Except where a decision is announced at the end of hearing, it shall be treated as having been made on the date stated on a copy of the document recording it.
- (6) Any sum payable in pursuance of a decision shall be recoverable by execution subject to the provisions of section 293(3) of the Act or any other law replacing same.

<p>Rule 3: Publication</p> <p>Rule 4: Review</p>	<p>The Tribunal shall pronounce its decision in open court and publish same in writing.</p> <p>4. (1) If, on the application of a party or on its own initiative, the Tribunal is satisfied that:</p> <ul style="list-style-type: none"> (a) its decision was wrong because of an error on the part of the Tribunal or its staff; or (b) a party, who was entitled to be heard at a hearing but failed to be present or represented, had a good reason for failing to be present or represented; or (c) the decision of the Tribunal was obtained by fraud; or (d) new evidence, to which the decision relates, has become available since the conclusion of the proceedings and its existence could not reasonably have been known or foreseen before then; or (e) the interest of justice otherwise requires, the Tribunal may review and set aside or vary the relevant decision. <p>(2) An application for the purposes of subrule (1) of this Rule:</p> <ul style="list-style-type: none"> (a) may be made immediately following the decision at the hearing; (b) if not so made, shall be made to the Chief Registrar at any time not later than 14 days after the date on which: <ul style="list-style-type: none"> (i) the decision was received by the parties, or (ii) the applicant became aware or is deemed to have become aware of the new evidence referred to in subrule 1(c) and (d) of this Rule; and (c) shall be in writing stating the reasons in full. <p>(3) When the Tribunal proposes to review its decision on its own initiative, it shall notify the parties within the same period as in subrule (2) of this Rule.</p> <p>(4) The parties shall have an opportunity to be heard on any application or proposal for review under this Rule and the review shall be decided by the same members of the panel who decided the case. If, having reviewed the decision and the decision is set aside, the Tribunal shall substitute the decision as it thinks fit or order a rehearing before either the same or a differently constituted panel.</p> <p>(5) Where a decision of the Tribunal is set aside or varied, the Chief Registrar shall, on application and upon payment of the prescribed fee, issue to the parties copies of the order.</p>	
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Rule 5:

Further
Consideration

5. (1) Where the Tribunal has made a decision on an appeal, it may further direct the regulatory body or self-regulatory organisation from where the appeal emanated to reconsider the subject of the disputed decision.

(2) Where the regulatory body or self-regulatory organization has satisfied the requirement of subrule (1) above, and a party files a fresh appeal, the Tribunal may give such directions as it deems fit in the circumstances, with a view to avoiding duplication of documents or other evidence already produced on the original appeal.

Rule 6:

Order for Costs
and Expenses

6. (1) Pursuant to section 296 of the Act, parties to an appeal shall bear their costs.

(2) The Tribunal may, subject to subrule (3) of this Rule, make an order for costs and expenses:

(a) against a party (including a party who has withdrawn his Originating Application or Defence) if it is of the opinion that the party's action was vexatious or that the party's conduct in making, pursuing or opposing an Originating Application was unreasonable; or

(b) against any party, where it considers that the decision against which the Originating Application is made was unreasonable; or

(c) regarding any costs or expenses incurred, or any allowances paid, as a result of the postponement or adjournment of a hearing at the request of a party; or

(d) with respect to any costs or expenses incurred as a consequence of the late amendment of reasons for an Originating Application.

(3). No order may be made under subrule(2) of this Rule against a party without first giving that party an opportunity of making representations against the making of the order.

(4). An order under subrule(2) of this Rule may require the party against whom it is made to pay the other party or parties either a specified sum in respect of the costs and expenses incurred by that other party in connection with the proceedings or the whole or part of those costs as assessed (unless otherwise agreed).

(5) (a) In fixing the amount of costs, the principle to be observed is that the party who is in the right is to be indemnified for the expenses to which he has been

<p>Rule 7: Security for Costs</p> <p>Rule 8: Interest</p> <p>Rule 1: Appeal to the Court of Appeal</p>	<p>unnecessarily put in the proceedings, as well as compensated for his time and effort in coming to the Tribunal. The Tribunal may take into account all the circumstances of the case.</p> <p>(b) When costs are ordered to be paid, the amount of such costs may, if practicable, be summarily determined by the Tribunal at the time of making the judgment or order.</p> <p>(c) When the Tribunal deems it impracticable to determine summarily the amount of any costs which it has adjusted or ordered to be paid, all questions relating to it shall be referred by the Tribunal to a taxing officer for taxation</p> <p>In any cause or matter in which security for costs is required, the security shall be of such amount and be given at such times and in such manner and form as the Tribunal shall direct.</p> <p>When a decision awards a party a monetary sum (other than in respect of costs and expenses), the award shall, unless set aside, and subject to any variation on appeal or review, carry interest at the commercial rate from the date of the event giving rise to the application to the Tribunal and/or at the rate of ten percent from the date of the decision. The interest may be recovered in the same manner as the award to which it relates.</p> <p style="text-align: center;">PART H</p> <p style="text-align: center;">ORDER 21: APPEALS FROM THE TRIBUNAL</p> <p>1. (1) Any party dissatisfied with a decision of the Tribunal may, pursuant to section 295 of the Act, appeal against such decision on points of law or mixed law and facts to the Court of Appeal upon giving notice in writing to the Chief Registrar of the Tribunal within the time allowed by the Court of Appeal, after the date on which such decision was given.</p> <p>(2) A Notice of Appeal filed pursuant to subrule (1) of this Rule shall clearly state all the grounds of law and facts on which the Appellant's appeal is based.</p> <p>(3) Upon receipt of a Notice of Appeal under subrule (1) of this Rule, the Chief Registrar of the Tribunal shall cause the notice to be delivered to the Chief Registrar of the Court of Appeal along with all the exhibits tendered at the hearing before the Tribunal within the time allowed by the Court of Appeal, after the date of the decision.</p>	
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<p>Rule 2 Appeal Remitted for Re-Hearing</p>	<p>2. (1) These Rules, so far as relevant, shall apply to any rehearing as they did to the original hearing of the Appeal or Originating Application. (2) The Tribunal shall, within 30 days of the remittal, give directions in relation to the rehearing.</p>	
<p>Rule 1: Amendments</p>	<p style="text-align: center;">PART I</p> <p style="text-align: center;">ORDER 22: POWERS OF THE TRIBUNAL TO AMEND RULES AND ISSUE PRACTICE DIRECTIONS</p> <p>1. (1) Whenever additional provisions are made to these Rules or any part thereof are amended or modified, the Tribunal may issue directives for addition, publication or reprint of supplements to these Rules. (2) Whenever the Tribunal makes amendment or modification to these Rules, it shall be sufficient to publish same as supplemental provisions without the necessity of new body of Rules except when necessary.</p>	
<p>Rule 2: Practice Directions</p>	<p>2. (1) The Tribunal shall have the power to issue practice directions, protocols, directives, and guidance towards the realisation of a speedy, just and effective administration of justice. (2) Such practice directions, protocols, directives, and guidance shall be published and given effect towards the realisation of the overriding objective of these Rules.</p>	
<p>Rule 1: Electronic Filing of Process</p>	<p style="text-align: center;">PART J</p> <p style="text-align: center;">ORDER 23- ELECTRONIC PROCEEDINGS</p> <p>1. (1) The Chief Registrar shall designate an electronic site for the filing of any document or process. (2) Every party desiring to file any process or application shall register on the electronic site of the Tribunal. (3) Parties shall file all processes required under these Rules electronically. (4) Every party filing any process shall comply with the provisions of Order 4 Rules 2 and 3 of these Rules. (5) All processes or documents required to be filed shall be scanned or converted to a PDF format and sent to the designated electronic site. Documents or processes filed shall be signed and/or sealed (where appropriate), in accordance with these Rules. (6) Where a document is to be signed or made under oath, the party may electronically or manually sign the document and scan the page with his signature.</p>	

<p>Rule 2: Electronic Service of Process</p>	<p>(7) Parties shall pay the assessed fees through any prescribed means of payment, and send a copy of the receipt of payment to the Tribunal.</p> <p>2.(1) Service of any process of the Tribunal may be effected by short message service (sms), e-mail, <i>WhatsApp</i> or any other electronic means as may be directed by the Tribunal.</p> <p>(2) Service of processes may be proved by filing an affidavit attaching a printout, showing the date and time the process was received by the other party.</p> <p>(3) Where an electronic mode of service is used, time shall begin to run from the date the process was sent.</p> <p>(4) Where a system outage or technical failure prevents a party from complying with an order as to time, the party may seek further direction from the Tribunal.</p>	
<p>Rule 3 Preparation and Conduct of Electronic Hearing</p>	<p>3. (1) The Tribunal shall give directions for scheduling electronic hearing of cases, and ensure that necessary facilities for the hearing are available.</p> <p>(2) Parties shall indicate participation in the electronic hearing through the Tribunal’s electronic site.</p> <p>(3) Electronic hearing shall be by Zoom, Skype, or any other video link or communication approved by the Tribunal.</p> <p>(4) Notice of an electronic hearing shall be communicated to the parties or their counsel by e-mail, <i>WhatsApp</i>, short message service(sms) or any other electronic means as the Tribunal may direct. Cases scheduled for hearing on any day shall be stated on the Cause List.</p> <p>(5) The Tribunal shall give directions on the conduct and use of audio and visual links during proceedings in any hearing.</p> <p>(6) Recording of proceedings in any hearing shall be done in compliance with the Rules of the Tribunal.</p>	
<p>Rule 4 Adoption of Written Address</p>	<p>Adoption of written addresses shall be in compliance with these Rules.</p>	
<p>Rule 5 Judgment/Ruling</p>	<p>The Tribunal shall notify parties or counsel by email, <i>WhatsApp</i>, short message service(sms) or any other electronic means of the date for the delivery of its decision.</p>	
<p>Rule 1: Disqualification</p>	<p>ORDER 24: MISCELLANEOUS</p> <p>1. A person shall not sit as a member of the Tribunal in considering an Appeal or Originating Application if, at the time the decision</p>	

<p>Rule 2: Power of the Chairman</p>	<p>or transaction of the subject matter of the Appeal or Originating Application took place, he:</p> <ul style="list-style-type: none"> (a) participated in the decision being appealed against; or (b) was an employee or officer of any of the parties and participated in the transaction of the subject matter of the Appeal or Originating Application; or (c) has represented any of the parties in respect of the Appeal or Originating Application. <p>2.(1) Any act required or authorised by these Rules may be done by the Chairman of the Tribunal except:</p> <ul style="list-style-type: none"> (a) the deciding of an Appeal or Originating Application; (b) the deciding of any question on a preliminary hearing other than the giving of direction for such a hearing to be held; or (c) the making of an order disposing of the Appeal or Originating Application following a review under Order 20 Rule 4. <p>(2) In the event of the death or incapacity of the Presiding Chairman following the decision of the Tribunal in any matter, the functions of the Presiding Chairman for completion of the proceedings, including any review of the decision, may be exercised by any other member of the panel who is a legal practitioner.</p>	
<p>Rule 3: Delegation of Chief Registrar's Functions</p>	<p>Any function of the Chief Registrar may be performed by any Registrar of the Tribunal, as may be authorised for that purpose by the Chairman of the Tribunal or the Chief Registrar.</p>	
<p>Rule 4: The Register</p>	<p>4. (1) A register containing details and reasons of all decisions of the Tribunal shall be kept at the principal office of the Tribunal, and shall be open for inspection by any person, on the payment of a prescribed fee, at all reasonable hours.</p> <p>(2) Where a correction or entry is made in the register as a consequence of a decision by the Court of Appeal, the Chief Registrar shall send copies of the correction or entry to all persons to whom copies of the original entry have been sent.</p> <p>(3) The Chief Registrar shall include in the register a list of all Appeals or Originating Applications, giving the names and addresses of the parties, brief details of the subject matter of the Appeal or Originating Application.</p> <p>(4) Subject to subrule (5) of this Rule, the Chief Registrar shall make provision for inspection at all reasonable hours of the list referred</p>	

<p>Rule 5: Reference by the Tribunal to the Court of Appeal</p>	<p>to in subrule (1) by any person on payment of the prescribed fee.</p> <p>5. (1) Where any question of law arises in a case before the Tribunal and the Tribunal decides to refer that question to the Court of Appeal for its decision, the Tribunal shall cause to be sent to the Court of Appeal and every party to the proceedings, a submission in writing signed by the Chairman of the Tribunal, which shall include a statement of the question and the facts on which it is based.</p> <p>(2) If the case is remitted to the Tribunal following reference to the Court of Appeal, the Tribunal, whether or not consisting of the same members who constituted the panel when the reference was made:</p> <p>(a) shall proceed upon the facts stated in the submission made to the Court of Appeal, and</p> <p>(b) may receive such further evidence and find such further facts as, having regard to the decision of the Court of Appeal, are necessary for the purpose of giving its decision on the case.</p>	
<p>Rule 6: Irregularities</p>	<p>6. (1) Any irregularity resulting from failure to comply with any provision of these Rules or of any direction of the Tribunal before the Tribunal has reached its decision shall not of itself render the proceedings void.</p> <p>(2) Where any such irregularity is brought to the attention of the Tribunal, the Tribunal may give any direction it deems fit before reaching its decision.</p> <p>(3) Clerical mistakes in any document recording a direction or decision of the Tribunal, or errors arising in such a document from an accidental slip or omission, may be corrected by the Tribunal by a certificate in writing.</p>	
<p>Rule 7: Signature on Document</p>	<p>Where any of these Rules or any provision in the Act requires a document to be signed by any of the parties, that requirement shall be satisfied if the signature or thumbprint of the party concerned is written or affixed, or produced by computer or other mechanical or electronic means and, in any case, the name of the signatory appears beneath the signature or the thumbprint in such a way that he or she may be identified.</p>	
<p>Rule 8: Proof of Document and Decision</p>	<p>8.(1) Any document purporting to be a document duly executed or issued by or on behalf of the Tribunal shall, unless the contrary is proved, be deemed to be a document so executed or issued as the case may be.</p> <p>(2) A document purporting to be certified by the Chief Registrar to be</p>	

<p>Rule 9: Proof of Service of Processes or Documents, etc.</p>	<p>a true copy of any entry of a decision in the Register shall, unless the contrary is proved, be sufficient evidence of the entry and of the matters contained in it.</p> <p>9.(1) Any document or thing required or authorised by these Rules to be served or delivered to any person shall be duly served or delivered to that person if:</p> <ul style="list-style-type: none"> (a) it is delivered to that person's proper address by post in a registered letter or by recorded delivery; or (b) it is delivered to him at that address by fax, e-mail, short message service (sms), <i>WhatsApp</i> or other means of electronic communication which produces text of the document in which event the document shall be regarded as sent when the text of it is received in legible form; or (c) it is delivered to him or left at his proper address. <p>(2) Where a Notice of Appeal or an Originating Application is sent by registered post or recorded delivery, it shall be treated as received on the date it is actually received at the office of the Tribunal.</p> <p>(2) The proper address for the Chief Registrar of the Tribunal is the address of the office of the Tribunal.</p>	
<p>Rule 10: Supply of Documents from Tribunal Records</p>	<p>10.(1) Any party to proceedings may be supplied from the records of the Tribunal with a copy of any document relating to those proceedings (including documents filed before the proceedings were commenced), if the party seeking the document:</p> <ul style="list-style-type: none"> (a) makes a written or oral application for the document; and (b) pays the prescribed fee. <p>(2) Any person who pays the prescribed fee may, during office hours, search for, inspect and take a copy of the following documents:</p> <ul style="list-style-type: none"> (a) a Notice of Appeal or Originating Application; (b) any direction given, or order or decision made, by the Tribunal in public; (c) any other document if the Tribunal gives permission. <p>(3) An application for permission under subrule (2)(c) may be made without notice to the parties to the proceedings in which the document was filed.</p> <p>(4) Where a person makes a search for the documents mentioned in subrule (2), that search may be conducted manually or by means of a computer, and when the document searched for is identified and on payment of the prescribed fee, the document shall be</p>	

<p>Rule 11: Default of Process</p>	<p>produced for inspection.</p> <p>(5) If, in the course of a computer search, the computer identifies documents held on the Tribunal's file, other than those which the person searching is entitled to inspect, that person shall, with the Tribunal's permission and on payment of a prescribed fee, inspect, take a copy or make note of those documents.</p> <p>11. (1) After the service of an Originating Application or an Appeal with an appellant's brief of argument, if the Respondent fails to file his Respondent's brief of argument, or, in the case of an Originating Application, the Defendant fails to file his defence within the stipulated time under these Rules, the Applicant or Appellant may apply for the case to be set down for hearing.</p> <p>(2) At the hearing of any Originating Application or Appeal, if the Tribunal is satisfied that the Defendant or Respondent has been duly served but defaults in filing his defence, it may give a further directive or fix a time for hearing of the substantive matter or appeal and upon such hearing, the Tribunal may proceed to give judgment.</p> <p>(3) Any judgment of the Tribunal given pursuant to Order 20 Rule 1 subrule 2, if an Originating Application, when evidence is led in proof of the case or in an Appeal, a hearing, cannot be set aside as a default judgment. This is without prejudice to any Appeal by the Respondent on any other grounds to the Court of Appeal.</p> <p>(4) Pursuant to the provisions of this Rule, a Respondent or Defendant on whom service of process is made may bring an application for extension of time within which to file defence, stating cogent reasons for the delay: Provided that such application shall not be countenanced, unless in the case of an Originating Application, it is accompanied with the Defendant's Defence and witness statement on oath to which all the documents referred to in the Defence are annexed, and if an Appeal, a Respondent's brief of argument. The application shall contain a prayer to deem the processes as properly filed and served.</p> <p>(5) The Defendant's or Respondent's application for extension of time may be granted upon such terms as the Tribunal may deem fit in meeting the justice of the case.</p> <p>(6) If the time allowed under these Rules for a Respondent or Defendant to file a defence has expired without any reaction to the non-filing of defence by the Respondent or Defendant from the Appellant or Claimant, the Tribunal shall strike out the action for want of diligent prosecution.</p>	
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<p>Rule 12: Relisting</p>	<p>Where any cause or matter has been struck out before judgment, whether on Appeal or Originating Application, that cause or matter may be re-listed, on application, within a reasonable time, subject to payment by the applicant of the prescribed fee.</p>	
<p>Rule 13: Electronic Recording of Proceedings</p>	<p>13.(1) All proceedings in the Tribunal shall be recorded by electronic recording device save where the device is defective or unavailable.</p> <p>(2) Compilation of record of proceedings from the Tribunal shall be from a typewritten transcript made from the electronic recording device or where the device is defective or unavailable, from a manual record.</p> <p>(3) Counsel shall properly identify themselves and the parties they represent at the start of each case and conduct all their cases in front of a microphone.</p>	
<p>Rule 14: Appeal Bond</p>	<p>In addition to the prescribed fees for the compilation of the record of proceedings of the Tribunal to the Court of Appeal, the Appellant shall file a bond stating that he shall diligently prosecute the Appeal. The bond shall form part of the conditions of Appeal.</p>	
<p>Rule 15: Attachment of Passports to Affidavits, etc.</p>	<p>Every deponent to an affidavit, witness statement or such other deposition shall attach his passport photograph with his name and the suit/appeal number clearly written at the back of the passport photograph, and signed.</p>	
<p>Rule 16: Notice to a Party</p>	<p>16. (1) Notwithstanding the proviso in Order 16 Rule 3 subrule 3(k) and (l) and Order 21 Rule 1 of these Rules, notice to a party shall not be limited to written notice but shall include any order of the Tribunal prior to the next adjourned date and this shall be sufficient notice to the party.</p> <p>(2) Where both or any of the parties is absent in court, the Chief Registrar shall, within 2 days of the order of the Tribunal, notify the party in the case of an adjournment, by letter, e-mail, fax or such other electronic means and show proof that the party has been notified.</p>	
<p>Rule 17: Common Form Provisions</p>	<p>17. (1) In these Rules, any reference to an Order is a reference to an Order in these Rules, and in any Rule a reference to a rule or subrule is, unless the context requires otherwise, a reference to a rule or subrule in the Rule.</p> <p>(2) Where the time prescribed by these Rules for doing any act expires on a Saturday, Sunday or public holiday, the act shall be within time if done on the next following day which is not a</p>	

<p>Rule 18: Where no Rule exists</p>	<p>Saturday, Sunday or Public Holiday.</p> <p>(3) A process shall only be submitted for filing in any Registry of the Tribunal between 8.00am and 3.00pm during working days; Provided that no process shall be received on Saturdays, Sundays and Public Holidays.</p> <p>(4) Service of originating and other processes whatsoever shall be made between 6.00am and 6.00pm.</p> <p>(5) The Chief Registrar shall prepare a Cause List of any action coming before the Tribunal for hearing or any other business.</p> <p>Where a matter arises in respect of which there is no provision in these Rules, the Tribunal shall adopt such procedure as will, in its opinion, do substantial justice to the parties.</p>	
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FIRST SCHEDULE

FORM NO IST 1

Order 4(2)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT -----

APPEAL NO.....

NOTICE OF APPEAL

Between

ABAPPELLANT

And

CDRESPONDENT

To: The Chief Registrar of the Tribunal

This is to give you Notice of Appeal from the Decision

.....

DATED theday of 20.....

PART OF THE DECISION COMPLAINED OF

GROUND AND PARTICULARS OF APPEAL

Appellant's address for service:

.....

.....

Legal Practitioner representing the appellant (if any)

Name

Address

.....

Regulatory body/Organisation which made the disputed decision:

Name.....

Address
.....

Representative of the Appellant (if any)

Name

Address.....
.....

Profession.....

State whether the Tribunal should send replies or notices concerning the Appeal to the representative instead of the Appellant:

.....
.....
.....

Respondent or Respondent's representative affected by the appeal:

Name

Address

.....

This Notice of Appeal is given by the Appellant:

Signature or mark of the Appellant

This Notice of Appeal is given on the Appellant's behalf by the legal practitioner representing him:

Signature of Legal Practitioner

(Ignore if not required)

Note: This Notice of Appeal must be filed with the Chief Registrar of the Tribunal before the expiration of 30 days after the day a copy of the disputed decision was received by the appellant.

FORM NO. IST 2

Order 4(3); Order 8(3)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT -----

SUIT NO.....

ORIGINATING APPLICATION

Between

A B CLAIMANT

And

C D DEFENDANT

To C D of In the..... of.....

You are hereby commanded to, within 21 days after the service of this Originating Application and other processes on you, inclusive of the day of such service, send or deliver to the Chief Registrar a written defence to the Originating Application. You shall attach to the defence your witness statement and all other documents relevant to the case at the suit of A B. Take notice that in default of your so doing the Claimant may proceed therein and an award/judgment may be given in your absence.

DATED this..... day of..... 20.....

ENDORSEMENT TO BE MADE ON THE ORIGINATING APPLICATION BEFORE ISSUE THEREOF

CLAIMS OF THE CLAIMANT AND REASONS FOR CLAIMING (State here contents of your application as set out in Order 4 Rule 3(2) of the Investments and Securities Tribunal (Procedure) Rules

(a) The name and address of the Defendant

.....
.....
.....
.....

(If the defendant is a body corporate, partnership or sole trader, the address of its principal place of business)

(b) (State the name and address and the profession of the representative of the Claimant, if any, and whether the Tribunal should send replies or notices concerning the application to the representative instead of the Claimant)

Name.....

Address.....

.....

Profession.....

Do you want processes in this matter to be sent to the representative instead of the Claimant (Yes or No?)

(c) The name of Claimant's Solicitor is:

.....

.....

.....

(d) Such other information as may be useful to the Tribunal

.....

.....

.....

ENDORSEMENT TO BE MADE ON COPY OF ORIGINATING APPLICATION FORTHWITH AFTER SERVICE:

This Originating Application was served by me at..... on the defendant..... on the..... day of (here insert mode of service) 20..... Endorsed the..... Day of..... 20.....

DATED this.....

.....
CHIEF REGISTRAR
Investments & Securities Tribunal

FORM NO IST 3

Order 8(3)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT -----

SUIT NO.....

DEFENDANT'S ACKNOWLEDGMENT OF RECEIPT OF ORIGINATING APPLICATION AND DEFENCE

Between

A B CLAIMANT

And

C D DEFENDANT

I.....acknowledge that on the day
(state full names)

of 20..... at.....

(time and place) received the following documents:

(a)

(b)

(c)

I also acknowledge that I am the person referred to in the sealed copy of the originating process.

State whether you intend to contest the Originating Application:

.....
.....
.....

If you intend to contest the Originating Application state the reasons upon which you are contesting it:

.....
.....

.....
State whether you intend to be present or represented:
.....

If you are going to be represented, state the particulars of the representative:

Name:

Address:.....
.....

Profession :.....

State whether you want the Tribunal to send further notices concerning the Originating Application and other processes in the case to you or your representative:
.....
.....
.....

If notices should be sent to you, state your address for service if different from the one on the Originating Application:

Address for service:
.....
.....

TAKE NOTICE that your Defence to the Originating Application and other processes served herewith must be delivered to the Chief Registrar not later than 21 days of receipt of the Originating Application.

I/We believe that facts stated in this form are true and I am/We are duly authorised to sign this statement.

Signed:

Full name of the Defendant/Solicitor

Position or Office held..... (if signing on behalf of firm, company or corporation)

FORM NO IST 4

Order 14(6)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT

APPEAL/SUIT NO.....

NOTICE TO WITHDRAW ORIGINATING APPLICATION/APPEAL

Between

A BCLAIMANT/APPELLANT

And

C D DEFENDANT/RESPONDENT

To the Chief Registrar of the Tribunal: The Claimant(s)/Appellant(s) (as the case may be) do hereby withdraw this Originating Application/Appeal against the Defendant/Respondent.

I certify that I have served a copy of this Notice on every other party to the proceeding.

DATED the..... day of..... 20

Signed:

Name of Claimant/Appellant or Legal Practitioner:

Position or office held:..... (If signing on behalf of a company or firm)

FORM NO IST 5

Order 15(4)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT

SUIT NO.....

PRE-HEARING REVIEW NOTICE

Between

A B CLAIMANT

And

C D DEFENDANT

To (insert name of parties)

TAKE NOTICE that you are required to attend the Tribunal's sitting on.....
the..... day of..... 20..... at 9 o'clock or so soon thereafter
in the forenoon or so soon thereafter for a pre-hearing review for the purpose set out
hereunder:

1. (a) Disposal of non-contentious matters which must or can be dealt with on interlocutory application;
- (b) Giving such directions as to the future course of action as appear best suited to secure its just, expeditious, and economical disposal;
- (c) Promoting amicable settlement of the case or adoption of alternative dispute resolution; and
- (d) Such other steps in pursuance of the Investments and Securities Tribunal (Procedure) Rules and overriding objectives.

TAKE NOTICE:

(i) That if you or your representative or legal practitioner do not attend in person at the time and place mentioned, such proceeding will be taken and such order will be made as the Tribunal may deem just and expedient.

(ii) That the Tribunal will at the pre-hearing review use the information which you and the other party/parties provide to conduct a pre-hearing review and will give such

directions which appear necessary or desirable in the conduct of the appeal or originating application.

(iii) That subject to the provisions of its Rules the Tribunal may make an order or such directives disposing of the Originating Application/Appeal, if in its opinion substantial determination of any question of fact or law in the case at the preliminary hearing disposes of the whole proceeding.

DATED this..... day of..... 20.....

.....
CHIEF REGISTRAR
Investments & Securities Tribunal

FORM NO IST 6

Order 16(12)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT-----

APPEAL/SUIT NO.....

NOTICE TO CONSOLIDATE APPEAL/ORIGINATING APPLICATION

Between

A.B CLAIMANT /APPELLANT

And

C D DEFENDANT/RESPONDENT

To..... (insert name of party)

of.....

TAKE NOTICE that on..... the..... day of..... 20..... at the hour of 9 o'clock in the forenoon or so soon thereafter the Tribunal will give directions for the consolidation of the following Appeals or Originating Applications: (List Appeals or Originating Applications).....

.....
.....
.....

..... and you are required to make representation(s) to same as you may deem fit at the sitting of the Tribunal.

DATED this..... day of..... 20.....

.....
CHIEF REGISTRAR
Investments & Securities Tribunal

FORM NO IST 7

Order 17 (1)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT

APPEAL/SUIT NO.....

WITNESS SUMMONS

Between

A B CLAIMANT/APPELLANT

And

C D DEFENDANT/RESPONDENT

To:..... (Insert name of party or person being summoned)

of

You are summoned to attend before this Tribunal at.....(state location of Tribunal) on..... the..... day of..... 20..... at the hour of 9.00 o'clock in the forenoon or so soon thereafter, and so from day to day until the above Originating Application (or Appeal) is heard, to give evidence on behalf of the..... (insert name of party on whose behalf witness is to give evidence) and also to answer any questions or to bring with you and produce at the time and place aforesaid..... (specify the documents) in your custody or control which relate to any matter in question in the Appeal or Originating Application.

DATED this..... day of..... 20.....

.....

PRESIDING CHAIRMAN
Investments & Securities Tribunal

FORM NO IST 8

Order 17(5)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT

APPEAL/SUIT NO.....

WITNESS STATEMENT ON OATH

Between

A B CLAIMANT/APPELLANT

And

C D DEFENDANT/RESPONDENT

STATEMENT OF the Parties to the Proceedings:

.....
.....
.....
.....

Name of witness:.....

Place of Residence:.....or

Address at which the witness works if making the statement in his or her professional,
business or other occupational
capacity:.....

Position the witness holds:.....

Name of firm or employer:

Occupation or description:

State whether witness is or has been a party or is the employee of such a party:

.....
.....

Statements made from witness's own knowledge:.....

.....
.....
.....
.....
.....

.....(insert such statements)

Statements that are matters of information and belief:

.....
.....
.....
.....
.....

Source of the information:.....

.....
.....

DATED this..... day of..... 20.....

.....

Deponent

SWORN TO at the Investments and Securities Tribunal

Registry this..... **day of**..... **20**.....

BEFORE ME

.....

COMMISSIONER FOR OATH

FORM NO IST 9

Order 18(1)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT

APPEAL/SUIT NO.....

NOTICE OF HEARING

Between

A B CLAIMANT/APPELLANT

And

C D DEFENDANT/RESPONDENT

To:(insert name of party)

.....

..... in the above-named Application.

This Originating Application/Appeal will be listed for the.....day of..... 20..... at 9.00 o'clock in the forenoon or so soon thereafter, and will be heard on that day if the business of the Tribunal permits or otherwise on the next adjourned date of which you will receive no further notice.

If either party desires to postpone the hearing he must apply to the Tribunal as soon as possible for that purpose; and such a party shall adduce cogent and compelling reasons to the satisfaction of the Tribunal to warrant the granting of such adjournment.

The parties are warned that at the hearing they are required to bring forward all the evidence by witnesses or documents, which each of them seeks to rely on in support of his case and in contradiction of that of his opponent. The proof will be required at the hearing, and not on a subsequent day, and parties failing to bring other evidence forward at the proper time may be precluded from adducing it at all, or at best only allowed to do so on payment of substantial costs to the other side, and on such other terms as the Tribunal thinks fit.

Parties seeking to enforce the attendance of witnesses should apply at once to the Tribunal to issue one or more summonses for the attendance of the witnesses required. The application should be made so as to allow time for reasonable notice to the witnesses required.

If the witness is required to bring books or papers or such documents, they must be particularised in the summons sufficiently to enable him understand what is required.

Any party summoning a witness through the Tribunal shall be liable to pay such witness a reasonable amount of money to be fixed by the Tribunal for his expense and loss of time.

The Tribunal may refuse to enforce the attendance of a witness unless such sum as has been fixed is deposited in the Tribunal.

If either party seeks to use in evidence at the hearing, any book or document in the possession or power of the other party, he must give the other party reasonable notice in writing to produce it at the hearing, failing which he will not be allowed to give any secondary evidence of its contents.

DATED this..... day of..... 20.....

BY ORDER OF THE TRIBUNAL

.....
CHIEF REGISTRAR
Investments & Securities Tribunal

FORM NO IST 10

Order 20(4)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT-----

APPEAL/SUIT NO.....

NOTICE OF INTENTION TO REVIEW DECISION

Between

A BCLAIMANT/APPELLANT

And

C D DEFENDANT/RESPONDENT

To:.....(Insert name of party).

Address for service.....

.....

TAKE NOTICE that the decision of this Tribunal made on the..... day
of..... 20..... is to be reviewed by the Tribunal on the..... day
of..... 20.....

DATED this..... day of..... 20.....

.....
CHIEF REGISTRAR
Investments & Securities Tribunal

FORM NO IST 11

Orders 24(9)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT-----

APPEAL/SUIT NO.....

PROOF OF SERVICE

Between

A B CLAIMANT/APPELLANT

And

C D DEFENDANT/RESPONDENT

On the..... day of..... 20..... the (insert title or description of document served) a copy of which is attached to this notice was served on (insert name of person served including position)

.....

by (state mode of service) at..... (insert address where service was effected) being the Defendant(s)/Respondent(s) residence or registered office or place of business, etc.

The date of service is therefore deemed to be (insert date).

I confirm that at the time of signing this Proof of Delivery of Documents, the documents have not been returned to me as undelivered.

Signed:.....
Claimant/Respondent's Position or office held if
or Solicitors signing on behalf of a firm
or Company.

Dated this.....day of.....20.....

FORM NO IST 12

Order 9(5)

IN THE INVESTMENTS AND SECURITIES TRIBUNAL

HOLDEN AT-----

**REQUEST TO THE MINISTER OF FOREIGN AFFAIRS TO TRANSMIT TRIBUNAL'S PROCESS
TO A FOREIGN GOVERNMENT**

The Chairman of the Investments and Securities Tribunal presents his compliments to the Honourable Minister of Foreign Affairs, and encloses herewith an Originating Application issued in the case of AB.....

AND..... CD pursuant to order, out of theof the Tribunal for transmission to the Nigerian High Commission/Embassy through the Ministry of Foreign Affairs in (name of country) with the request that the same be served personally upon (name of Defendant/Respondent to be served) against whom proceedings have been taken in the of the Investments and Securities Tribunal and with the further request that such evidence of the service of the same upon the said defendant may be officially certified to the Investments and Securities Tribunal or declared upon oath or otherwise in such manner as is consistent with the usage or practice of the courts of the (name of country) in proving service of legal processes.

The Chairman further requests that in the event of efforts to effect personal service of the said process proving ineffectual, the Government or Court of the said country be requested to certify the same to the Investments and Securities Tribunal.

DATED this..... day of..... 20.....

.....

CHIEF REGISTRAR
Investments & Securities Tribunal

SECOND SCHEDULE
REGULATIONS ON FEES

A) Pursuant to Order 7 of these Rules:

- i. No person shall, except by special order of the Tribunal, be issued any process unless:
 - (a) all fees payable thereon as provided shall have been paid, and
 - (b) an account thereof initialled as received shall have been set forth by the officer issuing the process both in the margin and in the counterfoil thereof.
- ii. Every document, for or in respect of which any fee or fees have been paid, shall bear endorsement initialled by the Chief Registrar or other authorised officer showing the amount of the fees so paid and the receipt referring to the payment, provided that when any form of process specified the fees thereof, it shall be sufficient for the Chief Registrar or other authorised officer to initial the amount of such fees appearing thereon, and to quote the number of the receipt.

FEES PAYABLE

In pursuance of the said power, and subject to any directive by the Tribunal, the following schedule of fees represents the authorised fees payable at the Investments and Securities Tribunal.

1. Where amount claimed by the Claimant is not more than ₦100,000.00.	₦ : K 2,000.00
2. Where amount claimed by the Claimant is above ₦100,000.00 but not more than ₦500,000.00	3,000.00
3. Where amount claimed by the Claimant is above ₦500,000.00 but not more than ₦1,000,000.00	5,000.00
4. Where amount claimed by the Claimant is above ₦1,000,000.00 but not more than ₦5,000,000.00	15,000.00
5. Where amount claimed by the Claimant is over ₦5,000,000.00 but not more than ₦10,000,000.00	20,000.00
6. Where amount claimed by the Claimant is over ₦10,000,000.00 but not more than ₦25,000,000.00	30,000.00
7. Where amount claimed by Claimant is over ₦25,000,000.00 but not more than ₦50,000,000.00	40,000.00

8. Where amount claimed by Claimant is above ₦50,000, 000. 00 but not more than ₦100,000,000.00	50,000.00
9. Where amount claimed by Claimant is over ₦100,000, 000. 00	100,000.00
10. Where no monetary claim is made by the Claimant	5,000.00

B. Penalties

₦: K

1. Where penalty imposed by the Commission or SRO is not more than ₦100, 000.00	2,000.00
2. Where penalty imposed by the Commission or SRO is not more than ₦500, 000.00	3,000.00
3. Where penalty imposed by the Commission or SRO is above ₦500,000.00 but not more than ₦1,000,000.00	5,000.00
4. Where penalty imposed by the Commission or SRO is above ₦1,000,000.00 and not more than ₦5,000,000.00	10,000.00
5. Where penalty imposed by the Commission or SRO is above ₦5,000,000.00 but not more than ₦10,000,000.00	15,000.00
6. Where penalty imposed by the Commission or SRO is above ₦10,000,000.00 but not more than ₦25,000,000.00	20,000.00
7. Where penalty imposed by the Commission or SRO is above ₦25,000, 000.00 but not more than ₦50,000,000.00	25,000.00
8. Where penalty imposed by the Commission or SRO is above ₦50,000, 000.00 but not more than ₦100,000,000.00	30,000.00
9. Where penalty imposed by the Commission or SRO is above ₦100,000, 000.00	35,000.00
6. Where no penalty is imposed by a Commission or SRO	5,000.00

C. Motion on Notice

₦: K

a. Motion on Notice	500.00
b. Oaths	200.00

c. One exhibit	100.00	
D. Motion Ex-parte	₦ : K	
a. Motion Ex-parte	500.00	
b. Oaths	200.00	
c. One exhibit	100.00	
E. Other Filings	₦ : K	
a. Application	300.00	
b. Affidavits	200.00	
c. Drawing up of orders	1,000.00	
d. Undertakings	500.00	
e. Subpoena	500.00	
F. Any other processes not specifically provided for	500.00	
G. For searching the archive: for each period of six months or part thereof	1,000.00	
H. Certified True Copy of transcript of proceeding	100.00 per page	
I. Certified True Copy of any other process or document	50.00 per page	
J. CD of Proceedings	1,000 per CD	
K. On Commission to take evidence	500	
L. For Service of any other document or process:		
1. Within location of the Tribunal		
i) Initial Location	1,000	
ii) Subsequent Location	500	
(3) Outside the location of the Tribunal but		
Within Nigeria	-	Subject to prevailing rate
(4) Service outside Nigeria	-	Subject to prevailing rate
(5) Courier Charges		

- | | | |
|-----|-----------------|----------------------------|
| i) | Within Nigeria | Subject to prevailing rate |
| ii) | Outside Nigeria | Subject to prevailing rate |

M. Conditions of Appeal

- | | | |
|------|---|----------|
| i) | Certified true copy of the Records
per page(Original copy) | 100.00 |
| ii) | Subsequent copies of the Records
(photocopies) per page | 50.00 |
| iii) | Binding of compiled Records per copy | 1,000.00 |
| iv) | Appeal Bond | 3,000.00 |

N. Certificate of Judgment	2,000
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