

GUYANA

No. 6 of 1987

REGULATIONS

Made Under

THE PUBLIC SERVICE APPELLATE TRIBUNAL ACT 1984

(Act No. 17 of 1984)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTION 34 OF THE PUBLIC SERVICE APPELLATE TRIBUNAL ACT 1984, I HEREBY MAKE THE FOLLOWING REGULATIONS:—

1. These Regulations may be cited as the Public Service Appellate Tribunal Regulations 1987. Citation.

2. In these Regulations —

(a) “form” means a form in the First Schedule;

(b) “section” means a section of the Act.

Inter-pretation. First Schedule.

3. The oath required by section 15 to be taken by every member and by the registrar shall be in the form set out in Forms 1 and 2 respectively. Form of oath. Form 1 Form 2

4. (1) Every notice of appeal shall state the relevant facts briefly and state the grounds on which the decision, appealed against, is being questioned and shall be signed by the appellant or an attorney-at-law duly authorised by the appellant. Notice of appeal. Form 3

(2) The appeal shall be supported by an affidavit stating the facts of the case and copies of documents the appellant proposes to rely upon.

(3) Notice of appeal, except an appeal under section 29, shall be in Form 3.

Appeals by certain organisations. Form 4

5. Notice of appeal under section 29 shall be in Form 4.

Form of application to have name struck out or added to an appeal, etc., Form 5 Form 6 Form 7

6. Application to have the name of any party to an appeal struck out from, or added to, an appeal under section 18(2) shall be in Form 5, notice to a party of application made to have his name struck out from, or added to, an appeal shall be in form 6 and notice to a party whose name has been struck out from or added to, an appeal shall be in Form 7.

Form of notices to appellant and respondent with respect to a preliminary hearing. Form 8 Form 9

7. (1) Notice to the appellant under section 19(1) shall be in Form 8.

(2) Notice to the respondent under section 19(2) shall be in Form 9.

Form of application for setting aside order and for re-hearing. Form 10

8. A party may apply for the setting aside of an order and a re-hearing under section 21 in Form 10 within twenty-eight days, in the case of an appeal and within fourteen days in the case of an application, of the date of the order of the bench of the Tribunal.

Form of application and notice for an interlocutory order. Form 11 Form 12

9. (1) An application for an interlocutory order under section 30(1) shall be in Form 11

(2) A notice to the respondent of an application under section 30(2) for interlocutory order shall be in Form 12.

Notices of hearing, date of decision. Form 13 Form 14

10. The Registrar shall issue to all the parties to an appeal —

(a) notice in Form 13 of every hearing of the appeal, except a preliminary hearing;

(b) notice in Form 14 specifying the date on which the decision appealed from will be announced.

Service of Notice.

11. (1) The manner of service of a notice under the Act shall be by registered post addressed to the place of abode or place of employment of a party to the appeal or personally on him or his attorney-at-law.

(2) Where the bench of the Tribunal is satisfied that the place of abode or place of employment of a party to the appeal is not known, it may direct that service of a notice under the Act shall be effected by substituted service, and, if it so directs, the provisions of Order 8* of the rules of the High Court shall *mutatis mutandis* apply to such service.

*Cap. 3:02 Subsidiary Legislation.

12. A summons under section 23 for the attendance of a witness or other person at any hearing of the bench of the Tribunal whether or not to produce letters, memoranda, orders, minutes, books, plans or other documents at the hearing of the bench of the Tribunal shall be in Form 15.

Form of
summons
to witness.
Form 15.

13. There shall be paid to the registrar the fees set out in the Second Schedule with respect to the matters specified therein.

Fees
Second
Schedule

14. (1) The appellant and the respondent shall, in that order, be entitled to address the bench of the Tribunal at the conclusion of the hearing and the appellant shall have a right of reply to the respondent.

Procedure.

(2) The members may, in every hearing of an appeal or application take notes in writing of the evidence.

15. Before a witness gives evidence in any proceeding before a bench of the Tribunal, the witness shall make and subscribe an oath or affirmation in the same manner as witnesses are required to do in an ordinary action in the High Court.

Witnesses to
take oath.

16. (1) Without prejudice to any other provision of these regulations the registrar shall —

Duties of
the registrar.

- (a) keep in such form as may be specified by the chairman such records and registers as may be required by the bench of the Tribunal for the discharge of its functions;
- (b) perform such administrative duties as are required by these regulations and the bench of the Tribunal;
- (c) perform such other duties as may be assigned to him by the chairman or any other member of the bench of the Tribunal for the purpose of carrying out the provisions of the Act;
- (d) take down in writing the evidence before the bench of the Tribunal;
- (e) keep accounts of the financial transactions of the Tribunal in such form as may be specified by the chairman.

(2) The accounts required to be kept under paragraph 1(e) shall be audited annually by the Auditor General and the members. registrar and employees of the Tribunal shall grant to the Auditor General access to the books, documents, cash and securities relating to the accounts of the Tribunal and shall give him on request all such information in relation to the Tribunal.

FIRST SCHEDULE

reg. 2

FORMS

FORM 1

FORM OF OATH OF CHAIRMAN OR OTHER MEMBER OF THE TRIBUNAL reg. 3

I,, do hereby solemnly declare that I will bear true faith and allegiance to the People of Guyana, that I will faithfully execute the office of chairman/member of the Public Service Appellate Tribunal without fear or favour, affection or ill-will and that in the execution of the functions of that office I will honour, uphold and preserve the Constitution of the Co-operative Republic of Guyana. So help me God.

*Strike out word inapplicable.

Form 2

FORM OF OATH OF REGISTRAR OF THE TRIBUNAL reg. 3

I,, do solemnly declare that I will faithfully execute the responsibilities and truly perform the duties of the office of registrar of the Public Service Appellate Tribunal to the best of my skill and ability. So help me God.

Form 3

NOTICE OF APPEAL

reg. 4(3)

The Public Service Appellate Tribunal

Appeal No. of 19

Between

.....

Appellant(s)

and

.....

Respondent(s)

TAKE NOTICE that the appellant being aggrieved by the decision stated in paragraph 2 hereof of the Service Commission dated this.....day of19..... hereby appeals to the bench of the Tribunal upon the grounds set out in paragraph 3.

Take notice that..... an organisation representing public officers*/ a class or section of public officers*, being of the view that the decision stated in paragraph 2 hereof involves a principle and that the decision is wrong hereby appeals to the bench of the Tribunal upon the grounds set out in paragraph 3.

- 2. (Insert here concisely the facts of the case and the decision of the Service Commission appealed from.)
- 3. Grounds of appeal.

(Here state the principle involved and in what manner the decision of the Service Commission is wrong in relation to said principle.)

Dated this day of 19

Appellant(s) or Attorney-at-law

Address of appellant(s)

*Strike out words inapplicable.

Form 5

Public Service Appellate Tribunal

APPLICATION TO HAVE NAME STRUCK OUT OR ADDED TO AN reg. 6 APPEAL

Appeal No. of 19

Between

.....
Appellant(s)

and

Respondent (s)

I, of.....
..... appellant*/respondent* in the above appeal hereby make application —

* (i) to have the name of struck out from/added to *the above appeal as respondent:

* (ii) with the consent of to have his name added to the above appeal as appellant.

Dated this day of 19

.....
Signature.

*Strike out words and paragraph inapplicable.

Form of consent to be attached to the Application to have the name of person added as appellant.

I.ofhereby give my consent to be made a party to Appeal No. of 19..... as appellant.

Dated this day of 19.....

Signature.

Form 6

Public Service Appellate Tribunal

NOTICE TO PARTY OF APPLICATION MADE TO HAVE HIS NAME STRUCK OUT OR ADDED TO AN APPEAL reg. 6

Between

..... Appellant (s)

and

..... Respondent (s)

TAKE NOTICE that —

- * (i) application has been made to the bench of the Tribunal by the appellant/respondent* to have your name struck out from/added to,* the above appeal as a respondent;
* (ii) application has been made to the bench of the Tribunal by the appellant/respondent* with your consent, to have your name added to the above appeal as appellant,

and that the hearing of the said application will take place before a sitting of the bench of the Tribunal at (Put address of Tribunal here)

to be held on the day of 19.....ato' clock in the noon.

Registrar of the Tribunal.

To

Address

*Strike out words and paragraph inapplicable.

Form 7

Public Service Appellate Tribunal

reg. 6

NOTICE TO PARTY WHOSE NAME HAS BEEN STRUCK OUT OR ADDED

Appeal No. of 19

Between

.....
Appellant (s)

and

.....
Respondent (s)

TAKE NOTICE that on the.....day of.....
.....19.....

* (i) the bench of the Tribunal on application of the appellant/
respondent* struck out from/added* your name to the above
appeal as a respondent;

* (ii) the bench of the Tribunal with your consent added your name
to the above appeal as appellant.

Dated this day of 19

Registrar of the Tribunal.

To

Address

*Strike out word and paragraph inapplicable.

Form 8

Public Service Appellate Tribunal

NOTICE OF DATE OF PRELIMINARY HEARING

reg. 7(1)

Between Appeal No. of 19

.....
Appellant (s)

and

.....
Respondent (s)

TAKE NOTICE that the preliminary hearing with respect to the above appeal will be heard by the bench of the Tribunal at..... on the.....day of 19.....at.....o'clock in the.....noon.

Dated this day of 19 Registrar of the Tribunal.

To Address

Form 9

Public Service Appellate Tribunal

NOTICE TO SHOW CAUSE WHY APPEAL SHOULD NOT BE ALLOWED reg. 7(2)

Appeal No. of 19

Between

..... Appellant (s)

and

..... Respondent (s)

TAKE NOTICE that the above-mentioned appeal has been placed before the bench of the Tribunal for preliminary hearing. Notice is therefore now being issued to you to appear before the Tribunal on the..... day of..... 19.....at.....o'clock in thenoon to show cause why the appeal should not be allowed.

Dated this day of 19 Registrar of the Tribunal.

To Address

FORM 10

The Public Service Appellate Tribunal

APPLICATION FOR A RE-HEARING

reg. 8

Appeal No. of 19

Between

..... Appellant (s)

and

Respondent (s)

I,of.....hereby apply to the bench of the Tribunal to set aside in relation to my appeal/application* the order made on the.....day of.....19..... and to re-hear the appeal/application*.

Dated this day of 19

Signature

*Strike out words and paragraph inapplicable.

FORM 11

Public Service Appellate Tribunal

APPLICATION FOR INTERLOCUTORY ORDER

reg. 9(1)

Appeal No. of 19

Between

..... Appellant (s)

..... Respondent (s)

I,of..... hereby make application to the bench of the Tribunal to —

- * (a) stay the operation of the decision I appealed from: or
- * (b) make such order as it considers appropriate in respect of the operation or enforcement of the order I appealed from.

Dated this day of 19

Appellant (s)

*Strike out words and paragraph inapplicable.

Form 12

Public Service Appellate Tribunal

NOTICE OF APPLICATION FOR INTERLOCUTORY ORDER reg. 9(2)

Appeal No. of 19.....

Between

..... Appellant (s)

and

..... Respondent (s)

TAKE NOTICE that the above-mentioned appellant has applied to the Tribunal —

- * (a) to stay the operation of the decision he appealed from; or
- * (b) to make such order as the Tribunal considers appropriate in respect of the operation or enforcement of the order he appealed from.

You may appear before the bench of the Tribunal on the..... day of.....19.....at..... o'clock in the..... noon to show cause against granting the order.

Dated this day of 19

Registrar of the Tribunal.

To

Address

*Strike out words and paragraph inapplicable.

Form 13

Public Service Appellate Tribunal

NOTICE OF HEARING OF APPEAL reg. 10(a)

Appeal No. of 19

Between

..... Appellant (s)

..... Respondent (s)

TAKE NOTICE that the bench of the Tribunal has appointed the.....
day of.....19.....at..... o'clock in the
noon for the hearing of the above appeal.

Dated this day of 19
.....
Registrar of the Tribunal.

To
Address

Form 14

Public Service Appellate Tribunal

NOTICE OF ANNOUNCEMENT OF DECISION reg. 10(b)

Appeal No. of 19

Between
.....Appellant(s)
.....Respondent(s)

TAKE NOTICE that the bench of the Tribunal having considered the
above appeal has finally determined same and has appointed the.....
day of19.....at o'clock in the.....
noon for the announcement of its decision.

Dated this day of 19
.....
Registrar of the Tribunal.

To.....
Address.....

Form 15

Public Service Appellate Tribunal

SUMMONS TO WITNESS reg. 12

Appeal No. of 19

Between
.....Appellant(s).
and
.....Respondent(s)

You are summoned to attend to give evidence* and to produce* the letters, memoranda, orders, minutes, books, plans and other documents in your custody or possession specified below —

- 1.
- 2.
- 3.

at.....before the sitting of the bench
(Put address of Tribunal here)

of the Tribunal to be held on theday of19.....

at o'clock in the.....noon, and so from day to day until the above appeal is decided.

Dated this day of 19

Registrar of the Tribunal

To.....

Address.....

*Strike out words inapplicable.

SECOND SCHEDULE

reg. 13

TABLE OF FEES

Matter in which fee shall be taken	Amount of fee
1. Notice of appeal by aggrieved person ..	\$100.00
2. Application under section 21 for re-hearing of an appeal or application	\$ 15.00
3. Copy of a decision of the bench of the Tribunal with respect to an	
(a) appeal	\$ 15.00
(b) interlocutory order ..	\$ 10.00

Made this 14th day of July, 1987.

Y. H. Benn,
Minister of Information and the
Public Service.