

## **Industrial Relations (Referee Appeal) Regulations**

### **Table of Contents**

- 1 Citation**
- 2 Appeal against decision of referee**
- 3 Registrar to forward transcript and grounds of decision to appellant**
- 4 Appellant to file notice of discontinuance**
- 5 Appellant to file record of appeal, etc.**
- 6 Registrar to set down appeal for hearing**
- 7 Appellant to be heard first**
- 8 No witness or additional ground allowed on appeal**
- 9 Court to make order if appellant does not appear**
- 10 Court shall deliver its decision**

### **THE SCHEDULE**

### **Legislative History**

INDUSTRIAL RELATIONS ACT  
(CHAPTER 136, SECTION 86)

INDUSTRIAL RELATIONS (REFEREE APPEAL)  
REGULATIONS

[4th March 1966]

## **Citation**

1. These Regulations may be cited as the Industrial Relations (Referee Appeal) Regulations.

## **Appeal against decision of referee**

2. Any party to a trade dispute who is aggrieved by the whole or part of the decision of a referee may appeal against the decision or such part thereof within 14 days from the date of the decision by filing with the Court a notice of appeal in the manner set out in the Form I in the Schedule and upon the payment of a filing fee of \$2. A copy of the notice of appeal shall be served upon the respondent.

## **Registrar to forward transcript and grounds of decision to appellant**

3. On the filing of the notice of appeal by the party aggrieved, the Registrar shall cause to be prepared the transcript of proceedings before the referee and shall, when the transcript of proceedings is ready, forward a certified copy thereof together with the written grounds of decision of the referee to the appellant upon the payment by him of the appropriate fees prescribed in the Second Schedule to the Industrial Relations Regulations [Rg 1].

## **Appellant to file notice of discontinuance**

4. If, on perusal of such transcript of proceedings and the written grounds of decision of the referee, the appellant decides not to proceed with the appeal, he shall file with the Court a notice of discontinuance in the manner set out in the Form II in the Schedule and shall serve a copy of the notice upon the respondent.

## **Appellant to file record of appeal, etc.**

5. If the appellant decides to proceed with the appeal, he shall within 21 days from the date of receipt of the transcript of proceedings and the written grounds of decision of the referee file with the Court 5 copies of the record of appeal (a copy of which shall be served by the Registrar upon the respondent) which shall include the following:

- (a) a petition of appeal in the manner set out in the Form III in the Schedule

containing a brief statement of the facts of the case including the substance of the whole or such part of the decision appealed against and the particular grounds of appeal upon which the appellant relies;

- (b) the transcript of proceedings before the referee;
- (c) the written grounds of decision of the referee; and
- (d) any relevant exhibit or other written document produced during the proceedings before the referee.

### **Registrar to set down appeal for hearing**

6. On receipt of the record of appeal, the Registrar shall as soon as possible, in consultation with the Court, set down the appeal for hearing and determination.

### **Appellant to be heard first**

7. Unless the Court otherwise directs, the appellant shall first be heard in support of the appeal and the respondent shall be heard against it and the appellant shall be entitled to reply.

### **No witness or additional ground allowed on appeal**

8. At the hearing of the appeal no witness shall be allowed to be called by the parties concerned and the appellant shall not be allowed to adduce any additional ground of appeal.

### **Court to make order if appellant does not appear**

9. If the appellant does not appear to support his appeal, the Court shall consider the appeal and may make such order thereon as it thinks fit.

### **Court shall deliver its decision**

10. Upon the conclusion of the hearing of the appeal, the Court shall either at once or within such extended time as in the special circumstances the Court considers necessary for the proper consideration of the appeal deliver its decision thereon.

## **THE SCHEDULE**

*Regulation 2*