



TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

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EQUAL OPPORTUNITY TRIBUNAL

COURT OPERATIONS

FILING BY ELECTRONIC MEANS

Practice Direction No. 4

This Practice Direction is issued pursuant to Part 26 of the Equal Opportunity Tribunal Rules 2016 (as amended) (hereinafter called “the EOTR”)

The objective of the Practice Direction is to provide for the filing of documents in proceedings by electronic means.

Accordingly, the following measures shall take effect:

DEFINITIONS

1. For the purpose of this Practice Direction:
 - a. “*electronic means*” includes any website, software or electronic programme or means in use for the time being for the purpose of facilitating the filing of documents in proceedings before the Tribunal.
 - b. “*emergency application*” refers to:
 - i. An application accompanied by a certificate of urgency; or
 - ii. Such other categories of matters which the Judge/Chairman may direct are to be treated as an emergency application

and includes any document filed in support of or in response to an emergency application.

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Practice Direction No. 4—Continued

FILING OF DOCUMENTS

2. Save for where otherwise provided in any Rule or any other practice direction, a filing party may file documents by electronic means through the Tribunal's e-filing platform.
3. When filing documents via the e-filing platform, all instruction provided for the proper and efficient use of the e-filing platform shall be adhered to.
4. All documents filed by electronic means are to be intituled with the words "*Electronically Filed*" on the top of the right hand-corner of the document and all documents filed manually are to be intituled with the words "*Manually Filed*" on the top right-hand corner.
5. The filing party shall be responsible for the accuracy and completeness of any document uploaded to the e-filing platform.
6. A document must be uploaded in **PDF Format only**. A document, inclusive of its annexures or exhibits, must be legible, properly paginated and organized to enable perusal without difficulty. A document must not be scanned upside down or otherwise than in the order the document is to be read,
7. Each document to be filed must be uploaded separately and appropriately labelled; and must bear any necessary signature(s).
8. Any JPEG document must be placed as an object or picture in a Word document and the Word document must be converted to PDF format before uploading to the e-filing platform.
9. The filing party shall retain an original version of any document filed by electronic means and shall make same available to the Tribunal, a member of staff of the court office or any party to the proceedings, for inspection when required.
10. Subsequent to a document being filed by electronic means, the Tribunal shall transmit a copy of the filed document bearing the e-stamp of the court to the filing party via the email address provided at the time of the filing.
11. Where a filing party experiences a technical and/or connectivity issue while filing, this must be immediately reported via the contact information and method provided by the Tribunal.

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Practice Direction No. 4—Continued

TIME OF FILING

12. A document filed by electronic means shall be deemed to be filed within the meaning of the EOTR at the date and time when the following requirements are satisfied:
- a. The document is submitted by electronic means and received by the court office and;
 - b. A copy of the submitted document bearing the stamp (and where applicable the seal) of the court is transmitted to the filing party electronically
- unless otherwise directed by the Judge/Chairman.
13. A party filing by electronic means is responsible for observing any applicable deadlines and shall endeavour to afford sufficient and/or reasonable time for processing by the court office, taking into account any circumstances which may exist at a particular time.

EMERGENCY APPLICATIONS

14. An emergency application may be filed at any time and must be accompanied by a Certificate of Urgency.
15. Where an emergency application is to be filed the filing party must first contact the Registry of the Tribunal by telephone and advise of the said application. The filing party must then file the relevant documents electronically or by such other means as the Registry of the Tribunal may direct.
16. Where emergency applications are filed, the filing party must email to the Registry of the Tribunal a copy of the draft Order being sought in Word Format.

GENERAL

17. The Registry of the Tribunal may, at the direction of the Judge/Chairman, disregard any document filed or purported to be filed in the event of substantial non-compliance with any measure contained herein, or with the EOTR. Any such direction shall be communicated to the filing party.

Dated this 30th day of September 2020.

/sgd/ HH Donna Allison Prowell-Raphael, CEOT
Judge.