

*Ministry of Munitions,
10th March, 1916.*

THE MUNITIONS TRIBUNALS (APPEAL) RULES, 1916, DATED MARCH 2ND, 1916, MADE BY THE LORD CHANCELLOR UNDER THE MUNITIONS OF WAR (AMENDMENT) ACT, 1916.

Title of Rules.

1. These rules may be cited as the Munitions Tribunals (Appeal) Rules, 1916, and shall come into operation on the sixth day of March, 1916.

Interpretation of Rules.

2. (i) The expression "the Acts" shall mean the Munitions of War Acts, 1915 and 1916.

The expression "Appeals Officer" shall mean such person as may be appointed by the Lord Chancellor to act as the Officer of the Court under these rules.

The expression "the Judge" shall mean such Judge of the High Court as may be appointed by the Lord Chancellor for the purpose of hearing appeals from Munitions Tribunals.

(ii) The Interpretation Act, 1889, shall apply for the interpretation of these rules as it applies for the interpretation of an Act of Parliament.

Right of Appeal.

3. (i) Any person convicted of an offence, or against whom an order has been made, or to whom (including the trade union representative of any workman) a leaving certificate has been refused, by a Munitions Tribunal, and in all cases the Minister of Munitions, may appeal to the Judge against the decision:—

(a) on any ground of appeal which involves a question of law alone; and

(b) with the leave of the Judge or with the written permission of the Chairman of the Munitions Tribunal (in these rules referred to as the Chairman) on any ground which involves a question of mixed law and fact.

(ii) The other party to the proceeding before the Munitions Tribunal may, with the leave of the Judge or with the written permission of the Chairman, appeal to the Judge against the decision on any ground which involves a question of law alone, or which involves a question of mixed law and fact.

Notices of Appeal.

4. (i) Every person who desires to appeal, or to obtain the leave of the Judge to appeal, against any decision of a Munitions Tribunal shall give notice in writing of his intention to the Clerk to the Munitions Tribunal, and shall send by registered post his notice of appeal, or notice of application for leave to appeal, to the Judge, within seven days of the date of the decision: provided that the Judge may, in his discretion, grant an extension of time within which such notice shall be given.

(ii) (a) Every notice of appeal or notice of application for leave to appeal shall be in writing and shall state—

(1) the names and addresses of both parties to the proceedings before the Munitions Tribunal; and

- (2) the place where the Tribunal sat; and
- (3) the name of the Chairman; and
- (4) the decision of the Tribunal; and
- (5) the date of the decision; and
- (6) the question or questions of law, or of mixed law and fact, which are the grounds of the appeal;

and shall be accompanied by a copy of either the complaint or the notice to appear before the Munitions Tribunal.

(b) In every case where the Chairman has given his written permission to appeal, the written permission shall be attached by the appellant to his notice of appeal.

(c) Every application for an extension of time under this rule shall be in writing, and shall state the grounds of the application, and shall be accompanied by the proposed notice of appeal or notice of application for leave to appeal.

(iii) Every notice of appeal, or notice of application for leave to appeal, or for an extension of time, shall be signed by the appellant himself: provided that it shall be sufficient compliance with this rule if—

(a) an appellant who is unable to write affixes his mark to any notice in the presence of a witness who attests the mark; or

(b) in the case of a body corporate, the notice is signed by the secretary, clerk, manager, or solicitor thereof; or

(c) in the case of the Minister of Munitions, the notice purports to be signed by any person duly authorised by the Minister in that behalf.

5. (i) All notices or other documents required or authorised to be given, for the purposes of these rules, to the Judge, shall be addressed to "The Appeals Officer of Munitions Tribunals, Room 751, West Wing, Royal Courts of Justice, London."

(ii) All notices or other documents required or authorised by these rules to be given or sent shall be deemed to be duly given or sent if forwarded by registered post, addressed to the person to whom they are required or authorised to be given or sent, at his last known place of abode, or at any place where he carries on business.

6. Where the Judge has, on a notice of application for leave to appeal, given leave to appeal, it shall not be necessary for the appellant to give any notice of appeal, but the notice of application for leave to appeal shall be treated as a notice of appeal.

Abandonment of Appeal.

7. An appellant, at any time after he has served notice of appeal or notice of application for leave to appeal, and before the day fixed for the hearing or determination, may, subject to such order as to costs as may be made by the Judge, abandon his appeal by giving notice of abandonment thereof to the Appeals Officer, and the Appeals Officer shall thereupon give notice to the Clerk to the Munitions Tribunal.

Summary Dismissal of Appeal.

8. (i) If it appears to the Judge that any notice of appeal, purporting to be on a ground which involves a question of law alone, does not show any substantial ground of appeal, he