



# TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

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Government of the Republic of Trinidad and Tobago

## EQUAL OPPORTUNITY TRIBUNAL COURT OPERATIONS SERVICE BY ELECTRONIC MEANS Practice Direction No. 5

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 this Practice Direction is to provide clear guidance to the Tribunal including attorneys-at-law, members of court staff, litigants and other stakeholders as to the procedure to be adopted in the service of documents by electronic means.

### EFFECTIVE DATES

Accordingly, the following measures shall take effect from 30<sup>th</sup> October, 2020 and continue until further notice or otherwise superseded (this period).

## ELECTRONIC MAIL

1. Electronic service of electronically filed documents may be effected through the electronic mail ('e-mail') address of a party.
2. An e-mail address is presumed to be a valid electronic service address for a party if the party-
  - a. files electronic documents or acknowledges service of any document, from that e-mail address;
  - b. includes an email address in the address for service of a filed document; or
  - c. files and serves a notice containing the e-mail address at which electronic service can be effected;unless that party has filed and served notice that the e-mail address is no longer valid.

## PROOF OF SERVICE

3. A document served to an e-mail address that is presumed valid under clause 2 above, is considered served on the date and time that it is sent electronically, unless the Chairman/Judge directs otherwise.
4. A party that receives a document that is served electronically and is unable to view or download the document must promptly notify the party effecting service. Where notice is given to the Tribunal Registry that a party is unable to view or download an electronically filed document, the Tribunal Registry shall take all reasonable steps to provide the party with a copy of that document.
5. Electronic confirmation of delivery may serve as proof of service for all documents served electronically.

Dated this 28<sup>th</sup> day of October 2020

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