

# Information and Communication Technologies Appeal Tribunal Rules 2004

**GN No. 55 of 2004**

## **THE INFORMATION AND COMMUNICATION TECHNOLOGIES ACT 2001**

### **Rules made by the Supreme Court, in virtue of the powers conferred upon it by section 43(3) of the Information and Communication Technologies Act 2001**

- 1.** These rules may be cited as the **Information and Communication Technologies Appeal Tribunal Rules 2004.**
- 2.** In the rules-  
  
"Act" means the Information and Communication Technologies Act 2001;  
  
"Secretary" has the same meaning as in the Information and Communication Technologies Appeal Tribunal (Rules of Procedure) Regulations 2004.
- 3.** Any party who wishes to appeal to the Supreme Court under section 43 of the Act shall, within 21 days of the date of the decision of the Tribunal-
  - (a) lodge with, or send by registered post, to the Chairperson of the Tribunal a written application requiring the Tribunal to state and sign a case for the opinion of the Supreme Court on the grounds stated therein;
  - (b) at the same time, forward a copy of his application by registered post to the other party.
- 4.** (1) The Tribunal shall, within 10 days of the date on which an application under rule 3 is lodged with, or sent to, the Chairperson of the Tribunal-
  - (a) state and sign the case;
  - (b) by registered post, send it to the appellant and send a copy to the other party.  
(2) A case shall indicate-
  - (a) the names and addresses of the parties;
  - (b) the nature of the matter on which the Tribunal was required to adjudicate;

- (c) the facts which were proved or admitted before the Tribunal;
  - (d) the submissions, if any, made to the Tribunal by the parties' legal or other representatives;
  - (e) the decision, arrived at by the Tribunal;
  - (f) the questions of law on which the opinion of the Supreme Court is required.
5. The appellant shall, within 56 days of the date of the determination by the Tribunal, cause the case to be lodged with the Master and Registrar who shall inform the parties by registered post of the date on which the matter shall be heard by the Supreme Court.
6. The Supreme Court may, if it thinks fit, cause the case to be remitted to the Tribunal for amendment and thereupon the Tribunal shall-
- (a) amend the case accordingly;
  - (b) forward it to the Registrar of the Supreme Court;
  - (c) send a copy thereof by registered post to the appellant and the other party.
7. The Supreme Court shall determine the questions of law arising on the case and may –
- (a) (i) affirm, reverse or amend the determination of the Tribunal;  
or  
(ii) remit the matter to the Tribunal, with its opinion on the matter, to be further determined; and
  - (b) make such other order in the matter as it thinks fit.

Made by the Supreme Court on 28 April 2004.