



Specific Claims Tribunal Canada

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Practice Directions

PRACTICE DIRECTION # 11

May 8, 2015

SUBPOENAS

1. This Practice Direction is made pursuant to the Tribunal's powers under section 13 of the Specific Claims Tribunal Act (the "Act") and the guidance of the Federal Courts Rules under Rule 5 of the Specific Claims Tribunal Rules of Practice and Procedure (the "Rules").
2. Except in the case of inconsistency with the Act or Rules, this Practice Direction or an Order of the Tribunal, the Rules apply mutatis mutandis to applications made under this Practice Direction.
3. Parties may request a subpoena for the production of documents or other material from a third party or for the attendance of a witness. Parties shall make such requests in writing, and file them through the Tribunal's E-Filing system in accordance with Practice Directions 8 and 9. Requests must provide a brief explanation of the need for the subpoena and the full name and mailing address for the witness or third party to whom the subpoena is directed.
4. No witness is required to attend under a subpoena unless the subpoena has been personally served on the witness at least 20 days before their attendance is required and witness fees and travel expenses have been paid or tendered to the witness in the amount set out in Tariff A of the Federal Courts Rules.
5. No third party is required to produce documents or other materials under a subpoena unless the subpoena has been served on the third party in accordance with Part 3 of the Rules and Practice Directions 3, 8 and 9 at least 20 days before the deadline for production in the subpoena.
6. Subpoenaed witnesses or third parties may object to or seek direction from the Tribunal in writing concerning a subpoena in its entirety or in part, and may apply to the Tribunal to have the subpoena quashed or modified.
7. Where a subpoenaed witness or third party fails to fulfill the terms of a subpoena, the party that requested the subpoena may file an application to enforce the subpoena.

Honourable Harry Slade, Chairperson
Specific Claims Tribunal

