



CHECKLIST FOR PERSONS FILING DOCUMENTS – ALL OTHER DOCUMENTS IN ONGOING PROCEEDINGS

THIS DOCUMENT IS NOT A SUBSTITUTE FOR INDIVIDUAL PROFESSIONAL ADVICE. THE ENVIRONMENTAL COMMISSION HAS PREPARED THIS DOCUMENT MERELY AS A GUIDE. IT IS RECOMMENDED THAT YOU SEEK LEGAL ADVICE FOR YOUR PARTICULAR CASE.

The procedure for filing documents in ongoing proceedings is set out in the Environmental Commission Rules of Practice and Procedure, 2001. You should therefore ensure compliance with these in preparing and filing your documents. Failure to do so may result in your documents being struck out.

This document pertains in particular to:

- the EMA filing a list of names and addresses of other persons who the EMA considers should be notified of proceedings;
- a party other than the EMA served with a notice of proceedings filing a statement of case in opposition to an application;
- the EMA to filing a Reply to a Notice of Application;
- the EMA to filing a Statement of Defence to an Appeal;
- written submissions by all parties to proceedings;
- all other documents not specifically dealt with in this or other checklists.

If you are in doubt as to whether this is the correct checklist for your particular situation you should examine the other checklists which are available at the Registry of the Environmental Commission.

Before filing your documents you should verify the following:

- that the title of the matter has been included;
- that the names and addresses of all persons intended to be served with the document have been included;
- that the Parties to the proceedings are correctly identified;
- that the document is dated and signed as necessary;
- that all affidavits and other documents in support are included;
- that the document is within the required time for filing, i.e.
 - that for all documents – within any time limit specifically ordered by the Court; or
 - for the EMA's to file a list of names and addresses of other persons who the EMA considers should be notified of the proceedings – within 10 days of the EMA being served with the notice of proceedings (not counting the day of service);
 - for a party other than the EMA served with a notice of proceedings filing a statement of case in opposition to the application – within



- 28 days of service of the notice of proceedings (not counting the day of service);
- for the EMA's Reply to a Notice of Application – within 28 days of being served with the Notice of Application (not including the day of service);
 - for the EMA to file a Statement of Defence to an Appeal – within 28 days of being served with the Notice of Appeal (not counting the day of service);
 - written submissions by all parties to the proceedings – at least 7 days before the date of the hearing.
- that you have brought the original and at least six (6) copies of the Document and supporting documents (i.e. the original and four (4) copies to be retained by the Registry; one (1) for **each** person intended to be served with the Document; and one (1) for yourself);
 - that you have securely bound all exhibits and accompanying documents to the Document.

Before leaving the Registry verify that all of your copies have been stamped as “Filed”.