

Alberta Human Rights Tribunals Practice Direction

Notice to Attend

Introduction

The Tribunal has the authority to compel witnesses to attend a hearing, give evidence, and produce documents (*Public Inquiries Act*, s.5). Where a party feels it is necessary to ensure that a witness attends the hearing, the party requiring that witness' evidence may request a notice to attend signed by a Tribunal Member ([Bylaws - AHRC](#), s.27.8).

How to make a request

As soon as possible, in advance of the first date of the hearing, the party requesting the notice must write to the Tribunal Registrar at AHRCTribunal@gov.ab.ca with the request for a notice to attend. The request will include the following information:

- The complaint name and number;
- The name, address, and email address of the requesting party;
- The name of the witness;
- The date and time the witness is expected to attend the hearing; and
- A list of any documents the witness must produce, and the date by which the witness must deliver them the parties.

Delivering a Notice to Attend

The party requesting attendance of a witness is responsible for serving the notice to attend on the witness at least 21 days prior to the hearing. If the witness does not attend the hearing at the designated time, the party who served the notice on the witness may be required to prove that the witness was served and therefore knew about the requirement to attend.

The Notice to Attend must be handed to the witness in person, or delivered by registered or certified mail (s. 43(2) of the *Alberta Human Rights Act*). Once the notice is delivered, the person who delivered it must sign a Statement of Service (see below), and the requesting party must file this with the Tribunal.

Payment of attendance money

The requesting party must also pay the witness attendance money in advance of the hearing, and any other witness expenses (such as travel). Attendance money compensates a witness for their time at a hearing. The amount outlined in the *Alberta Rules of Court* is a daily allowance of \$50.00, for most witnesses. Expenses such as meals, accommodation and transportation may also need to be provided by the party requesting the attendance of a witness, depending on the hearing location or other circumstances. Hearings held online will require the payment of attendance money, but will usually not require travel expenses or meals.

STATEMENT OF SERVICE

I, _____, did deliver the attached Notice to Attend (provide a copy of the Notice) to the witness, _____

on the date, _____, at the time _____, in the city and province _____.

The Notice to Attend was delivered (tick one):

- In-person
- By registered mail
- By certified mail

Signed and dated:

Name:

Date: