



Community Care and Assisted Living Appeal Board

Form 1 Rule 17(1)

Appellant:

Respondent:

Summons To A Witness

To: Name: _____

Address: _____

Take Notice that pursuant to section 29.1 (d) of the *Community Care and Assisted Living Act* and section 34(1) of the *Administrative Tribunals Act* you are required to attend to testify as a witness at the time, date and place set out below.

And Further Take Notice that you are required to bring with you any document or other thing in your possession or control relating to this proceeding:

Time: _____

Date: _____
[Day] [Month] [Year]

Place: _____

Dated: _____

Signed: _____
Party [or party's solicitor]

Important: The following information must also be included with the summons to a witness.

Notice to the Person Delivering the Summons

Unless the Board authorizes otherwise, a summons to a witness must be delivered to the witness **at least 7 days** before the witness is required to attend to give evidence at a hearing of the appeal or to produce a document or other thing.

At the time the summons is delivered, the party summoning the witness must offer the witness reasonable estimated travelling expenses in advance of the required attendance.

If a person will attend to give evidence or produce a document or other thing voluntarily, a summons is not necessary.

Reference: Rule 17, Community Care and Assisted Living Appeal Board Rules

Notice to the Witness

The witness summoned must comply with the summons, unless the Board has amended or cancelled it before the date the witness is required to attend to testify or provide a document or other thing.

The witness summoned may apply to the Board to amend the terms of, or to cancel, the summons by delivering a written request to the Board that explains the reason(s) the summons should be cancelled or its terms should be amended.

An application to amend the terms of, or to cancel, a summons to a witness must also be delivered to the party summoning the witness.

Except in extenuating circumstances, the Board will give the party summoning the witness an opportunity to be heard before amending the terms of, or cancelling, a summons to a witness.

If the witness summoned fails to comply with the summons, the witness may be directed to comply and is liable to be committed for contempt by the Supreme Court.

Reference: Rule 18 of the Community Care and Assisted Living Appeal Board Rules and sections 34 and 49 of the *Administrative Tribunals Act*.

The Community Care and Assisted Living Appeal Board may be contacted as follows:

Community Care and Assisted Living Appeal Board 4th Floor, 747 Fort Street Victoria BC V8W 3E9	Telephone: 250-387-3464 Fax: 250-356-9923 Email: info@bcccalab.ca
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