

Legislation:

Sections 16.1, 23 and 25.1 of the *Statutory Powers Procedure Act* ('the SPPA')

A number of rules in the SPPA give a Member the initiative to take procedural steps without a request from a party. For example, under section 16.1, the Member may make any interim decision or order in the proceedings, and impose conditions on the decision or order. Under section 23, a Member may make orders or directions which are proper to prevent abuse of its process.

2.1 Members may exercise any of their powers under these Rules or under the RTA on their own initiative or at the request of a party.

If a Rule applies to a case, it need not be raised by a party. The Member may decide on his or her own to apply the Rule.

2.2 The Member may decide the procedure to be followed for an application and may make specific procedural directions or orders at any time and may impose such conditions as are appropriate and fair.

Members should make procedural directions or orders to assist the parties and bring the proceedings to a fair and expeditious conclusion. The Member may decide that a procedural ruling should be made only with specific conditions, so long as those conditions are fair to all parties. For example, an adjournment may be granted, but the Member may require that the respondent pay a sum of money into the Board, or order that one party pay another party's costs, or direct that there may not be an adjournment of the next hearing date, except in the most extraordinary circumstances.