

3.1 A party shall not attempt to speak directly to a Member outside a hearing.

The principle is that no party should give any evidence or submissions to a decision-maker, except in the presence of the other parties at a hearing to avoid the perception of bias. As such, any communication with the Board will have to be through an employee of the Board.

3.2 The Member may direct a party or representative communicating with the Board to provide a copy or notice of the communication to each other party.

In some cases, a communication with the Board should be disclosed to the other party. For example, if a party tells Board staff that an adjournment will be requested in advance of the hearing, they may be ordered to tell the other party. [The party should use one of the methods of service permitted by section 191 of the RTA or Rule 5.1, unless the Member specifies another method.]