

FORM 55

*Order for Appointment of the Nigerian Diplomatic Agent
as Special Examiner
(in Convention Country)
Heading as in Form 1*

IN THE NATIONAL INDUSTRIAL COURT OF NIGERIA

In theJudicial Division

Suit No.of.....

Between

A.BClaimant

And

C.D and E.FDefendants

Upon hearing the legal practitioners of both sides, and upon reading the affidavit of.....dated....., it is ordered that the Nigerian Diplomatic Agent or his deputy at.....be appointed as Special Examiner for the purpose of taking the examination,

cross examination, viva voce on oath or affirmation, ofwitnesses on part of the ,at aforesaid.

The Examiner shall be at liberty to invite the attendance of the said witness and production of documents, but shall not exercise and compulsory powers.

Otherwise such examination shall be practitioners to give thelegal practitioners.day's notice on

writing of the date on which they purpose to send out this order to.....for execution and that.....days after

the service of such notice the legal practitioner for the Claimants, and the Defendants respectively do exchange the names of their agents at

.....to whom notice relating to the examination of the said witnesses may be sent. And thatdays

(exclusive of Sunday) prior to the examination of any witness hereunder notice of such examination shall be given by the agent of the party on whose behalf

such witness is to be examined to the agent of the other party unless such notice be dispensed with. And that the dispensation when so taken together with any

documents referred to therein or certified copies of documents, or of extracts therefrom, be transmitted by the Examiner, under seal, to the Chief Registrar of

the National Industrial Court Nigeria, on or before the day of

.....next, or such further or other day as may be ordered, there to be filed in proper office. And that either party be at liberty to read and give such depositions in evidence on the trial of his action, saving all just exceptions. And that the trial of this action be stayed until the filing of such examination and that the cost of the examination be in cost in the action.

DATED.....day of, 20.....

Note.— If the Convention requires that the invitation or notice to the witnesses must expressly state that no compulsory powers may be used, this requirement must be complied with.