



# Inquiries Act 2005

## CHAPTER 12

### INQUIRIES ACT 2005

#### *Constitution of inquiry*

- 1 Power to establish inquiry
- 2 No determination of liability
- 3 The inquiry panel
- 4 Appointment of inquiry panel
- 5 Setting-up date and terms of reference
- 6 Minister's duty to inform Parliament or Assembly
- 7 Further appointments to inquiry panel
- 8 Suitability of inquiry panel
- 9 Requirement of impartiality
- 10 Appointment of judge as panel member
- 11 Assessors
- 12 Duration of appointment of members of inquiry panel
- 13 Power to suspend inquiry
- 14 End of inquiry

#### *Conversion of inquiries*

- 15 Power to convert other inquiry into inquiry under this Act
- 16 Inquiries converted under section 15

#### *Inquiry proceedings*

- 17 Evidence and procedure
- 18 Public access to inquiry proceedings and information
- 19 Restrictions on public access etc
- 20 Further provisions about restriction notices and orders
- 21 Powers of chairman to require production of evidence etc

*Changes to legislation:* There are currently no known outstanding effects for the Inquiries Act 2005. (See end of Document for details)

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- 22 Privileged information etc
- 23 Risk of damage to the economy

#### *Inquiry reports*

- 24 Submission of reports
- 25 Publication of reports
- 26 Laying of reports before Parliament or Assembly

#### *Scotland, Wales and Northern Ireland*

- 27 United Kingdom inquiries
- 28 Scottish inquiries
- 29 Welsh inquiries
- 30 Northern Ireland inquiries
- 31 The relevant part of the United Kingdom and the applicable rules

#### *Inquiries for which more than one Minister responsible*

- 32 Joint inquiries
- 33 Inquiries involving more than one administration
- 34 Change of responsibility for inquiry

#### *Supplementary*

- 35 Offences
- 36 Enforcement by High Court or Court of Session
- 37 Immunity from suit
- 38 Time limit for applying for judicial review
- 39 Payment of inquiry expenses by Minister
- 40 Expenses of witnesses etc

#### *General*

- 41 Rules
- 42 Notices etc
- 43 Interpretation
- 44 Transitory, transitional and saving provisions
- 45 Suspension of devolved government in Northern Ireland

#### *Amendments etc*

- 46 Inquiries under the Financial Services and Markets Act 2000
- 47 Inquiries etc under Northern Ireland legislation
- 48 Minor and consequential amendments
- 49 Repeals and revocations

#### *Final provisions*

- 50 Crown application
- 51 Commencement
- 52 Extent
- 53 Short title

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## SCHEDULES

SCHEDULE 1 — Provisions applicable to inquiries etc under Northern Ireland legislation

The following is the Schedule inserted into the Interpretation Act...

SCHEDULE 2 — Minor and consequential amendments

Part 1 — ACTS OF PARLIAMENT

*Regulation of Railways Act 1871 (c. 78)*

1 Section 7 of the Regulation of Railways Act 1871 (inquiry...

*Ministry of Transport Act 1919 (c. 50)*

2 Section 20 of the Ministry of Transport Act 1919 (power...

*Road and Rail Traffic Act 1933 (c. 53)*

3 Section 47 of the Road and Rail Traffic Act 1933...

*Agricultural Marketing Act 1958 (c. 47)*

4 In section 26 of the Agricultural Marketing Act 1958 (constitution...

*Mental Health Act 1959 (c. 72)*

5 Section 143 of the Mental Health Act 1959 (inquiries) is...

*Transport Act 1962 (c. 46)*

6 Section 90 of the Transport Act 1962 (inquiries) is omitted....

*National Health Service Act 1977 (c. 49)*

7 Section 84 of the National Health Service Act 1977 (inquiries)...

*Public Passenger Vehicles Act 1981 (c. 14)*

8 In the Public Passenger Vehicles Act 1981, sections 76 (general...

*Mental Health Act 1983 (c. 20)*

9 Section 125 of the Mental Health Act 1983 (inquiries) is...

*Road Traffic Regulation Act 1984 (c. 27)*

10 In the Road Traffic Regulation Act 1984, sections 128 (power...

*Road Traffic Act 1988 (c. 52)*

11 Section 179 of the Road Traffic Act 1988 (general power...

*Children Act 1989 (c. 41)*

12 Section 81 of the Children Act 1989 (inquiries) is omitted....

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*Further and Higher Education Act 1992 (c. 13)*

13 In section 57 of the Further and Higher Education Act...

*Police Act 1996 (c. 16)*

14 Section 49 of the Police Act 1996 (local inquiries) is...

*Education Act 1996 (c. 56)*

15 Section 507 of the Education Act 1996 (power to direct...

*Police Act 1997 (c. 50)*

16 In the Police Act 1997, sections 34 (National Criminal Intelligence...

*Police (Northern Ireland) Act 1998 (c. 32)*

17 Section 44 of the Police (Northern Ireland) Act 1998 (inquiries)...

*Protection of Children Act 1999 (c. 14)*

18 In section 2B of the Protection of Children Act 1999...

*Care Standards Act 2000 (c. 14)*

19 In section 85 of the Care Standards Act 2000 (individuals...

*Regulation of Investigatory Powers Act 2000 (c. 23)*

20 (1) Section 17 of the Regulation of Investigatory Powers Act...

21 (1) Section 18 of that Act (exceptions to section 17)...

*Police (Northern Ireland) Act 2000 (c. 32)*

22 In section 60 of the Police (Northern Ireland) Act 2000...

*Adoption and Children Act 2002 (c. 38)*

23 Section 17 of the Adoption and Children Act 2002 (inquiries)...

*Fire and Rescue Services Act 2004 (c. 21)*

24 Section 27 of the Fire and Rescue Services Act 2004...

Part 2 — ACTS OF THE SCOTTISH PARLIAMENT

*Protection of Children (Scotland) Act 2003 (asp 5)*

25 In section 6 of the Protection of Children (Scotland) Act...

Part 3 — NORTHERN IRELAND LEGISLATION

*Local Government Act (Northern Ireland) 1923 (c. 31 (N.I.))*

26 Section 6 of the Local Government Act (Northern Ireland) 1923...

*Petroleum (Consolidation) Act (Northern Ireland) 1929 (c. 13 (N.I.))*

27 Section 14 of the Petroleum (Consolidation) Act (Northern Ireland) 1929...

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*Prison Act (Northern Ireland) 1953 (c. 18 (N.I))*

28 Section 7 of the Prison Act (Northern Ireland) 1953 (sworn...

*Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14))*

29 In the Health and Personal Social Services (Northern Ireland) Order...

*Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/1039 (N.I. 9))*

30 In Article 16 of the Health and Safety at Work...

*Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1))*

31 In Schedule 5 to the Road Traffic (Northern Ireland) Order...

*Agricultural Marketing (Northern Ireland) Order 1982 (S.I. 1982/1080 (N.I. 12))*

32 In Article 4 of the Agricultural Marketing (Northern Ireland) Order...

*Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))*

33 Article 108 of the Education and Libraries (Northern Ireland) Order...

*Adoption (Northern Ireland) Order 1987 (S.I. 1987/2203 (N.I. 22))*

34 Article 69 of the Adoption (Northern Ireland) Order 1987 (inquiries)...

*Roads (Northern Ireland) Order 1993 (S.I. 1993/3160 (N.I. 15))*

35 In Article 130 of the Roads (Northern Ireland) Order 1993...

*Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2))*

36 Article 152 of the Children (Northern Ireland) Order 1995 (inquiries)...

*Commissioner for Complaints (Northern Ireland) Order 1996 (S.I. 1996/1297 (N.I. 7))*

37 In Article 9 of the Commissioner for Complaints (Northern Ireland)...

*Road Traffic Regulation (Northern Ireland) Order 1997 (S.I. 1997/276 (N.I. 2))*

38 In Article 65 of the Road Traffic Regulation (Northern Ireland)...

*Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9))*

39 Article 58 of the Criminal Justice (Children) (Northern Ireland) Order...

*Protection of Children and Vulnerable Adults  
(Northern Ireland) Order 2003 (S.I. 2003/417 (N.I. 4))*

40 In Articles 7 and 39 of the Protection of Children...

*Commissioner for Children and Young People  
(Northern Ireland) Order 2003 (S.I. 2003/439 (N.I. 11))*

41 In Article 13 of the Commissioner for Children and Young...

SCHEDULE 3 — Repeals and revocations

**Changes to legislation:**

There are currently no known outstanding effects for the Inquiries Act 2005.