
STATUTORY INSTRUMENTS

1992 No. 807

The Industrial Relations (Northern Ireland) Order 1992

PART XI

**MACHINERY FOR PROMOTING
IMPROVEMENT OF INDUSTRIAL RELATIONS**

Courts of inquiry

Court of inquiry into trade dispute

- 93.**—(1) Where any trade dispute exists or is apprehended, the Head of the Department may—
- (a) inquire into the causes and circumstances of the dispute; and
 - (b) if he thinks fit, refer the matters appearing to him to be connected with or relevant to the dispute to a court of inquiry appointed under paragraph (2).
- (2) For the purpose of a reference under paragraph (1)(b), the Head of the Department may appoint a court of inquiry consisting of—
- (a) one person; or
 - (b) a chairman and such other persons as the Head of the Department thinks fit.
- (3) The Department shall pay to the members of a court of inquiry such remuneration and such travelling and other allowances as may be determined by the Department with the approval of the Department of Finance and Personnel and may pay to any other persons such allowances as the Department may, with the approval of the Department of Finance and Personnel, determine for the purposes of, or in connection with, their attendance at proceedings of a court of inquiry.
- (4) A court of inquiry appointed under paragraph (2)(b) may act notwithstanding any vacancy in its number.
- (5) A court of inquiry shall, either in public or in private at its discretion, inquire into the matters referred to it.
- (6) Subject to paragraph (9), a court of inquiry shall report to the Head of the Department on any matters referred to it and may, if it thinks fit, make interim reports.
- (7) Any report of a court of inquiry made to the Head of the Department under paragraph (6) shall be laid before the Assembly.
- (8) Subject to paragraph (9), the Head of the Department may publish, in such manner as he thinks fit, any information obtained or conclusions arrived at by the court of inquiry as a result of or in the course of its inquiry.
- (9) There shall not be included in any report made under paragraph (6) or any publication under paragraph (8) any information obtained by the court of inquiry in the course of its inquiry as to any trade union or employers' association or as to any individual business carried on by a person, firm or business which is not available otherwise than through evidence given at the inquiry, except with

the consent of the general secretary of the trade union or employers' association or of the person, firm or company in question.

Procedure of court of inquiry

94.—(1) The Head of the Department may make rules regulating the procedure of a court of inquiry appointed under Article 93 and such rules may provide—

- (a) for the summoning of witnesses;
- (b) for the quorum of a court of inquiry appointed under Article 93(2)(b);
- (c) for the appointment of committees;
- (d) for enabling the court of inquiry to call for such documents as the court may determine to be relevant to the subject matter of the inquiry;
- (e) for the cases in which persons may appear by counsel or solicitor in proceedings before the court of inquiry.

(2) Except as provided by rules under paragraph (1)(e), no person shall be entitled to appear in any proceedings before a court of inquiry by counsel or solicitor.

(3) A court of inquiry may, if and to such extent as may be authorised by rules under this Article, by order require any person who appears to the court to have any knowledge of the subject matter of the inquiry—

- (a) to furnish, in writing or otherwise, such particulars in relation thereto as the court may require; and
- (b) where necessary, to attend before the court and give evidence on oath.

(4) A court of inquiry may administer, or authorise any person to administer, an oath for the purposes of paragraph (3)(b).