



# Inquiries Act 2005

## 2005 CHAPTER 12

### *General*

#### **41 Rules**

- (1) The appropriate authority may make rules dealing with—
  - (a) matters of evidence and procedure in relation to inquiries;
  - (b) the return or keeping, after the end of an inquiry, of documents given to or created by the inquiry;
  - (c) awards under section 40.
- (2) Rules under subsection (1)(c) may in particular—
  - (a) make provision as to how and by whom the amount of awards is to be assessed, including provision allowing the assessment to be undertaken by the inquiry panel or by such other person as the panel may nominate;
  - (b) make provision for review of an assessment at the instance of a person dissatisfied with it.
- (3) The appropriate authority is—
  - (a) the Lord Chancellor, as regards inquiries for which a United Kingdom Minister is responsible;
  - (b) the Scottish Ministers, as regards inquiries for which they are responsible;
  - (c) the [<sup>F1</sup>Welsh Ministers]<sup>F1</sup>, as regards inquiries for which [<sup>F2</sup>they are]<sup>F2</sup> responsible;
  - (d) the First Minister and deputy First Minister acting jointly, as regards inquiries for which a Northern Ireland Minister is responsible.
- (4) The power to make rules under this section is exercisable—
  - (a) in the case of rules made by the Lord Chancellor, the [<sup>F3</sup>Welsh Ministers]<sup>F3</sup> or the Scottish Ministers, by statutory instrument;
  - (b) in the case of rules made by the First Minister and deputy First Minister, by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

---

*Changes to legislation: There are currently no known outstanding effects for the Inquiries Act 2005, Section 41. (See end of Document for details)*

---

- (5) A statutory instrument made under this section is subject to annulment—
- (a) if made by the Lord Chancellor, in pursuance of a resolution of either House of Parliament;
  - [<sup>F4</sup>(aa) if made by the Welsh Ministers, in pursuance of a resolution of the National Assembly for Wales;]
  - <sup>F4</sup>(b) if made by the Scottish Ministers, in pursuance of a resolution of the Scottish Parliament.
- (6) A statutory rule made under this section is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)).

#### Textual Amendments

- F1** Words in s. 41(3)(c) substituted by [Government of Wales Act 2006 \(c. 32\), s. 160, Sch. 10 para. 95\(2\)\(a\)](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(1\)\(4\)\(5\)](#) of the amending Act
- F2** Words in s. 41(3)(c) substituted by [Government of Wales Act 2006 \(c. 32\), s. 160, Sch. 10 para. 95\(2\)\(b\)](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(1\)\(4\)\(5\)](#) of the amending Act
- F3** Words in s. 41(4)(a) substituted by [Government of Wales Act 2006 \(c. 32\), s. 160, Sch. 10 para. 95\(3\)](#), (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(1\)\(4\)\(5\)](#) of the amending Act
- F4** [S. 41\(5\)\(aa\)](#) inserted by [Government of Wales Act 2006 \(c. 32\), s. 160, Sch. 10 para. 95\(4\)](#), (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(1\)\(4\)\(5\)](#) of the amending Act

**Changes to legislation:**

There are currently no known outstanding effects for the Inquiries Act 2005, Section 41.