



# Inquiries Act 2005

## 2005 CHAPTER 12

### *General*

#### **43 Interpretation**

(1) In this Act—

“assessor” means an assessor appointed under section 11;

[<sup>F1</sup>“assimilated enforceable obligation” means an obligation (as modified from time to time) which forms part of assimilated law by virtue of section 3 of the European Union (Withdrawal) Act 2018;]

“chairman”, in relation to an inquiry, means the chairman of the inquiry;

“the course of the inquiry” and similar expressions are to be read in accordance with subsection (2);

“date of conversion” has the meaning given by section 15(1);

“document” includes information recorded in any form (and see subsection (3));

“event”, except in sections 13 and 46, includes any conduct or omission;

“inquiry”, except where the context requires otherwise, means an inquiry under this Act;

“inquiry panel” is to be read in accordance with section 3(2);

“interested party”, in relation to an inquiry, means a person with a particularly significant interest in the proceedings or outcome of the inquiry;

“interim report” means a report under section 24(3);

“joint inquiry” has the meaning given by section 32(2);

“member”, in relation to an inquiry panel, includes the chairman;

“Minister” is to be read in accordance with section 1(2) (and see subsection (4) below);

“Northern Ireland Minister” includes the First Minister and the deputy First Minister acting jointly;

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*Changes to legislation: There are currently no known outstanding effects for the Inquiries Act 2005, Section 43. (See end of Document for details)*

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“public authority” has the same meaning as in the Freedom of Information Act 2000 (c. 36);

“the relevant Parliament or Assembly” means whichever of the following is or are applicable—

- (a) in the case of an inquiry for which the Treasury is responsible, the House of Commons;
- (b) in the case of an inquiry for which any other United Kingdom Minister is responsible, or one for which the Secretary of State exercising functions by virtue of section 45(2) is responsible, the House of Parliament of which that minister is a member;
- (c) in the case of an inquiry for which the Scottish Ministers are responsible, the Scottish Parliament;
- (d) in the case of an inquiry for which the [<sup>F2</sup>Welsh Ministers are responsible, the National Assembly for Wales]<sup>F2</sup>;
- (e) in the case of an inquiry for which a Northern Ireland Minister is responsible, the Northern Ireland Assembly;

“the relevant part of the United Kingdom”, in relation to an inquiry, means the part specified under section 31(1);

“report” means a report under section 24(1);

“responsible”, in relation to an inquiry, is to be read in accordance with subsection (5);

<sup>F3</sup>  
...

“Scottish public authority” has the same meaning as in the Freedom of Information (Scotland) Act 2002 (asp 13);

“setting-up date” means the date specified under section 5(1)(a);

“statutory provision” means a provision contained in, or having effect under, any enactment, Act of the Scottish Parliament or Northern Ireland legislation;

“terms of reference”, in relation to an inquiry under this Act, has the meaning given by section 5(6);

“United Kingdom Minister”—

- (a) means the holder of a Ministerial office specified in Part 1, 2 or 3 of Schedule 1 to the Ministerial and other Salaries Act 1975 (c. 27) or a Parliamentary Secretary;
- (b) also includes the Treasury.

But a reference to a United Kingdom Minister does not include a reference to the Secretary of State discharging functions by virtue of section 45(2).

- (2) References in this Act to the course of an inquiry are to the period beginning with the setting-up date, or (in the case of an inquiry converted under section 15) the date of conversion, and ending with the date on which the inquiry comes to an end (which is given by section 14).
- (3) References in this Act to producing or providing a document, in relation to information recorded otherwise than in legible form, are to be read as references to producing or providing a copy of the information in a legible form.
- (4) References in this Act to “the Minister”, in relation to an inquiry, are to the Minister or Ministers responsible for the inquiry.

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- (5) For the purposes of this Act a Minister is “responsible” for an inquiry if he is the Minister, or one of the Ministers, by whom it was caused to be held under section 1 or converted under section 15.

This is subject to section 34(2)(a).

#### Textual Amendments

- F1** Words in s. 43(1) inserted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 57(4)(a)**
- F2** S. 43(1): words in definition substituted by [Government of Wales Act 2006 \(c. 32\)](#), s. 160, **Sch. 10 para. 96**, (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. 43(1) omitted (1.1.2024) by virtue of [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 57(4)(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the Inquiries Act 2005, Section 43.