



Inquiries Act 2005

2005 CHAPTER 12

Constitution of inquiry

5 Setting-up date and terms of reference

- (1) In the instrument under section 4 appointing the chairman, or by a notice given to him within a reasonable time afterwards, the Minister must—
 - (a) specify the date that is to be the setting-up date for the purposes of this Act; and
 - (b) before that date—
 - (i) set out the terms of reference of the inquiry;
 - (ii) state whether or not the Minister proposes to appoint other members to the inquiry panel, and if so how many.
- (2) An inquiry must not begin considering evidence before the setting-up date.
- (3) The Minister may at any time after setting out the terms of reference under this section amend them if he considers that the public interest so requires.
- (4) Before setting out or amending the terms of reference the Minister must consult the person he proposes to appoint, or has appointed, as chairman.
- (5) Functions conferred by this Act on an inquiry panel, or a member of an inquiry panel, are exercisable only within the inquiry's terms of reference.
- (6) In this Act “terms of reference”, in relation to an inquiry under this Act, means—
 - (a) the matters to which the inquiry relates;
 - (b) any particular matters as to which the inquiry panel is to determine the facts;
 - (c) whether the inquiry panel is to make recommendations;
 - (d) any other matters relating to the scope of the inquiry that the Minister may specify.

Changes to legislation:

There are currently no known outstanding effects for the Inquiries Act 2005, Section 5.