

SECOND SCHEDULE

LOCAL INQUIRIES

- 1 The Secretary of State shall appoint a commissioner to hold the inquiry and to report thereon to him.
- 2 The commissioner shall notify the bodies and persons appearing to him to be interested.
- 3 The commissioner may by notice in writing require any person—
 - (a) to attend at the time and place set forth in the notice to give evidence or to produce any books or documents in his custody or under his control which relate to any matter in question at the inquiry ; or
 - (b) to furnish within such reasonable period as is specified in the notice such information relating to any matter in question at the inquiry as the commissioner may think fit and as the person so required is able to furnish :
Provided that—
 - (i) no person shall be required in obedience to such a notice to attend at any place which is more than ten miles from the place where he resides unless the necessary expenses are paid or tendered to him ; and
 - (ii) nothing in this paragraph shall empower the commissioner to require any person to produce any book or document or to answer any question which he would be entitled, on the ground of privilege or confidentiality, to refuse to produce or to answer if the inquiry were a proceeding in a court of law.
- 4 The commissioner may administer oaths and examine witnesses on oath and may accept, in lieu of evidence on oath by any person, a statement in writing by that person supported by a declaration of the truth thereof in such form as the commissioner may require.
- 5 The inquiry shall unless the Secretary of State otherwise directs be held in public.
- 6 Any person who refuses or wilfully neglects to attend in obedience to a notice issued under paragraph 3 of this Schedule, or who wilfully alters, suppresses, conceals, destroys or refuses to produce any book or document which he may be required to produce by any such notice, or who refuses or wilfully neglects to comply with any requirement of the commissioner under paragraph 3 of this Schedule, shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a period not exceeding three months.
- 7 The Secretary of State may make orders as to the expenses incurred by the parties appearing at the inquiry and as to the parties by whom such expenses shall be paid.
- 8 Any order by the Secretary of State under paragraph 7 of this Schedule requiring any party to pay expenses may be enforced in like manner as a recorded decree arbitral.