



# Local Government (Democracy) (Wales) Act 2013

2013 anaw 4

## PART 3

### ARRANGEMENTS FOR LOCAL GOVERNMENT

#### CHAPTER 7

##### MISCELLANEOUS PROVISION

#### **49 Local inquiries**

- (1) The Commission or, as the case may be, a principal council, may cause a local inquiry to be held with respect to any review carried out by it under this Part.
- (2) The Welsh Ministers, the Commission or, as the case may be, a principal council may cause a local inquiry to be held in respect of a draft order prepared under section 43.
- (3) A person appointed to hold an inquiry may by summons require a person to attend at a time and place specified in the summons—
  - (a) to give evidence, or
  - (b) to produce any information relating to any matter in question which is held by, or is under the control of, the person.
- (4) A person appointed to hold an inquiry may take evidence on oath and for that purpose may administer oaths.
- (5) A person required to attend under subsection (3) must be paid any reasonably incurred expenses.
- (6) Despite subsection (3)(b), a person may not be required to produce the title (or any instrument relating to the title) of any land which does not belong to a local authority.

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**Changes to legislation:** *There are currently no known outstanding effects for the Local Government (Democracy) (Wales) Act 2013, Section 49. (See end of Document for details)*

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- (7) A person commits an offence if the person—
- (a) refuses or deliberately fails to comply with a requirement of a summons served on the person under subsection (3),
  - (b) deliberately alters, suppresses, conceals or destroys any information which the person is required to produce under this section.
- (8) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding 6 months, or to both.
- (9) The persons or body causing an inquiry to be held under this section may make orders as to—
- (a) the costs of the parties at the inquiry, and
  - (b) the parties by whom the costs are to be paid.
- (10) An order under subsection (9) may be made a rule of the High Court on the application of a party named in the order.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Democracy) (Wales) Act 2013, Section 49.