



Scottish Commission for Human Rights Act 2006

2006 asp 16

Inquiries

8 Power to conduct inquiries

- (1) The Commission may, in relation to any matter relevant to its general duty, conduct an inquiry into the policies or practices of—
 - (a) a particular Scottish public authority,
 - (b) Scottish public authorities generally, or
 - (c) Scottish public authorities of a particular description,in connection with the matter.
- (2) Subsection (1) is subject to section 9.
- (3) The matter in relation to which an inquiry is conducted is referred to in this Act as the “subject matter” of the inquiry.
- (4) Before taking any step in the conduct of an inquiry, the Commission must—
 - (a) draw up—
 - (i) terms of reference for the proposed inquiry, and
 - (ii) a summary of the procedure to be followed in the conduct of the inquiry,
 - (b) give notice of—
 - (i) the proposed inquiry,
 - (ii) its terms of reference, and
 - (iii) the summary of procedure,to each relevant Scottish public authority, and
 - (c) publicise—
 - (i) the proposed inquiry,
 - (ii) its terms of reference, and
 - (iii) the summary of procedure,in such manner as it considers appropriate to bring them to the attention of any other persons likely to be affected by the inquiry.

Changes to legislation: *Scottish Commission for Human Rights Act 2006, Section 8 is up to date with all changes known to be in force on or before 25 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (5) An inquiry is to be conducted in public except to the extent that the Commission considers it necessary or expedient that any part of the inquiry should be conducted in private.
- (6) Otherwise, the procedure to be followed in the conduct of an inquiry is to be such as the Commission may determine.
- (7) In subsection (4)(b), “relevant Scottish public authority” means, in relation to a proposed inquiry, any Scottish public authority—
 - (a) which the Commission considers is likely to be required under section 10(1) to give evidence, produce documents or provide information for the purposes of the inquiry, or
 - (b) any of whose members, officers or staff the Commission considers is likely to be so required.

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by [2024 asp 1 s. 12\(2\)](#)
- s. 6(2A) inserted by [2024 asp 1 s. 12\(3\)](#)