



Local Government Act 1974

1974 CHAPTER 7

PART III

LOCAL GOVERNMENT ADMINISTRATION

29 Investigations: further provisions.

- (1) For the purposes of an investigation under this Part of this Act a Local Commissioner may require any member or officer of the authority concerned, or any other person who in his opinion is able to furnish information or produce documents relevant to the investigation, to furnish any such information or produce any such documents.
- (2) For the purposes of any such investigation a Local Commissioner shall have the same powers as the High Court in respect of the attendance and examination of witnesses, and in respect of the production of documents.
- (3) A Local Commissioner may, under subsection (1) above, require any person to furnish information concerning communications between the authority concerned and any Government department ^{F1}..., or to produce any correspondence or other documents forming part of any such written communications.
- (4) No obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to persons in Her Majesty's service, whether imposed by any enactment or by any rule of law, shall apply to the disclosure of information in accordance with subsection (3) above; and where that subsection applies the Crown shall not be entitled to any such privilege in respect of the production of documents or the giving of evidence as is allowed by law in legal proceedings.
- ^{F2}(5) Nothing in subsection (1) or subsection (3) above affects the restriction imposed by section [^{F3}34X] of the Public Services Ombudsman (Wales) Act 2005.]
- (6) To assist him in any investigation, a Local Commissioner may obtain advice from any person who in his opinion is qualified to give it and may pay to any such person such fees or allowances as he may determine ^{F4}....

Changes to legislation: Local Government Act 1974, Section 29 is up to date with all changes known to be in force on or before 23 April 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

- [^{F5}(6A) A Local Commissioner may appoint and pay a mediator or other appropriate person to assist him in the conduct of an investigation under this [^{F6}Part of this] Act.
- (6B) Any person or persons appointed under subsection (6A) above shall be deemed to be an officer or officers of the Commission for Local Administration in carrying out his or their functions under that appointment.]
- (7) Subject to subsection (4) above, no person shall be compelled for the purposes of an investigation under this Part of this Act to give any evidence or produce any document which he could not be compelled to give or produce in civil proceedings before the High Court.
- (8) If any person without lawful excuse obstructs a Local Commissioner in the performance of his functions under this Part of this Act, [^{F7} or any person discharging or assisting in the discharge] of those functions, or is guilty of any act or omission in relation to an investigation under this Part of this Act which, if that investigation were a proceeding in the High Court, would constitute contempt of court, the Local Commissioner may certify the offence to the High Court.
- (9) Where an offence is so certified, the High Court may inquire into the matter and, after hearing any witnesses who may be produced against or on behalf of the person charged with the offence, and after hearing any statement that may be offered in defence, deal with him in any manner in which the High Court could deal with him if he had committed the like offence in relation to the High Court.
- (10) Nothing in subsection (8) above shall be construed as applying to the taking of any such action as is mentioned in section 28(4) above.

Textual Amendments

- F1** Words in s. 29(3) repealed (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, [Sch. 6 para. 12\(2\)](#), [Sch. 7](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F2** S. 29(5) substituted (1.10.2010) by [Health Act 2009 \(c. 21\)](#), s. 40(1), [Sch. 5 para. 8\(2\)](#); S.I. 2010/1863, art. 2
- F3** Word in s. 29(5) substituted (1.11.2014) by [Social Services and Well-being \(Wales\) Act 2014 \(anaw 4\)](#), s. 199(2), [Sch. 3 para. 6](#); S.I. 2014/2718, art. 2(b)
- F4** Words in s. 29(6) repealed (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 12 para. 5\(2\)](#), [Sch. 18 Pt. 14](#); S.I. 2008/917, art. 2(1)(n)(ii)(v) (with art. 6(5))
- F5** S. 29(6A)(6B) inserted (1.8.2007) by [The Regulatory Reform \(Collaboration etc. between Ombudsmen\) Order 2007 \(S.I. 2007/1889\)](#), arts. 1(1), [13](#)
- F6** Words in s. 29(6A) inserted (1.10.2010) by [Health Act 2009 \(c. 21\)](#), s. 40(1), [Sch. 5 para. 8\(3\)](#); S.I. 2010/1863, art. 2
- F7** Words in s. 29(8) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 12 para. 5\(3\)](#); S.I. 2008/917, art. 2(1)(n) (with art. 6(5))

Modifications etc. (not altering text)

- C1** S. 29: ss. 26-34 modified by S.I. 1991/559, [art. 2\(3\)](#)
- C2** Ss. 27-30 modified by S.I. 1986/452, [art. 8\(3\)](#)
- C3** S. 29 applied (with modifications) (8.1.1996) by 1995 c. x, ss. 1(3), 44, [Sch. Pt. I](#)

Changes to legislation:

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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. 33(1)(bzb) inserted by [2022 c. 30 Sch. 10 para. 2\(2\)\(a\)](#)
- s. 33(3B) inserted by [2022 c. 30 Sch. 10 para. 2\(4\)](#)
- s. 33ZA(1)(d) and word inserted by [2022 c. 30 Sch. 10 para. 3\(2\)\(b\)](#)
- s. 33ZA(3)(d) and word inserted by [2022 c. 30 Sch. 10 para. 3\(4\)\(b\)](#)
- s. 33ZB(4)(e)(f) inserted by [2022 c. 30 Sch. 10 para. 4\(b\)](#)