Inquiries Act 2005

CHAPTER 12

INQUIRIES ACT 2005

Constitution of inquiry

1 Power to establish inquiry
2 No determination of liability
3 The inquiry panel
4 Appointment of inquiry panel
5 Setting-up date and terms of reference
6 Minister's duty to inform Parliament or Assembly
7 Further appointments to inquiry panel
8 Suitability of inquiry panel
9 Requirement of impartiality
10 Appointment of judge as panel member
11 Assessors
12 Duration of appointment of members of inquiry panel
13 Power to suspend inquiry
14 End of inquiry

Conversion of inquiries

15 Power to convert other inquiry into inquiry under this Act
16 Inquiries converted under section 15

Inquiry proceedings

17 Evidence and procedure
18 Public access to inquiry proceedings and information
19 Restrictions on public access etc
20 Further provisions about restriction notices and orders
21 Powers of chairman to require production of evidence etc
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>Privileged information etc</td>
</tr>
<tr>
<td>23</td>
<td>Risk of damage to the economy</td>
</tr>
</tbody>
</table>

**Inquiry reports**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>Submission of reports</td>
</tr>
<tr>
<td>25</td>
<td>Publication of reports</td>
</tr>
<tr>
<td>26</td>
<td>Laying of reports before Parliament or Assembly</td>
</tr>
</tbody>
</table>

**Scotland, Wales and Northern Ireland**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>27</td>
<td>United Kingdom inquiries</td>
</tr>
<tr>
<td>28</td>
<td>Scottish inquiries</td>
</tr>
<tr>
<td>29</td>
<td>Welsh inquiries</td>
</tr>
<tr>
<td>30</td>
<td>Northern Ireland inquiries</td>
</tr>
<tr>
<td>31</td>
<td>The relevant part of the United Kingdom and the applicable rules</td>
</tr>
</tbody>
</table>

**Inquiries for which more than one Minister responsible**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td>Joint inquiries</td>
</tr>
<tr>
<td>33</td>
<td>Inquiries involving more than one administration</td>
</tr>
<tr>
<td>34</td>
<td>Change of responsibility for inquiry</td>
</tr>
</tbody>
</table>

**Supplementary**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>Offences</td>
</tr>
<tr>
<td>36</td>
<td>Enforcement by High Court or Court of Session</td>
</tr>
<tr>
<td>37</td>
<td>Immunity from suit</td>
</tr>
<tr>
<td>38</td>
<td>Time limit for applying for judicial review</td>
</tr>
<tr>
<td>39</td>
<td>Payment of inquiry expenses by Minister</td>
</tr>
<tr>
<td>40</td>
<td>Expenses of witnesses etc</td>
</tr>
</tbody>
</table>

**General**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>41</td>
<td>Rules</td>
</tr>
<tr>
<td>42</td>
<td>Notices etc</td>
</tr>
<tr>
<td>43</td>
<td>Interpretation</td>
</tr>
<tr>
<td>44</td>
<td>Transitory, transitional and saving provisions</td>
</tr>
<tr>
<td>45</td>
<td>Suspension of devolved government in Northern Ireland</td>
</tr>
</tbody>
</table>

**Amendments etc**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>46</td>
<td>Inquiries under the Financial Services and Markets Act 2000</td>
</tr>
<tr>
<td>47</td>
<td>Inquiries etc under Northern Ireland legislation</td>
</tr>
<tr>
<td>48</td>
<td>Minor and consequential amendments</td>
</tr>
<tr>
<td>49</td>
<td>Repeals and revocations</td>
</tr>
</tbody>
</table>

**Final provisions**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>Crown application</td>
</tr>
<tr>
<td>51</td>
<td>Commencement</td>
</tr>
<tr>
<td>52</td>
<td>Extent</td>
</tr>
<tr>
<td>53</td>
<td>Short title</td>
</tr>
</tbody>
</table>
SCHEDULES

SCHEDULE 1 — Provisions applicable to inquiries etc under Northern Ireland legislation
The following is the Schedule inserted into the Interpretation Act...

SCHEDULE 2 — Minor and consequential amendments
Part 1 — ACTS OF PARLIAMENT

Regulation of Railways Act 1871 (c. 78)
1 Section 7 of the Regulation of Railways Act 1871 (inquiry)...

Ministry of Transport Act 1919 (c. 50)
2 Section 20 of the Ministry of Transport Act 1919 (power)...

Road and Rail Traffic Act 1933 (c. 53)
3 Section 47 of the Road and Rail Traffic Act 1933...

Agricultural Marketing Act 1958 (c. 47)
4 In section 26 of the Agricultural Marketing Act 1958 (constitution)...

Mental Health Act 1959 (c. 72)
5 Section 143 of the Mental Health Act 1959 (inquiries) is...

Transport Act 1962 (c. 46)
6 Section 90 of the Transport Act 1962 (inquiries) is omitted....

National Health Service Act 1977 (c. 49)
7 Section 84 of the National Health Service Act 1977 (inquiries)...

Public Passenger Vehicles Act 1981 (c. 14)
8 In the Public Passenger Vehicles Act 1981, sections 76 (general)...

Mental Health Act 1983 (c. 20)
9 Section 125 of the Mental Health Act 1983 (inquiries) is...

Road Traffic Regulation Act 1984 (c. 27)
10 In the Road Traffic Regulation Act 1984, sections 128 (power)...

Road Traffic Act 1988 (c. 52)
11 Section 179 of the Road Traffic Act 1988 (general power)...

Children Act 1989 (c. 41)
12 Section 81 of the Children Act 1989 (inquiries) is omitted....
Further and Higher Education Act 1992 (c. 13)

13 In section 57 of the Further and Higher Education Act...

Police Act 1996 (c. 16)

14 Section 49 of the Police Act 1996 (local inquiries) is...

Education Act 1996 (c. 56)

15 Section 507 of the Education Act 1996 (power to direct...

Police Act 1997 (c. 50)

16 In the Police Act 1997, sections 34 (National Criminal Intelligence...

Police (Northern Ireland) Act 1998 (c. 32)

17 Section 44 of the Police (Northern Ireland) Act 1998 (inquiries)... 

Protection of Children Act 1999 (c. 14)

18 In section 2B of the Protection of Children Act 1999...

Care Standards Act 2000 (c. 14)

19 In section 85 of the Care Standards Act 2000 (individuals...

Regulation of Investigatory Powers Act 2000 (c. 23)

20 (1) Section 17 of the Regulation of Investigatory Powers Act...
21 (1) Section 18 of that Act (exceptions to section 17)... 

Police (Northern Ireland) Act 2000 (c. 32)

22 In section 60 of the Police (Northern Ireland) Act 2000...

Adoption and Children Act 2002 (c. 38)

23 Section 17 of the Adoption and Children Act 2002 (inquiries)... 

Fire and Rescue Services Act 2004 (c. 21)

24 Section 27 of the Fire and Rescue Services Act 2004...

Part 2 — ACTS OF THE SCOTTISH PARLIAMENT

Protection of Children (Scotland) Act 2003 (asp 5)

25 In section 6 of the Protection of Children (Scotland) Act...

Part 3 — NORTHERN IRELAND LEGISLATION

Local Government Act (Northern Ireland) 1923 (c. 31 (N.I.))

26 Section 6 of the Local Government Act (Northern Ireland) 1923...

Petroleum (Consolidation) Act (Northern Ireland) 1929 (c. 13 (N.I.))

27 Section 14 of the Petroleum (Consolidation) Act (Northern Ireland) 1929...
Prison Act (Northern Ireland) 1953 (c. 18 (N.I.))
28 Section 7 of the Prison Act (Northern Ireland) 1953 (sworn... 

29 In the Health and Personal Social Services (Northern Ireland) Order...

30 In Article 16 of the Health and Safety at Work...

Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1))
31 In Schedule 5 to the Road Traffic (Northern Ireland) Order...

Agricultural Marketing (Northern Ireland) Order 1982 (S.I. 1982/1080 (N.I. 12))
32 In Article 4 of the Agricultural Marketing (Northern Ireland) Order...

33 Article 108 of the Education and Libraries (Northern Ireland) Order...

Adoption (Northern Ireland) Order 1987 (S.I. 1987/2203 (N.I. 22))
34 Article 69 of the Adoption (Northern Ireland) Order 1987 (inquiries)...

Roads (Northern Ireland) Order 1993 (S.I. 1993/3160 (N.I. 15))
35 In Article 130 of the Roads (Northern Ireland) Order 1993...

36 Article 152 of the Children (Northern Ireland) Order 1995 (inquiries)...

Commissioner for Complaints (Northern Ireland) Order 1996 (S.I. 1996/1297 (N.I. 7))
37 In Article 9 of the Commissioner for Complaints (Northern Ireland)...

38 In Article 65 of the Road Traffic Regulation (Northern Ireland)...

39 Article 58 of the Criminal Justice (Children) (Northern Ireland) Order...

Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 (S.I. 2003/417 (N.I. 4))
40 In Articles 7 and 39 of the Protection of Children...

Commissioner for Children and Young People (Northern Ireland) Order 2003 (S.I. 2003/439 (N.I. 11))
41 In Article 13 of the Commissioner for Children and Young...

SCHEDULE 3 — Repeals and revocations
Changes to legislation:
Inquiries Act 2005 is up to date with all changes known to be in force on or before 29 December 2018. 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.

Changes and effects yet to be applied to:
– s. 19(3)(a) words substituted by S.I. 2018/1252 reg. 2(a)
– s. 22(1)(b) words substituted by S.I. 2018/1252 reg. 2(b)
– s. 25(4)(a) words substituted by S.I. 2018/1252 reg. 2(c)
– s. 43(1) words inserted by S.I. 2018/1252 reg. 2(d)