



# Inquiries Act 2005

## 2005 CHAPTER 12

*Scotland, Wales and Northern Ireland*

### **27 United Kingdom inquiries**

- (1) This section applies to an inquiry for which a United Kingdom Minister is responsible.
- (2) The Minister may not, without first consulting the relevant administration, include in the terms of reference anything that would require the inquiry—
  - (a) to determine any fact that is wholly or primarily concerned with a Scottish matter or a Welsh matter;
  - (b) to determine any fact that is wholly or primarily concerned with a matter which is, and was at the relevant time, a transferred Northern Ireland matter;
  - (c) to make any recommendation that is wholly or primarily concerned with a Scottish matter, a Welsh matter or a transferred Northern Ireland matter.
- (3) Unless the Minister gives written permission to the chairman, the powers conferred by section 21 are not exercisable—
  - (a) in respect of evidence, documents or other things that are wholly or primarily concerned with—
    - (i) a Scottish matter or a Welsh matter, or
    - (ii) a matter which is, and was at the relevant time, a Northern Ireland matter;
  - (b) so as to require any evidence, document or other thing to be given, produced or provided by or on behalf of the Scottish Ministers, the National Assembly for Wales or a Northern Ireland Minister.
- (4) Before granting permission under subsection (3) the Minister must consult the relevant administration.
- (5) Permission under subsection (3) may be granted subject to such conditions or qualifications as the Minister may specify.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Permission under subsection (3) is not required for the exercise of powers in circumstances in which subsection (6) of section 30 would prevent the powers from being exercised in the case of an inquiry to which that section applies.
- (7) In this section—
- “Northern Ireland matter” means—
- (a) a transferred Northern Ireland matter, or
  - (b) a matter falling within section 44(2)(b) of the Northern Ireland Act 1998 (c. 47) (matters in relation to which statutory functions are exercisable by Northern Ireland Ministers etc);
- “the relevant administration” means whichever of the following the case requires—
- (a) the Scottish Ministers;
  - (b) the National Assembly for Wales;
  - (c) such one or more Northern Ireland Ministers as appear to the Minister to be appropriate;
- “the relevant time” means the time when the fact or event in question occurred (or is alleged to have occurred);
- “Scottish matter” means a matter that relates to Scotland and is not a reserved matter within the meaning of the Scotland Act 1998 (c. 46);
- “transferred Northern Ireland matter” means a matter that relates to Northern Ireland and is a transferred matter within the meaning of the Northern Ireland Act 1998 (c. 47) (or, in relation to any time when Part 1 of the Northern Ireland Constitution Act 1973 (c. 36) was in force, within the meaning of that Act);
- “Welsh matter” means a matter in relation to which the National Assembly for Wales has functions.