



# Inquiries Act 2005

## 2005 CHAPTER 12

*Scotland, Wales and Northern Ireland*

### 28 Scottish inquiries

- (1) This section applies to an inquiry for which the Scottish Ministers are responsible.
- (2) The terms of reference of the inquiry must not require it to determine any fact or to make any recommendation that is not wholly or primarily concerned with a Scottish matter.
- (3) The powers conferred by section 21 are exercisable only—
  - (a) in respect of evidence, documents or other things that are wholly or primarily concerned with a Scottish matter, or
  - (b) for the purpose of inquiring into something that is wholly or primarily a Scottish matter.
- (4) Those powers are not exercisable so as to require any evidence, document or other thing to be given, produced or provided by or on behalf of Her Majesty's Government in the United Kingdom, the [<sup>F1</sup>Welsh Ministers]<sup>F1</sup> or a Northern Ireland Minister.
- (5) In this section “Scottish matter” means a matter that relates to Scotland and is not a reserved matter (within the meaning of the Scotland Act 1998).

#### Textual Amendments

- F1** Words in s. 28(4) substituted by [Government of Wales Act 2006 \(c. 32\), s. 160, Sch. 10 para. 92](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after “the 2007 election” (held on 3.5.2007) subject to [s. 161\(4\)\(5\)](#) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(1\)\(4\)\(5\)](#) of the amending Act

**Changes to legislation:**

There are currently no known outstanding effects for the Inquiries Act 2005, Section 28.