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STATUTORY INSTRUMENTS

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**2018 No. 644**

**The Welsh Ministers (Transfer of Functions) Order 2018**

**Tribunals and Inquiries Act 1992**

**32.**—(1) The Tribunals and Inquiries Act 1992 <sup>M1</sup> is amended in accordance with paragraphs (2) to (5).

(2) In section 9 (procedure in connection with statutory inquiries) <sup>M2</sup>, after subsection (6) insert—

“(7) In the application of this section to inquiries held in Wales by or on behalf of the Welsh Ministers, the power in subsection (1) to make rules is exercisable by the Welsh Ministers (and not by the Lord Chancellor).”.

(3) In section 10 (reasons to be given for decisions) <sup>M3</sup>, after subsection (9) insert—

“(10) In relation to—

(a) any tribunal specified in Schedule 1 which sits in Wales, and

(b) statutory inquiries held in Wales by or on behalf of the Welsh Ministers,

the power to make an order under subsection (7) or (8) is exercisable by the Welsh Ministers (and not by any Minister of the Crown) and those subsections are to be read accordingly.”.

(4) In section 15 (rules and orders), after subsection (2) <sup>M4</sup> insert—

“(3) Any power of the Welsh Ministers to make rules or orders under this Act is exercisable by statutory instrument subject to annulment in pursuance of a resolution of the National Assembly for Wales.”.

(5) In section 16 (interpretation) after subsection (2A) <sup>M5</sup> insert—

“(2B) The power to make an order under subsection (2) is not exercisable in relation to inquiries or hearings held or to be held in Wales by or on behalf of the Welsh Ministers.

(2C) The Welsh Ministers may by order designate for the purposes of this section any inquiry or hearing held or to be held in Wales by or on behalf of the Welsh Ministers in pursuance of a power conferred by any statutory provision specified or described in the order, or any class of such inquiries or hearings.”.

**Marginal Citations**

**M1** 1992 c. 53.

**M2** There have been amendments to section 9 which are not relevant to this instrument; subsection (6) was inserted by article 15(5) of, and paragraph 48(1) and (2) of Part 1 of Schedule 18 to, [S.I. 2010/976](#).

**M3** There have been amendments to section 10 which are not relevant to this instrument; subsection (9) was inserted by article 15(5) of, and paragraph 48(1) and (3) of Part 1 of Schedule 18 to, [S.I. 2010/976](#).

**M4** Subsection (2) was inserted by article 15(5) of, and paragraph 48(1) and (5) of Schedule 18 to, [S.I. 2010/976](#).

**M5** Subsection (2A) was inserted by article 15(5) of, and paragraph 48(1) and (7) of Schedule 18 to, [S.I. 2010/976](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Welsh Ministers (Transfer of Functions) Order 2018, Section 32.