

SCHEDULE 8 F069

Article 54.

## PROVISIONS AS TO INQUIRIES

1. The Ministry shall appoint a person to hold the inquiry and to report thereon to the Ministry.
2. Notification shall be sent to any persons appearing to the Ministry or the person appointed to hold the inquiry to be interested of the time when, and the place where, the inquiry is to be held.

3. —

(1) Subject to sub-paragraphs (2) and (3), the person appointed to hold the inquiry may by notice require any person—

(a) to attend at the time and place set forth in the notice to give evidence or to produce any books or documents in his custody or under his control which relate to any matter in question at the inquiry; or

(b) to furnish, within such reasonable period as is specified in the notice, such information relating to any matter in question at the inquiry as the person appointed to hold the inquiry may think fit, and as the person so required is able to furnish.

(2) A person shall not be required, in obedience to such a notice, to attend at any place which is more than ten miles from the place where he resides unless the necessary expenses are paid or tendered to him.

(3) Nothing in this paragraph shall empower the person appointed to hold the inquiry to require any person to produce any book or document, or to answer any question, which he would be entitled, on the ground of privilege or otherwise, to refuse to produce or to answer if the inquiry were a proceeding in a court of law.

The person appointed to hold the inquiry may administer oaths and examine witnesses on oath, and may accept, in evidence on oath by any person, a statement in writing by that person.

Any person who—

(a) refuses or wilfully neglects to attend in obedience to a notice under paragraph 3, or to give evidence; or

(b) wilfully alters, suppresses, conceals, destroys or refuses to produce any book or document which he may be required to produce by any such notice; or

(c) refuses or wilfully neglects to furnish any information which he is required to furnish under paragraph 3(1)(b);

shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding [F051 level 2 on the standard scale].

021-011-026

6. The expenses incurred by the Ministry in relation to any inquiry held under this Order (including such sum as the Ministry may, with the approval of the Ministry of Finance <sup>F022</sup>, determine in respect of the services of any officer engaged in the inquiry) shall be paid by such of the parties to the inquiry in such proportions as the Ministry may order.
7. The Ministry may make orders as to the expenses incurred by the parties appearing at any such inquiry and as to the parties by whom such expenses shall be paid.
8. Any order made by the Ministry under paragraph 6 or 7 may, on the application of any party to the inquiry, be made a rule of the High Court.

Mr J O'Mara

Dear Mr O'Mara

I am sorry to hear of your illness. I hope you are well now.

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Yours sincerely,  
Lindsay.

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