

CHAPTER 34 - COMMISSIONS OF INQUIRY

A LAW TO PROVIDE FOR THE HOLDING OF COMMISSIONS OF INQUIRY

1. This Law may be cited as the Commissions of Inquiry Law.

2.—(1) Subject to the provisions of section 120 of the Constitution, the Governor may, whenever he shall deem it desirable, issue a commission appointing one or more commissioners, and authorising such commissioners, or any quorum of them therein mentioned, to hold a commission of inquiry into the conduct of any officer in the public service of the State, or of any chief, or the management of any department of the public service, or of any local institution, or into any matter in respect of which, in his opinion, an inquiry would be for the public welfare. The Governor may appoint a secretary to the commission, who shall perform such duties as the commissioners shall prescribe.

(2) Each commission shall specify the subjects of inquiry, and may, in the discretion of the Governor, if there is more than one commissioner, direct which commissioner shall be chairman, and direct where and when such inquiry shall be made and the report thereof rendered, and prescribe how such commission shall be executed.

(3) Such inquiry shall, subject to the powers of the commissioners under section 7, be held in public, unless the Governor shall give a direction to the contrary, but the commissioners shall nevertheless be entitled to exclude any particular person for the preservation of order, for the due conduct of the inquiry, or for any other reason.

3. In case of any person appointed to act on a commission shall be or become unable to act, the Governor may appoint another person in his place, and any such commission may be altered or revoked, as the Governor may see fit.

4. No commission issued under this Law shall lapse by reason of, or be otherwise affected by, the death, absence or removal of the Governor issuing the same.

5. —(1) Every commissioner appointed under this Law shall make and subscribe an oath that he will faithfully and impartially and to the best of his ability discharge the duties devolving upon him by virtue of such commission, and, if the inquiry should not be held in public, that he will not divulge the proceedings or the vote or opinion of any commissioner.

(2) Such oath may be taken before the Governor, or before such person as the Governor may appoint, and shall be attached to the proceedings in the inquiry.

6. —(1) The commissioners may make such rules for the conduct of the proceedings, the time and place of meeting and of adjournment as they may think fit, subject to the terms of their commission.

(2) If the commissioners shall, in any case, be equally divided on any question that arises during the proceedings of the commission, the chairman of the commission shall have a second or