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CHAPTER 184

COMMISSIONS OF INQUIRY

An Act to enable the Governor-General to appoint Commissioners to inquire into and report on matters referred to them.

13 of 1911
8 of 1935
31 of 1962
G.N. 172/1964
E.L.A.O., 1974
19 of 1975
10 of 1983
4 of 1996

[Commencement 13th July, 1911]

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

Short title

2. Whenever it shall appear to the Governor-General that it will be for the public benefit so to do, the Governor-General may issue a commission in the form of the First Schedule to this Act appointing persons, not less than three in number, to inquire into and report upon any matter stated in such commission as the subject of inquiry.

Appointment of commissioners.
31 of 1962, s. 2.

First Schedule.

3. The Governor-General may add to the persons named in any such commission, and in case any person appointed or added under this Act shall die, or resign, or desire to be discharged, or refuse, or become incapable to act, the Governor-General may appoint a new commissioner in his place, and all powers and duties by this Act conferred and imposed on a commissioner shall be exercised and performed by the commissioner so added or appointed.

Death, etc., of a commissioner.

4. (1) Every such commission shall state the name of one of such commissioners as president and shall state the number of commissioners necessary to form a quorum. All the powers of the commissioners under this Act may be exercised by such quorum; and if the president is not present at any meeting a vice-president for the meeting shall be appointed by a majority of votes of those present at the meeting, and so long as he acts as vice-president he shall have all the powers, rights and privileges of president.

President, quorum, etc.

(2) If the commissioners shall in any case be equally divided on any question that arises during the proceedings of the commission, the president or vice-president shall have a second or casting vote.

Division of opinion of commissioners.

Particulars of
commission.

31 of 1962, s. 3.

(3) Every such commission shall also specify when such inquiry shall be made, and the report thereof rendered, and prescribe how such commission shall be executed.

(4) The commission shall be held in public unless the commissioners shall deem it in the public interest, or necessary for the efficient conduct of the inquiry, that it should be held in camera; but the commissioners may in any event, if they see fit, hear the evidence of any witness in camera, and exclude any person or persons for the preservation of order, for the efficient conduct of the inquiry, or for any other reason.

Commission not
affected by
change of
Governor-
General.

5. No commission issued under this Act shall lapse by reason of or be otherwise affected by the death, absence or removal of the Governor-General who issued it.

Secretary.

6. The commissioners may appoint, subject to the approval of the Governor-General, a secretary to attend the sittings of the commission, to record their proceedings, to keep their papers, summon and minute the testimony of witnesses and generally to perform such duties connected with the inquiry as the commissioners shall prescribe.

Duties of
commissioners.

7. (1) It shall be the duty of the commissioners to make a full, faithful and impartial inquiry into the matter specified in the commission, and to conduct the inquiry in accordance with the directions, if any, in the commission; and, in due course, to report to the Governor-General in writing the result of the inquiry.

31 of 1962, s. 5.

(2) The Governor-General shall at the earliest possible date, transmit a copy of the commissioners' report duly signed by the commissioners, to both Houses of Parliament.

Oath of office.

*31 of 1962, s. 4.;
G.N. 172/1964
s. 8.
Second Schedule.*

8. It shall be the duty of each commissioner appointed under this Act to make and subscribe an oath in the form of the Second Schedule to this Act, which oath may be taken before the Governor-General, or before such person as the Governor-General may appoint, and shall be deposited by the commissioner with the Registrar General.