



Number 42 of 1997

**TRIBUNALS OF INQUIRY (EVIDENCE) (AMENDMENT)
ACT, 1997**

ARRANGEMENT OF SECTIONS

Section

1. Definitions.
 2. Amendment of section 1 of Principal Act.
 3. Amendment of section 6 of Tribunals of Inquiry (Evidence) (Amendment) Act, 1979.
 4. Enforcement of tribunals' orders by High Court.
 5. Short title and collective citation.
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[No. 42.] *Tribunals of Inquiry (Evidence)* [1997.]
(Amendment) Act, 1979.

Acts Referred to

Tribunals of Inquiry (Evidence) Act, 1921	1921, c. 7.
Tribunals of Inquiry (Evidence) (Amendment) Act, 1979	1979, No. 3



Number 42 of 1997

**TRIBUNALS OF INQUIRY (EVIDENCE) (AMENDMENT)
ACT, 1997**

AN ACT TO AMEND THE TRIBUNALS OF INQUIRY
(EVIDENCE) ACTS, 1921 AND 1979. [18th December, 1997]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act—

Definitions.

“the Principal Act” means the Tribunals of Inquiry (Evidence) Act, 1921;

“a tribunal” means a tribunal to which the Principal Act is applied under section 1 of that Act.

2.—Section 1 of the Principal Act is hereby amended by the insertion after subsection (3) of the following subsection:

Amendment of section 1 of Principal Act.

“(4) A person who produces or sends a document to any such tribunal pursuant to an order of that tribunal shall be entitled to the same immunities and privileges as if he or she were a witness before the High Court.”.

3.—(1) Section 6 of the Tribunals of Inquiry (Evidence) (Amendment) Act, 1979, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 6 of Tribunals of Inquiry (Evidence) (Amendment) Act, 1979.

“(1) Where a tribunal or, if the tribunal consists of more than one member, the chairperson of the tribunal, is of opinion that, having regard to the findings of the tribunal and all other relevant matters (including the terms of the resolution passed by each House of the Oireachtas relating to the establishment of the tribunal or failing to co-operate with or provide assistance to, or knowingly giving false or misleading information to, the tribunal), there are sufficient reasons rendering it equitable to do so, the tribunal, or the chairperson, as the case may be, may, either of the tribunal’s or the chairperson’s own motion, as the case may be, or on application by any person appearing before the tribunal, order that the whole or part of the costs—

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- (a) of any person appearing before the tribunal by counsel or solicitor, as taxed by a Taxing Master of the High Court, shall be paid to the person by any other person named in the order;
 - (b) incurred by the tribunal, as taxed as aforesaid, shall be paid to the Minister for Finance by any other person named in the order.”.

(2) The amendment effected by *subsection (1)* of this section does not apply to costs incurred before the passing of this Act.

Enforcement of tribunals' orders by High Court.

4.—Where a person fails or refuses to comply with or disobeys an order of a tribunal, the High Court may, on application to it in a summary manner in that behalf by the tribunal, order the person to comply with the order and make such other order as it considers necessary and just to enable the order to have full effect.

Short title and collective citation.

5.—(1) This Act may be cited as the Tribunals of Inquiry (Evidence) (Amendment) Act, 1997.

(2) The Tribunals of Inquiry (Evidence) Acts, 1921 and 1979, and this Act may be cited together as the Tribunals of Inquiry (Evidence) Acts, 1921 to 1997.