

INQUIRIES ACT
(CHAPTER 139A, SECTION 16)

INQUIRIES
(COMMITTEES OF INQUIRY)
RULES

ARRANGEMENT OF RULES

Rule

1. Citation
2. Application of provisions on competence and compellability in Evidence Act
3. Allowances for attendance

[1st June 2009]

Citation

1. These Rules may be cited as the Inquiries (Committees of Inquiry) Rules.

Application of provisions on competence and compellability in Evidence Act

2. Sections 120 to 136 of the Evidence Act (Cap. 97) shall, with the necessary modifications, apply to proceedings before a committee of inquiry.

Allowances for attendance

3.—(1) An application for an award under paragraph 1(7) of the Schedule to the Act (referred to in this rule as an award) shall —

- (a) be in such form as the committee of inquiry may require; and
- (b) be submitted to the secretary of the committee of inquiry or, if there is no secretary, to the committee of inquiry not later than 2 months after the accrual of the claim or such longer period as the committee may instruct.

(2) In assessing the sum for an award, the committee of inquiry or the person nominated by the committee of inquiry to undertake the assessment, as the case may be, shall apply the Criminal Procedure Code (Witnesses' Allowances) Rules (Cap. 68, R 1) (referred to in

this rule as the relevant Rules), with the necessary modifications, to persons attending proceedings before a committee of inquiry as the relevant Rules apply to a witness attending proceedings in a court.

(3) For the purposes of paragraph (2) —

- (a) references in the relevant Rules to the authorising officer shall be taken as a reference to the person nominated by the committee of inquiry to undertake the assessment or, if the committee of inquiry has not made such a nomination, the committee of inquiry; and
- (b) references in the relevant Rules to an expert witness assisting the court shall be taken as a reference to an expert witness, assessor, interpreter or other person engaged to provide assistance to the committee of inquiry.

(4) The committee of inquiry shall give to the applicant written notice of the sum assessed.

(5) Any person who is dissatisfied with an assessment of the sum payable to him made by a person nominated by the committee of inquiry to undertake the assessment may apply for the assessment to be reviewed by the committee of inquiry, which decision shall be final.

(6) An application for review made under paragraph (5) shall —

- (a) be in such form as the committee of inquiry may require; and
- (b) be submitted to the secretary of the committee of inquiry or, if there is no secretary, to the committee of inquiry not later than 14 days after the date of receipt of the written notice referred to in paragraph (4) or such longer period as the committee may instruct.

(7) No award shall be given under paragraph 1(7) of the Schedule to the Act in respect of any allowance or work done for which the appointing authority has agreed to pay the person concerned any remuneration or expenses under paragraph 14 of the Schedule to the Act.

(8) This rule shall apply subject to section 14 of the Act.