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STATUTORY INSTRUMENTS

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**2002 No. 253**

**The Nursing and Midwifery Order 2001**

**PART X U.K.**

**MISCELLANEOUS**

**Inquiry by the Privy Council U.K.**

**53.**—(1) The Privy Council may cause an inquiry to be held into any matter connected with the exercise by the Council of its functions.

(2) Before an inquiry is begun, the Privy Council may direct that it shall be held in public.

(3) Where no direction has been given, the person holding the inquiry may if he thinks fit hold it, or any part of it, in private.

(4) For the purpose of any such inquiry (but subject to paragraph (5)) the person appointed to hold the inquiry—

(a) may by summons require any person to attend, at a time and place stated in the summons, to give evidence or to produce any documents in his custody or under his control which relate to any matter in question at the inquiry; and

(b) may take evidence on oath, and for that purpose administer oaths, or may, instead of administering an oath, require the person examined to make a solemn affirmation.

(5) Nothing in this article requires a person, in obedience to a summons under the article, to attend to give evidence or to produce any documents unless the necessary expenses of his attendance are paid or tendered to him.

(6) Any person who refuses or deliberately fails to attend in obedience to a summons under this article, or to give evidence, or who deliberately alters, suppresses, conceals, destroys, or refuses to produce any book or other document which he is required or is liable to be required to produce for the purposes of this article, shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(7) Where the Privy Council causes an inquiry to be held under this article—

(a) the costs incurred by it in relation to the inquiry (including such reasonable sum as it may determine for the services of any officer engaged in the inquiry) shall be paid by such party to the inquiry as it may direct; and

(b) it may cause the amount of the costs so incurred to be certified, and any amount so certified and directed to be paid by any person shall be recoverable from that person by the Privy Council summarily as a civil debt.

(8) Where the Privy Council causes an inquiry to be held under this article it may make orders—

(a) as to the costs of the parties at the inquiry; and

(b) as to the parties by whom costs are to be paid,

and every such order may be made a rule of the appropriate court on the application of any party named in the order.

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**Changes to legislation:** There are currently no known outstanding effects for the The Nursing and Midwifery Order 2001, Section 53. (See end of Document for details)

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(9) “Appropriate court” has the same meaning as in article 38(5).

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**Commencement Information**

**II** [Art. 53](#) in force at 1.4.2002 as notified in the London Gazette (Issue 56517, published 25.3.2002), see [art. 1\(2\)\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Nursing and Midwifery Order 2001, Section 53.