



Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

2023 CHAPTER 41

PART 2

THE INDEPENDENT COMMISSION FOR RECONCILIATION AND INFORMATION RECOVERY

Reviews of deaths and other harmful conduct

14 Supply of information

- (1) The Commissioner for Investigations may exercise the powers conferred by subsections (2) and (3) for the purposes of, or in connection with, the exercise of the review function.
- (2) The Commissioner for Investigations may by notice require a person to attend at a time and place stated in the notice—
 - (a) to provide information;
 - (b) to produce any documents in the person's custody or under the person's control;
 - (c) to produce any other thing in the person's custody or under the person's control for inspection, examination or testing.
- (3) The Commissioner for Investigations may by notice require a person, within such period as appears to that Commissioner to be reasonable—
 - (a) to provide evidence in the form of a written statement;
 - (b) to provide any documents in the person's custody or under the person's control;
 - (c) to produce any other thing in the person's custody or under the person's control for inspection, examination or testing.
- (4) A notice under this section must—
 - (a) explain the possible consequences of not complying with the notice;

Status: This is the original version (as it was originally enacted).

- (b) indicate what the recipient of the notice should do to make a claim under subsection (5).
- (5) A claim by a person that—
- (a) the person is unable to comply with a notice under this section, or
 - (b) it is not reasonable in all the circumstances to require the person to comply with such a notice,
- is to be determined by the Commissioner for Investigations, who may revoke or vary the notice on that ground (or leave it unchanged).
- (6) In deciding whether to revoke or vary a notice on the ground mentioned in subsection (5)(b), the Commissioner for Investigations must consider the public interest in the information in question being obtained, having regard to the likely importance of the information.
- (7) A claim by a relevant authority that the ICRIR—
- (a) would breach section 4(1)(a) or (b) if the person given a notice under subsection (2) or (3) was required to comply with the notice, but
 - (b) would not breach section 4(1)(a) or (b) if a different person nominated by the relevant authority were instead required to comply with that notice,
- is to be determined by the Commissioner for Investigations, who may vary the notice, so as to require the nominated person to comply with it, or revoke the notice (or leave it unchanged).
- (8) For the purposes of this section a thing is under a person’s control if it is in the person’s possession or if the person has a right to possession of it.
- (9) Schedule 4 makes provision about enforcement of notices under this section.