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STATUTORY INSTRUMENTS

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**1958 No. 2231**

**The Land Powers (Defence) Act (Inquiries) Rules 1958**

**Procedure at inquiry**

8.—(1) Except as otherwise provided by the Act or this Rule, the procedure at an inquiry shall be such as the appointed person shall in his discretion determine.

(2) Any person entitled to appear and be heard at the inquiry may appear either in person or by counsel or solicitor, or by any other person allowed by leave of the appointed person to appear on behalf of the person so entitled.

(3) The Minister may appear by counsel or solicitor or by any other person authorised by him.

(4) The person appearing on behalf of the Minister shall be heard first unless the appointed person otherwise determines.

(5) The Minister shall make available at the inquiry a representative of his department who shall state the Minister's reasons for proposing to make the order, and either he or other witnesses called on behalf of the Minister shall give evidence on matters of fact and expert opinion in relation to the proposal, and the said representative and any other such witnesses shall be subject to cross-examination by or on behalf of any objector so, however, that the appointed person shall disallow any questions put in cross-examination which in his opinion are directed to matters of Government policy.

(6) Persons giving evidence at the inquiry otherwise than on behalf of the Minister shall be subject to cross-examination on behalf of the Minister.

(7) The appointed person shall not require or permit the giving or production of any evidence, whether written or oral, which would be contrary to the public interest, but save as aforesaid, and without prejudice to the provisions of Rule 6, paragraph (5) of this Rule, and Rule 10, any evidence may be admitted at the discretion of the appointed person, who may direct that documentary evidence may be inspected by any objector and facilities afforded to him to take or obtain copies thereof.