



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **PUBLIC INQUIRIES ACT**

## PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to November 1, 2003. It is intended for information and reference purposes only.

This document is ***not*** the official version of the Act. The Act and the amendments as printed under the authority of the King's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site ([www.princeedwardisland.ca](http://www.princeedwardisland.ca)).

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## PUBLIC INQUIRIES ACT

### CHAPTER P-31

#### 1. **Matters for which inquiry may be called**

The Lieutenant Governor in Council may cause inquiry to be made into and concerning any matter connected with the good government of this province, or the conduct of any part of the public business thereof and among other things the cost and retail sale price within the province of any goods or commodity as well as the cost of carriage to and within the province of such goods or commodity and the spread between the cost of production and retail price to the consumer in this province. *R.S.P.E.I. 1974, Cap. P-30, s.1.*

#### 2. **Commissioner, appointment**

The Lieutenant Governor in Council may appoint a person or persons as a commissioner by whom the inquiry shall be conducted. *R.S.P.E.I. 1974, Cap. P-30, s.2; 1982, c.23, s.1.*

#### 3. **Powers of commissioners**

The commissioner may summon before him any witnesses, and may for that purpose under his hand issue a subpoena requiring and commanding the person therein named to appear at the time and place mentioned therein to testify to all matters within his knowledge relative to the subject matter of the investigation, and to bring with him and produce any document, book or paper, which he has in his possession or under his control relative to any such matter as aforesaid; and any such person may be summoned from any part of this province by virtue of the subpoena. *R.S.P.E.I. 1974, Cap. P-30, s.3.*

#### 4. **Enforcing attendance and compelling witnesses**

The commissioner has the same power to enforce the attendance of witnesses and to compel them to give evidence as is vested in any court of record in civil cases. *R.S.P.E.I. 1974, Cap. P-30, s.4.*

#### 5. **Staff for inquiry**

The commissioner, if thereunto authorized by the commission issued in the case, may engage the services of accountants, engineers, technical advisers, or other experts, clerks, reporters and assistants, and also the services of counsel to aid and assist the commissioner in the inquiry. *R.S.P.E.I. 1974, Cap. P-30, s.5.*

#### 6. **Counsel, right to**

The commissioner may allow any person, whose conduct is being investigated under this Act, and shall allow any person against whom any charge is made in the course of the investigation, to be represented by counsel. *R.S.P.E.I. 1974, Cap. P-30, s.6.*

**7. Notice of charge**

No report shall be made against any person until reasonable notice has been given to him of the charge of misconduct against him and he has been allowed full opportunity to be heard in person or by counsel before the completion of the taking of evidence at the inquiry. *R.S.P.E.I. 1974, Cap. P-30, s.7; 1997, c.39, s.1.*

**8. Inquiries conducted from outside province, authority**

- (1) The Lieutenant Governor in Council may vest in any board, commission, tribunal or other body or person established by, under or in relation to the Council of Maritime Premiers for the purpose of studying, investigating, hearing or determining any matter of common concern among the Provinces of Prince Edward Island, Nova Scotia and New Brunswick, all of the powers and privileges that commissioners have under this Act.

***Idem***

- (2) The powers and privileges vested pursuant to subsection (1) may be exercised by the board, commission, tribunal or other body or person in relation to persons, organizations and documents resident or situated within Prince Edward Island wherever the study, investigation or hearing is conducted or held within the region comprised of the Provinces of Prince Edward Island, Nova Scotia and New Brunswick. *R.S.P.E.I. 1974, Cap. P-30, s.8.*