



Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016

2016 asp 2

INQUIRIES INTO FATAL ACCIDENTS AND SUDDEN DEATHS ETC. (SCOTLAND) ACT 2016

Inquiries into certain deaths

- 1 Inquiries under this Act

Inquiries into deaths occurring in Scotland

- 2 Mandatory inquiries
- 3 Mandatory inquiries: exceptions
- 4 Discretionary inquiries
- 5 Certain deaths and accidents to be treated as occurring in Scotland

Inquiries into deaths occurring abroad

- 6 Inquiries into deaths occurring abroad: general
- 7 Inquiries into deaths occurring abroad: service personnel

Family liaison charter

- 8 Family liaison charter

Reasons where inquiry not held

- 9 Reasons for decision not to hold an inquiry

Procurator fiscal's investigation

- 10 Citation of witnesses for precognition

Participants

- 11 Persons who may participate in the inquiry

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Location

- 12 Places at which inquiries may be held
- 13 Jurisdiction in relation to inquiries

Inquiries into multiple deaths

- 14 Inquiry into more than one death

Pre-inquiry procedure

- 15 Initiating the inquiry
- 16 Preliminary hearings
- 17 Notice of the inquiry
- 18 Agreement of facts before an inquiry

The inquiry

- 19 The powers of the sheriff
- 20 Evidence and witnesses
- 21 Inquiry to be conducted in public
- 22 Publishing restrictions in relation to children
- 23 Offences by bodies corporate etc.
- 24 Assessors
- 25 Expenses

Findings and recommendations

- 26 The sheriff's determination
- 27 Dissemination of the sheriff's determination
- 28 Compliance with sheriff's recommendations
- 29 Reports

Further inquiry proceedings

- 30 Circumstances in which there may be further proceedings
- 31 Precognition of witnesses
- 32 Initiating further proceedings
- 33 Re-opened inquiries
- 34 Fresh inquiries
- 35 Further inquiry proceedings: compliance with recommendations

Inquiry procedure rules

- 36 Power to regulate procedure etc.

Specialist sheriffs and summary sheriffs

- 37 Judicial specialisation in inquiries
- 38 Summary sheriff: competence to conduct inquiries

General

- 39 Repeal and modification of enactments
- 40 Interpretation
- 41 Ancillary provision
- 42 Commencement

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

43 Short title

SCHEDULE 1 — PROCEDURE RULES

Role of the Scottish Civil Justice Council

- 1 (1) The Scottish Civil Justice Council and Criminal Legal Assistance...

SCHEDULE 2 — MODIFICATION OF ENACTMENTS

Gas Act 1965

- 1 In the Gas Act 1965, section 17(4) (accidents) is repealed....

Health and Safety at Work etc. Act 1974

- 2 (1) The Health and Safety at Work etc. Act 1974...

Oil and Gas (Enterprise) Act 1982

- 3 In schedule 3 of the Oil and Gas (Enterprise) Act...

Anatomy Act 1984

- 4 In section 4(6) of the Anatomy Act 1984 (lawful examinations),...

Merchant Shipping Act 1995

- 5 (1) The Merchant Shipping Act 1995 is amended in accordance...

Criminal Procedure (Consequential Provisions) (Scotland) Act 1995

- 6 In schedule 4 of the Criminal Procedure (Consequential Provisions) (Scotland)...

Petroleum Act 1998

- 7 In schedule 4 of the Petroleum Act 1998, paragraph 9...

Freedom of Information Act 2000

- 8 In section 31(1)(i) of the Freedom of Information Act 2000...

Scottish Public Services Ombudsman Act 2002

- 9 In schedule 4 of the Scottish Public Services Ombudsman Act...

Freedom of Information (Scotland) Act 2002

- 10 (1) The Freedom of Information (Scotland) Act 2002 is amended...

Police, Public Order and Criminal Justice (Scotland) Act 2006

- 11 (1) The Police, Public Order and Criminal Justice (Scotland) Act...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Scottish Commission for Human Rights Act 2006

- 12 In section 14(9) of the Scottish Commission for Human Rights...

Armed Forces Act 2006

- 13 In schedule 16 of the Armed Forces Act 2006, paragraph...

Coroners and Justice Act 2009

- 14 In the Coroners and Justice Act 2009, section 50 (amendments...

Energy Act 2013

- 15 (1) The Energy Act 2013 is amended in accordance with...

Tribunals (Scotland) Act 2014

- 16 (1) Paragraph 13 of schedule 9 of the Tribunals (Scotland)...

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 3\(1\)](#)
- Sch. A1 inserted by [2023 c. 41 Sch. 11 para. 3\(2\)](#)