



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

2016 asp 2

Specialist sheriffs and summary sheriffs

37 Judicial specialisation in inquiries

- (1) The sheriff principal of a sheriffdom may designate one or more sheriffs or summary sheriffs of that sheriffdom as specialists in inquiries for the purposes of this Act.
- (2) The sheriff principal may at any time withdraw a designation made under subsection (1).
- (3) The Lord President of the Court of Session may designate one or more part-time sheriffs or part-time summary sheriffs as specialists in inquiries for the purposes of this Act.
- (4) The Lord President may at any time withdraw a designation made under subsection (3).
- (5) The designation of a sheriff, summary sheriff, part-time sheriff or part-time summary sheriff (a “designated judicial officer”) under subsection (1) or (3) does not affect the competence of any other member of the judiciary of the sheriffdom to conduct inquiry proceedings.
- (6) Subsection (7) applies where the sheriff principal is exercising any function relating to the allocation of inquiry proceedings.
- (7) The sheriff principal must have regard to the desirability of ensuring that inquiry proceedings are conducted by a designated judicial officer.
- (8) In subsection (5), the reference to a member of the judiciary of the sheriffdom is to be construed in accordance with section 136(2) of the Courts Reform (Scotland) Act 2014.

38 Summary sheriff: competence to conduct inquiries

A summary sheriff may, in relation to inquiry proceedings, exercise the jurisdiction and powers that attach to the office of sheriff.