



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

2016 asp 2

Procurator fiscal's investigation

10 Citation of witnesses for precognition

- (1) The procurator fiscal may cite a person to attend for precognition in connection with an investigation under section 1(1)(a).
- (2) This section is sufficient warrant for such citation.
- (3) Subsection (4) applies where a person cited under subsection (1)—
 - (a) having been given reasonable notice in the citation, and without reasonable excuse, fails to attend for precognition at the time and place mentioned in the citation, or
 - (b) does so attend but refuses to give information which is—
 - (i) within the person's knowledge, and
 - (ii) relevant to the investigation.
- (4) The sheriff may, on the application of the procurator fiscal, make an order requiring the person to attend for precognition or, as the case may be, give the information at a time and place specified in the order.
- (5) A person who fails to comply with an order under subsection (4) commits an offence.
- (6) A person who commits an offence under subsection (5) is liable on summary conviction to imprisonment for a term not exceeding 21 days or a fine not exceeding level 3 on the standard scale (or both).

Commencement Information

II S. 10 in force at 15.6.2017 by S.S.I. 2017/155, reg. 2 (with reg. 5)

Changes to legislation:

Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016, Section 10 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made 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\(2\)](#)