



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

2016 asp 2

Location

13 Jurisdiction in relation to inquiries

- (1) Inquiry proceedings may be held in a sheriffdom whether or not there is a connection between the death, or any accident resulting in the death, to which the inquiry relates and the sheriffdom, and a sheriff of the sheriffdom accordingly has jurisdiction in relation to the proceedings.
- (2) The Lord Advocate is, after consulting the Scottish Courts and Tribunals Service, to choose the sheriffdom in which proceedings are to be held.
- (3) But the sheriff may make an order transferring the proceedings to a sheriff of another sheriffdom.
- (4) The sheriff may make an order under subsection (3) only—
 - (a) after giving the procurator fiscal and the participants in the inquiry an opportunity to make representations about the proposed transfer, and
 - (b) with the consent of—
 - (i) the sheriff principal of the sheriffdom of which the sheriff is a sheriff, and
 - (ii) the sheriff principal of the sheriffdom to which the sheriff proposes to transfer the proceedings.
- (5) The sheriff may make such an order—
 - (a) on the sheriff's own initiative, or
 - (b) on the application of the procurator fiscal or a participant in the inquiry.

Commencement Information

II [S. 13](#) in force at 1.12.2016 by [S.S.I. 2016/370](#), [reg. 2\(a\)](#) (with [reg. 3](#))

Changes to legislation:

Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016, Section 13 is up to date with all changes known to be in force on or before 29 February 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\(2\)](#)