



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

2016 asp 2

Findings and recommendations

27 Dissemination of the sheriff's determination

- (1) The Scottish Courts and Tribunals Service (“the SCTS”) must—
 - (a) publish, in such manner as it considers appropriate, each determination made under section 26(1),
 - (b) give a copy of each such determination to—
 - (i) the Lord Advocate,
 - (ii) each participant in the inquiry,
 - (iii) each person to whom a recommendation made in the determination is addressed, and
 - (iv) any other person who the sheriff considers has an interest in a recommendation made in the determination.
- (2) The SCTS must, on request, give an office-holder in the Scottish administration, a Minister of the Crown, a department of the Government of the United Kingdom or the Health and Safety Executive a copy of—
 - (a) a determination made under section 26(1),
 - (b) the notice given under section 15(1) in relation to the inquiry to which the determination relates,
 - (c) any transcript of the evidence at the inquiry,
 - (d) any report or documentary production used in the inquiry.
- (3) The SCTS must, on payment of the specified fee, give any other person a copy of any transcript of the evidence at an inquiry, if the person—
 - (a) makes a request for it within the specified period, and
 - (b) has an interest in the inquiry.
- (4) In subsection (3), “specified” means specified in an act of sederunt under section 36(1).
- (5) The sheriff may decide that part of a determination—
 - (a) is not to be given to a person under subsection (1)(b)(iii) or (iv),

Changes to legislation: *Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016, Section 27 is up to date with all changes known to be in force on or before 17 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. (See end of Document for details) View outstanding changes*

- (b) is to be withheld from publication under this section.
- (6) After the sheriff has made a determination under section 26(1), the procurator fiscal must give the following information to the Registrar General of Births, Deaths and Marriages for Scotland—
- (a) the name and last known address of the person to whose death the determination relates, and
 - (b) the date, place and cause of the death.

Commencement Information

- I1** S. 27(1)-(3)(5)(6) in force at 15.6.2017 by [S.S.I. 2017/155](#), **reg. 2** (with **reg. 5**)
- I2** S. 27(4) in force at 1.9.2016 by [S.S.I. 2016/196](#), **reg. 2(e)**

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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\(2\)](#)