



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

2016 asp 2

Inquiries into deaths occurring abroad

6 Inquiries into deaths occurring abroad: general

- (1) Subsection (3) applies to the death of a person if—
 - (a) the death occurred outwith the United Kingdom, and
 - (b) at the time of death, the person was ordinarily resident in Scotland.
- (2) But that subsection does not apply to the death of a person within section 12(2) or (3) of the Coroners and Justice Act 2009 (investigation in Scotland of deaths of service personnel abroad).
- (3) An inquiry is to be held into a death to which this subsection applies if the Lord Advocate—
 - (a) considers that the death—
 - (i) was sudden, suspicious or unexplained, or
 - (ii) occurred in circumstances giving rise to serious public concern,
 - (b) considers that the circumstances of the death have not been sufficiently established in the course of an investigation in relation to the death,
 - (c) considers that there is a real prospect that those circumstances would be sufficiently established in an inquiry, and
 - (d) decides that it is in the public interest for an inquiry to be held into the circumstances of the death.

Commencement Information

II S. 6 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 6 is up to date with all changes known to be in force on or before 06 March 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\(2\)](#)