



# 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.