
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 103

SHERIFF COURT

Act of Sederunt (Fatal Accident Inquiry Rules) 2017

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| <i>Made</i> | - - - - | <i>31st March 2017</i> |
| <i>Laid before the Scottish Parliament</i> | - - - - | <i>4th April 2017</i> |
| <i>Coming into force</i> | - - | <i>15th June 2017</i> |

In accordance with section 4 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013⁽¹⁾, the Court of Session has approved draft rules submitted to it by the Scottish Civil Justice Council with such modifications as it thinks appropriate.

The Court of Session therefore makes this Act of Sederunt under the powers conferred by section 36(1) of the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016⁽²⁾, paragraph 1A of schedule 2 of the European Communities Act 1972⁽³⁾ and all other powers enabling it to do so.

This Act of Sederunt makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972⁽⁴⁾ and it appears to the Court of Session that it is expedient for the references in this Act of Sederunt to Council Regulation (EC) No. 1206/2001 of 28th May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters⁽⁵⁾ and to Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13th November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No. 1348/2000⁽⁶⁾, to be construed as references to those instruments as amended from time to time.

(1) 2013 asp 3. Section 4 was amended by the Courts Reform (Scotland) Act 2014 (asp 18), schedule 5, paragraph 31(3) and by the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), schedule 1, paragraph 1(4).
(2) 2016 asp 2.
(3) 1972 c.68. Paragraph 1A of schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51).
(4) Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”), schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7), schedule, Part 1.
(5) OJ L 174, 27.6.2001, p. 1.
(6) OJ L 324, 10.12.2007, p. 79.