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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 103**

**Act of Sederunt (Fatal Accident Inquiry Rules) 2017**

**PART 1**

**CITATION, COMMENCEMENT AND INTERPRETATION, ETC.**

**Citation and commencement, etc.**

**1.1.**—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fatal Accident Inquiry Rules) 2017.

(2) It comes into force on 15th June 2017.

(3) A certified copy is to be inserted in the Books of Sederunt.

**Interpretation**

**1.2.**—(1) In these Rules—

“apply” means apply in accordance with schedule 1, and related expressions are to be construed accordingly;

“the Council Regulation” means 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, as amended from time to time;

“the deceased” means the person whose death the inquiry is concerned with;

“first notice” means notice that an inquiry is to be held under section 15(1);

“first order” means the order of the sheriff made under rule 3.2(1);

“the inquiry principles” means the principles in rule 2.2;

“intimate” means intimate in accordance with schedule 2, and related expressions are to be construed accordingly;

“participants” includes the procurator fiscal;

“the purpose of the inquiry” means the purpose set out in section 1(3) and (4);

“SCTS” means the Scottish Courts and Tribunals Service; and

“witness statement” has the meaning given by rule 4.13(2).

(2) In these Rules, references to a section are to that section of the Inquires into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016.

**Periods of time**

**1.3.** If any period of time specified in these Rules expires on a Saturday, Sunday or public or court holiday, it is extended to expire on the next day that the sheriff clerk’s office is open for civil business.

## **Forms**

- 1.4.**—(1) A reference in these Rules to a form is a reference to that form in schedule 3.  
(2) Those forms may be varied where the circumstances require it.

## **Miscellaneous and general matters**

- 1.5.** Schedule 4 makes provision about—
- (a) lodging;
  - (b) live links;
  - (c) reporting restrictions;
  - (d) the style of oath and affirmation;
  - (e) interventions; and
  - (f) lay representation and support.