



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

2016 asp 2

INQUIRIES INTO FATAL ACCIDENTS AND SUDDEN DEATHS ETC. (SCOTLAND) ACT 2016

Inquiries into certain deaths

- 1 Inquiries under this Act

Inquiries into deaths occurring in Scotland

- 2 Mandatory inquiries
- 3 Mandatory inquiries: exceptions
- 4 Discretionary inquiries
- 5 Certain deaths and accidents to be treated as occurring in Scotland

Inquiries into deaths occurring abroad

- 6 Inquiries into deaths occurring abroad: general
- 7 Inquiries into deaths occurring abroad: service personnel

Family liaison charter

- 8 Family liaison charter

Reasons where inquiry not held

- 9 Reasons for decision not to hold an inquiry

Procurator fiscal's investigation

- 10 Citation of witnesses for precognition

Participants

- 11 Persons who may participate in the inquiry

Location

- 12 Places at which inquiries may be held
- 13 Jurisdiction in relation to inquiries

Inquiries into multiple deaths

- 14 Inquiry into more than one death

Pre-inquiry procedure

- 15 Initiating the inquiry
- 16 Preliminary hearings
- 17 Notice of the inquiry
- 18 Agreement of facts before an inquiry

The inquiry

- 19 The powers of the sheriff
- 20 Evidence and witnesses
- 21 Inquiry to be conducted in public
- 22 Publishing restrictions in relation to children
- 23 Offences by bodies corporate etc.
- 24 Assessors
- 25 Expenses

Findings and recommendations

- 26 The sheriff's determination
- 27 Dissemination of the sheriff's determination
- 28 Compliance with sheriff's recommendations
- 29 Reports

Further inquiry proceedings

- 30 Circumstances in which there may be further proceedings
- 31 Precognition of witnesses
- 32 Initiating further proceedings
- 33 Re-opened inquiries
- 34 Fresh inquiries
- 35 Further inquiry proceedings: compliance with recommendations

Inquiry procedure rules

- 36 Power to regulate procedure etc.

Specialist sheriffs and summary sheriffs

- 37 Judicial specialisation in inquiries
- 38 Summary sheriff: competence to conduct inquiries

General

- 39 Repeal and modification of enactments
- 40 Interpretation
- 41 Ancillary provision
- 42 Commencement

43 Short title

SCHEDULE 1 — PROCEDURE RULES

1 Role of the Scottish Civil Justice Council

SCHEDULE 2 — MODIFICATION OF ENACTMENTS

- 1 Gas Act 1965
- 2 Health and Safety at Work etc. Act 1974
- 3 Oil and Gas (Enterprise) Act 1982
- 4 Anatomy Act 1984
- 5 Merchant Shipping Act 1995
- 6 Criminal Procedure (Consequential Provisions) (Scotland) Act 1995
- 7 Petroleum Act 1998
- 8 Freedom of Information Act 2000
- 9 Scottish Public Services Ombudsman Act 2002
- 10 Freedom of Information (Scotland) Act 2002
- 11 Police, Public Order and Criminal Justice (Scotland) Act 2006
- 12 Scottish Commission for Human Rights Act 2006
- 13 Armed Forces Act 2006
- 14 Coroners and Justice Act 2009
- 15 Energy Act 2013
- 16 Tribunals (Scotland) Act 2014