



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

2016 asp 2

Participants

11 Persons who may participate in the inquiry

- (1) The following persons may participate in inquiry proceedings in relation to the death of a person (“A”)—
- (a) A's spouse or civil partner at the time of A's death,
 - (b) a person living with A as if married to A at the time of A's death,
 - (c) A's nearest known relative if, at the time of A's death, A—
 - (i) did not have a spouse or civil partner, and
 - (ii) was not living with a person as if married to the person,
 - (d) where the death is within section 2(3)—
 - (i) A's employer, if A was acting in the course of the person's employment,
 - (ii) an inspector appointed under section 19 of the Health and Safety at Work etc. Act 1974 (appointment of inspectors),
 - (iii) a trade union, or similar body, representing the interests of workers in connection with the employment or occupation concerned, if A was at the time of A's death a member of the trade union or body,
 - (e) any other person who the sheriff is satisfied has an interest in the inquiry.
- (2) In this Act—
- (a) “inquiry proceedings” means any proceedings under this Act in relation to an inquiry,
 - (b) references to a participant in an inquiry are references to a person who participates in the inquiry proceedings by virtue of subsection (1).

Commencement Information

11 S. 11 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, Cross Heading: Participants is up to date with all changes known to be in force on or before 14 April 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\(2\)](#)