

These notes relate to the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2) which received Royal Assent on 14 January 2016

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Further inquiry proceedings

Section 34 – Fresh inquiries

105. [Section 34](#) makes provision about fresh inquiries.
106. Subsection (2) requires the sheriff to make an order under section 15(3) (fixing the date and place for the holding of a preliminary hearing and the inquiry) at the same time as making the order requiring it to be held.
107. Subsection (3) requires the procurator fiscal to notify all participants in the original FAI about the fresh FAI.
108. Subsections (4) and (5) provide that the fresh FAI is to be held in the same sheriffdom as the original FAI, unless transferred by the sheriff to a different sheriffdom under section 13(3).
109. Fresh inquiries will follow the procedure in sections 19 to 28.