

*These notes relate to the Scottish Register of Tartans Act 2008
(asp 7) which received Royal Assent on 13 November 2008*

SCOTTISH REGISTER OF TARTANS ACT 2008

EXPLANATORY NOTES

SUMMARY OF AND BACKGROUND TO THE ACT

Section 3: Keeper of the Scottish Register of Tartans

8. This section concerns the Keeper of the Records of Scotland on whom functions in the Act relating to the Register are conferred. Subsection (1) provides that in carrying out such functions, the Keeper takes the title “Keeper of the Scottish Register of Tartans”. Subsections (2) and (3) make provision regarding certain of the Keeper’s functions under existing legislation and how they relate to the Register and items associated with it. For example, the power of the Keeper under section 8 of the Public Records (Scotland) Act 1937 to preserve records transmitted to him would not apply to any document sent to the Keeper in connection with an application. A duty to preserve such documents is provided in section 4(2)(b).