

*Changes to legislation:* There are currently no known outstanding effects for the Public Records Act 1958, Cross Heading: Records of courts and tribunals. (See end of Document for details)

## SCHEDULES

### FIRST SCHEDULE

#### DEFINITION OF PUBLIC RECORDS

##### Modifications etc. (not altering text)

- C1** Sch. 1 excluded by [Transport Act 1968 \(c. 73\), s. 144\(9\)](#)  
Sch. 1 excluded (E.W.S.) (1.4.1994) by [1993 c. 43, s. 125\(6\)](#); S.I. 1994/571, [art. 5](#) (with [art. 7](#)) (which exclusion was repealed (18.7.1996) by [1996 c. 42, s. 8\(2\)\(3\)](#))  
Sch. 1 excluded (E.W.S.) (18.9.1996) by [1996 c. 42, ss. 5\(3\), 8\(3\)](#)
- C1** Sch. 1: power to amend conferred (1.10.2011) by [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\)](#), [Sch. 12 para. 84](#); S.I. 2011/2329, [art. 3](#)

##### *Records of courts and tribunals*

- 4 (1) Subject to the provisions of this paragraph, records of the following descriptions shall be public records for the purposes of this Act:—
- [<sup>F1</sup>(za) records of the Supreme Court;]
    - (a) records of, or held in any department of, the Supreme Court (including any court held under a commission of assize);
  - [<sup>F2</sup>(aa) records of the family court;]
    - (b) records of county courts and of any other superior or inferior court of record established since the passing of the <sup>M1</sup>County Courts Act 1846;
  - [<sup>F3</sup>(c) .....]
    - (d) records of courts of quarter sessions;
    - (e) records of magistrates' courts;
    - (f) records of coroners' courts;
  - [<sup>F4</sup>(fa) records of the Court Martial, the Summary Appeal Court or the Service Civilian Court;]
    - (g) records of courts-martial held whether within or outside the United Kingdom by any of Her Majesty's forces raised in the United Kingdom;
    - (h) records of naval courts held whether within or outside the United Kingdom under the enactments relating to merchant shipping;
    - (i) records of any court exercising jurisdiction held by Her Majesty within a country outside Her dominions;
    - (j) records of any tribunal (by whatever name called)—
      - (i) which has jurisdiction connected with any functions of a department of Her Majesty's Government in the United Kingdom; or
      - (ii) which has jurisdiction in proceedings to which such a government department is a party or to hear appeals from decisions of such a government department;
  - [<sup>F5</sup>(ja) .....]

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- (k) records of <sup>F6</sup> . . . any Rent Tribunal or Local Valuation Court;
  - (l) records of the Industrial Court, of the Industrial Disputes Tribunal, and of the National Arbitration Tribunal (which was replaced by the Industrial Disputes Tribunal);
  - (m) records of umpires and deputy-umpires appointed under the <sup>M2</sup>National Service Act 1948, or the <sup>M3</sup>Reinstatement in Civil Employment Act 1944;
  - (n) records of ecclesiastical courts when exercising the testamentary and matrimonial jurisdiction removed from them by the <sup>M4</sup>Court of Probate Act 1857, and the <sup>M5</sup>Matrimonial Causes Act 1857, respectively;
  - <sup>F7</sup>(nn) . . . . .
  - (o) records of such other courts or tribunals (by whatever name called) as the Lord Chancellor may by order contained in a statutory instrument specify.
- [<sup>F8</sup>(1A) Records of, or held in any department of, the Supreme Court within sub-paragraph (1) (a) of this paragraph include the records of the Chancery Court of the county palatine of Lancaster and the Chancery Court of the county palatine of Durham (which were abolished by the Courts Act 1971).
- (1B) Records of county courts within sub-paragraph (1)(b) of this paragraph include the records of the following courts (which were abolished by the Courts Act 1971)—
- (a) the Tolzey and Pie Poudre Courts of the City and County of Bristol;
  - (b) the Liverpool Court of Passage;
  - (c) the Norwich Guildhall Court; and
  - (d) the Court of Record for the Hundred of Salford.]
- (2) This paragraph shall not apply to any court or tribunal whose jurisdiction extends only to Scotland or Northern Ireland.
- (3) In this paragraph “records” includes records of any proceedings in the court or tribunal in question and includes rolls, writs, books, decrees, bills, warrants and accounts of, or in the custody of, the court or tribunal in question.

#### Textual Amendments

- F1** Sch. 1 para. 4(1)(za) inserted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), **ss. 56(3)**, 148; [S.I. 2009/1604](#), **art. 2**
- F2** Sch. 1 para. 4(1)(aa) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 10 para. 14**; [S.I. 2014/954](#), **art. 2(d)** (with **art. 3** and with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F3** Sch. 1 para. 4(1)(c) repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. II**
- F4** Sch. 1 para. 4(1)(fa) inserted (28.3.2009 for certain purposes and 31.10.2009 otherwise) by [Armed Forces Act 2006 \(c. 52\)](#), **ss. 378(1)**, 383(2), **Sch. 16 para. 43**; [S.I. 2009/812](#), **art. 3**; [S.I. 2009/1167](#), **art. 4**
- F5** Sch. 1 para. 4(1)(ja) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), **art. 1(1)**, **Sch. 2 para. 1** (with [Sch. 5](#))
- F6** Words in Sch. 1 para. 4(1)(k) omitted (1.6.2009) by virtue of [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), **art. 5(1)(2)**, **Sch. 1 para. 30(b)** (with **art. 5(6)**, [Sch. 5](#))
- F7** Sch. 1 para. 4(1)(nn) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), **art. 1(1)**, **Sch. 2 para. 1** (with [Sch. 5](#))
- F8** Sch. 1 para. 4(1A)(1B) inserted (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. 2(1), **Sch. 2 para. 6**

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**Marginal Citations**

- M1** 1846 c. 95.
- M2** 1948 c. 64.
- M3** 1944 c. 15.
- M4** 1857 c. 77.
- M5** 1857 c. 85.

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