

SCHEDULES

FIRST SCHEDULE

Section 10.

DEFINITION OF PUBLIC RECORDS

- 1 The provisions of this Schedule shall have effect for determining what are public records for the purposes of this Act.

Departmental records

- 2 (1) Subject to the provisions of this paragraph, administrative and departmental records belonging to Her Majesty, whether in the United Kingdom or elsewhere, in right of Her Majesty's Government in the United Kingdom and, in particular—
- (a) records of, or held in, any department of Her Majesty's Government in the United Kingdom, or
 - (b) records of any office, commission or other body or establishment whatsoever under Her Majesty's Government in the United Kingdom,
- shall be public records.
- (2) Sub-paragraph (1) of this paragraph shall not apply—
- (a) to records of any government department or body which is wholly or mainly concerned with Scottish affairs, or which carries on its activities wholly or mainly in Scotland, or
 - (b) to registers, or certified copies of entries in registers, being registers or certified copies kept or deposited in the General Register Office under or in pursuance of any enactment, whether past or future, which provides for the registration of births, deaths, marriages or adoptions, or
 - (c) except so far as provided by paragraph 4 of this Schedule, to records of the Duchy of Lancaster, or
 - (d) to records of the office of the Public Trustee relating to individual trusts.
- 3 (1) Without prejudice to the generality of sub-paragraph (1) of the last foregoing paragraph, the administrative and departmental records of bodies and establishments set out in the Table at the end of this paragraph shall be public records, whether or not they are records belonging to Her Majesty.
- (2) The provisions of this paragraph shall not be taken as applying to records in any museum or gallery mentioned in the said Table which form part of its permanent collections (that is to say records which the museum or gallery has acquired otherwise than by transfer from or arrangements with a government department).

Status: This is the original version (as it was originally enacted).

TABLE

PART I BODIES AND ESTABLISHMENTS UNDER GOVERNMENT DEPARTMENTS

<i>Responsible Government Department</i>	
<i>Ministry of Agriculture, Fisheries and Food</i>	<p>Agricultural Wages Board.</p> <p>Agricultural Wages Committees.</p> <p>Organisation known as the " National Farm Survey ".</p> <p>Official seed testing station for England and Wales.</p>
<i>Air Ministry</i>	Meteorological Office.
<i>Ministry of Education</i>	<p>Victoria and Albert Museum.</p> <p>Science Museum.</p>
<i>Ministry of Health</i>	<p>National Health Service Authorities other than local health authorities.</p> <p>National health service hospitals except—</p> <p style="padding-left: 40px;">records of endowments passing to Boards of Governors under section seven of the National Health Service Act, 1946.</p> <p style="padding-left: 40px;">records relating to funds held by Hospital Boards and Committees under sections fifty-nine and sixty of the said Act, and</p> <p style="padding-left: 40px;">records of private patients admitted under section five of the said Act.</p> <p>Welsh Board of Health.</p>
<i>Home Office</i>	<p>Office of Commissioner of Police of the Metropolis.</p> <p>Office of Receiver for the Metropolitan Police District.</p>
<i>Ministry of Labour and National Service.</i>	<p>National Dock Labour Board.</p> <p>National Institute of Houseworkers Limited.</p> <p>Wages Boards and Wages Councils.</p>
<i>Ministry of Pensions and National Insurance.</i>	<p>National Insurance Advisory Committee.</p> <p>Industrial Injuries Advisory Council.</p>

Status: This is the original version (as it was originally enacted).

Responsible Government Department

National Insurance and Industrial
Injuries Joint Authorities.
Workmen's Compensation
Supplementation Board.
Pneumoconiosis and Byssinosis Benefit
Board.
Air Transport Advisory Council.
Air Registration Board.

*Ministry of Transport and Civil
Aviation.*

PART II OTHER ESTABLISHMENTS AND ORGANISATIONS

Anglo-Egyptian Resettlement Board.
British Museum (including the Natural History Museum).
Catering Wages Commission.
Coal Industry Social Welfare Organisation.
Crown Agents for Overseas Governments and Administrations except when
acting for governments or authorities outside Her Majesty's dominions.
Development Commission.
Imperial War Museum.
Irish Sailors' and Soldiers' Land Trust.
London Museum.
Monopolies Commission.
National Coal Board.
National Gallery.
National Maritime Museum.
National Parks Commission.
National Portrait Gallery.
National Savings Committee.
Office of Registrar of Restrictive Trading Agreements.
Reemploy Limited.
Royal Greenwich Observatory.
Tate Gallery.
Trustee Savings Banks Inspection Committee.
United Kingdom Atomic Energy Authority.
University Grants Committee.
Wallace Collection.
War Works Commission.

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Any body established for the purpose of determining the boundaries of constituencies of the Parliament of the United Kingdom, or of local authorities in England or Wales.

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:—
- (a) records of, or held in any department of, the Supreme Court (including any court held under a commission of assize) ;
 - (b) records of county courts and of any other superior or inferior court of record established since the passing of the County Courts Act, 1846;
 - (c) records of the Chancery Court of the County Palatine of Lancaster and of the Chancery Court of the County Palatine of Durham;
 - (d) records of courts of quarter sessions ;
 - (e) records of magistrates' courts ;
 - (f) records of coroners' courts ;
 - (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;
 - (k) records of the Lands Tribunal or of 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 National Service Act, 1948, or the Reinstatement in Civil Employment Act, 1944;
 - (n) records of ecclesiastical courts when exercising the testamentary and matrimonial jurisdiction removed from them by the Court of Probate Act, 1857, and the Matrimonial Causes Act, 1857, respectively;
 - (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.
- (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.

Status: This is the original version (as it was originally enacted).

Records of the Chancery of England

- 5 The records of the Chancery of England shall be public records for the purposes of this Act.

Records in Public Record Office

- 6 Without prejudice to the foregoing provisions of this Schedule, public records for the purposes of this Act shall include—
- (a) all records within the meaning of the Public Record Office Act, 1838, or to which that Act was applied, which at the commencement of this Act are in the custody of the Master of the Rolls in pursuance of that Act, and
 - (b) all records (within the meaning of the said Act or to which that Act was applied) which at the commencement of this Act are in the Public Record Office and, in pursuance of the said Act, under the charge and superintendence of the Master of the Rolls, and
 - (c) all records forming part of the same series as any series of documents falling under sub-paragraph (a) or sub-paragraph (b) of this paragraph.

Power to add further categories of records and to determine cases of doubt

- 7 (1) Without prejudice to the Lord Chancellor's power of making orders under paragraph 4 of this Schedule, Her Majesty may by Order in Council direct that any description of records not falling within the foregoing provisions of this Schedule shall be treated as public records for the purposes of this Act but no recommendation shall be made to Her Majesty in Council to make an Order under this sub-paragraph unless a draft of the Order has been laid before Parliament and approved by resolution of each House of Parliament.
- (2) A question whether any records or description of records are public records for the purposes of this Act shall be referred to and determined by the Lord Chancellor and the Lord Chancellor shall include his decisions on such questions in his annual report to Parliament and shall from time to time compile and publish lists of the departments, bodies, establishments, courts and tribunals comprised in paragraphs 2, 3 and 4 of this Schedule and lists describing more particularly the categories of records which are, or are not, public records as defined in this Schedule.

Interpretation

- 8 It is hereby declared that any description of government department, court, tribunal or other body or establishment in this Schedule by reference to which a class of public records is framed extends to a government department, court, tribunal or other body or establishment, as the case may be, which has ceased to exist, whether before or after the passing of this Act.