



District Courts (Scotland) Act 1975

1975 CHAPTER 20

PART III

MISCELLANEOUS AND GENERAL

Miscellaneous

20 Custody of records

- (1) Subject to section 1 of this Act and the provisions of this section, the clerk of the peace for any area shall, on or before 15th May 1975, transmit to the Keeper of the Records of Scotland all justice of the peace records, other than records relating to licensing under the Licensing Acts, being records of which at that date he has the custody under the Public Records (Scotland) Act 1937; and, for the purposes of this subsection, justice of the peace records shall be deemed to include the commission of the peace.
- (2) Subject to subsections (3) and (4) below, records of county licensing courts and courts of appeal shall, on or before 15th May 1975, be transferred to and vest in the local authority concerned within whose area the court to which those records relate has jurisdiction.
- (3) Where the area within which such a court has jurisdiction is divided so that the area falls within the areas of two or more districts, the records relating to that court shall be transferred to and vest in the district council whose area includes, according to the latest census (not being a sample census), the greater part of the population of the area within which that court has jurisdiction.
- (4) Where, under subsection (3) above, the records of a court have vested in a district council, that council shall make the records available for consultation to any other council to which that subsection relates.
- (5) All records relating to the appointment of justices of the peace for any commission area under this Act, to their acts as justices for that area (whether under the Licensing Acts or not), and to their ceasing to hold office as justices for that area, shall be records

Status: This is the original version (as it was originally enacted).

of the local authority concerned; and shall be records belonging to that authority for the purposes of section 200(7) to (10) of the Local Government (Scotland) Act 1973.

- (6) Any dispute as to the vesting of records under this section shall be referred to and determined by the Secretary of State, whose decision in the matter shall be final.