



Public Records (Scotland) Act 1937

1937 CHAPTER 43 1 Edw 8 and 1 Geo 6

PART I U.K.

COURT RECORDS

2 Sheriff court records. U.K.

- [^{F1}(1) A sheriff principal may, with the agreement of the Keeper, transmit any of the sheriff court records of the sheriff principal's sheriffdom to the Keeper.]
- (2) Where any record transmitted in pursuance of the foregoing subsection to the Keeper is required for the purpose of any proceedings in the High Court of Justiciary, the Court of Session [^{F2}, the Sheriff Appeal Court] or any sheriff court, the Keeper shall re-transmit such record to the clerk of such court on any order of a judge of the said High Court or Court of Session [^{F3}, of an Appeal Sheriff] or of the sheriff as the case may be, and any record so re-transmitted shall be returned by such clerk to the Keeper as soon as may be after it has ceased to be required for the said purpose.
- (3) [^{F4}The [^{F5}sheriff principal] of each sheriffdom shall be responsible for the proper care and preservation of the sheriff court records of that sheriffdom which have not been transmitted under subsection (1) of this section to the Keeper and shall, in compliance with any request which the Keeper, with the consent of the Lord President, may from time to time make, cause a report to be prepared and sent by the sheriff clerk to the Keeper, giving such information as may be specified in the request, regarding—
- (a) the nature, situation and condition of all buildings in which any such records are kept;
 - (b) the age and condition of such records;
 - (c) the arrangements made for their care and preservation, and for indexing them and rendering them available for inspection by the public; and
 - (d) any other matters connected with the care and preservation of such records.]
- (4) In [^{F6}subsections (1) and (3)][^{F6}subsection (1)] of this section, the expression “sheriff principal” does not include “[^{F7}sheriff]”.

Changes to legislation: There are currently no known outstanding effects for the Public Records (Scotland) Act 1937, Section 2. (See end of Document for details)

Textual Amendments

- F1** S. 2(1) substituted (S.) (1.1.2013) by [Public Records \(Scotland\) Act 2011 \(asp 12\)](#), **ss. 15(3)(a)**, 16(1); [S.S.I. 2012/247](#), art. 2
- F2** Words in s. 2(2) inserted (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), **sch. 5 para. 11(3)(a)**; [S.S.I. 2015/77](#), art. 2(2)(3), sch.
- F3** Words in s. 2(2) inserted (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), **sch. 5 para. 11(3)(b)**; [S.S.I. 2015/77](#), art. 2(2)(3), sch.
- F4** S. 2(3) repealed (S.) (1.1.2013) by [Public Records \(Scotland\) Act 2011 \(asp 12\)](#), **ss. 14(a)**, 16(1); [S.S.I. 2012/247](#), art. 2
- F5** Words substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), **s. 4**
- F6** Words in s. 2(4) substituted (S.) (1.1.2013) by [Public Records \(Scotland\) Act 2011 \(asp 12\)](#), **ss. 15(3)(b)**, 16(1); [S.S.I. 2012/247](#), art. 2
- F7** Word substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), **s. 4**

Changes to legislation:

There are currently no known outstanding effects for the Public Records (Scotland) Act 1937, Section 2.