

*Changes to legislation: There are currently no known outstanding effects for the Public Records Act 1958, Paragraph 2. (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(E.W.S.) (1.4.1994) by [1993 c. 43, s. 125\(6\)](#); S.I. 1994/571, [art. 5](#) (with [art. 7](#)) (which exclusion was repealed (18.7.1996) by [1996 c. 42, s. 8\(2\)\(3\)](#))  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](#)

##### *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 [<sup>F1</sup>, civil partnerships] 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 [<sup>F2</sup>or
  - (e) to Welsh public records (as defined in [<sup>F3</sup>the Government of Wales Act 2006]).]

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### Textual Amendments

- F1** Words in Sch. 1 para. 2(2)(b) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Overseas Relationships and Consequential, etc. Amendments\) Order 2005 \(S.I. 2005/3129\)](#), art. 4(1), **Sch. 1 para. 3**
- F2** Sch. 1 para. 2(2)(e) and “or” immediately preceding it inserted (1.4.1999) by [1998 c. 38, s. 125](#), **Sch. 12 para. 3(2)** (with [ss. 139\(2\), 143\(2\)](#)); [S.I. 1999/782](#), **art. 2**
- F3** Words in Sch. 1 para. 2(2)(e) substituted by [Government of Wales Act 2006 \(c. 32\)](#), s. 160(1), {Sch. 10 para. 7(a)}, the amending provision coming into force immediately after “the 2007 election” (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(1\)\(4\)\(5\)](#) of the amending Act.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Records Act 1958, Paragraph 2.