Public Offices (Scotland) Act 1817

1817 CHAPTER 64 57 Geo 3

An Act to abolish certain Offices and regulate others in Scotland. [7th July 1817]

Modifications etc. (not altering text)

C1 Short title given by Short Titles Act 1896 (c. 14)

C2 So much of Act as provides for payment of salary or fees to or in respect of Lord Clerk Register repealed by the Act 24 & 25 Vict. c. 81, s. 1

C3 Preamble omitted under authority of Statute Law Revision Act 1890 (c. 33), **Sch. 1**

1 . . . . . [F1]

Textual Amendments

F1 S. 1 repealed by Statute Law Revision Act 1890 (c. 33), **Sch. 1**

2 Application of fees.

The fees heretofore charged or chargeable for or in respect of any charters, letters, patent, or other instruments passing the great seal of Scotland, shall continue to be paid and payable for in respect of such instruments passing the same; and all such fees shall be applied, in the first place, in the paying and defraying such salary as the Treasury shall think fit to grant to the deputy keeper of the said great seal . . . [F2]; and the surplus of such fees shall, at the expiration of every quarter, be paid to the receiver general of Scotland for the time being, to be by him accounted for with other public monies received by him; . . . [F2]

Textual Amendments

F2 Words repealed by Statute Law Revision Act 1890 (c. 33), **Sch. 1**

Changes to legislation: *There are currently no known outstanding effects for the Public Offices (Scotland) Act 1817. (See end of Document for details)*

3 Salary of keeper of the privy seal for Scotland in like manner limited to 1,200*l.* per annum.

It shall not be lawful for his Majesty to grant any higher salary to the keeper of the privy seal for Scotland, nor shall any keeper of the privy seal for Scotland henceforth to be appointed enjoy a higher salary in respect of such appointment, than the sum of one thousand two hundred pounds per annum.

4 Application of fees.

The fees at present charged or chargeable for or in respect of instruments passing the privy seal of Scotland shall continue and be paid and payable for or in respect of such instruments passing the same; and all such fees shall be applied in the first place in paying and defraying such salary as the Treasury shall think fit to grant to the deputy keeper of the said privy seal, and, in the next place, in the payment of the said salary of one thousand two hundred pounds per annum hereby authorized to be granted to the keeper of the privy seal; and any balance which may remain of such fees shall be paid at the expiration of every quarter to the receiver general of Scotland for the time being, to be by him accounted for with other public monies received by him; and if such fees shall not be sufficient to pay such salaries, the same shall and may be defrayed in the same manner as the salary heretofore granted to the said keeper of the great seal is paid and defrayed.

5 Duties of office of keeper of the signet to be discharged by the lord register, whose salary shall be limited to 1,200*l.* per annum.

The duties of keeper of the signet in Scotland shall be discharged by the lord register: . . . [F3] and every person henceforth to be appointed lord register shall discharge the duties of keeper of the signet, as well as of lord register, with the aid of such assistance from clerks and other officers, as the Treasury shall think fit to appoint.

Textual Amendments

F3 Words repealed by Statute Law Revision Act 1890 (c. 33), **Sch. 1**

6 Application of fees.

The sums at present paid and payable to the keeper of the signet for Scotland, and the fees at present payable for or in respect of instruments passing the signet in Scotland, and also the fees paid and payable to the lord register for Scotland, or in respect of the duties at present discharged by any person or persons in the office of the said lord register, shall continue to be paid and payable in the same manner as such fees respectively are now paid and payable; and such fees shall be applied in the first place in satisfying and paying such salaries or allowances as the Treasury shall think fit to grant and direct to be paid to any person or persons whom they may think necessary for the due discharge of the business appertaining to the offices of lord register and keeper of the signet for Scotland respectively; . . . [F4] and any balance of such fees which shall remain after such payment shall be paid to the receiver general of Scotland at least once in three months, or as the Treasury shall direct, and shall be paid and accounted for by him with the other public monies received by him.

Textual Amendments

F4 Words repealed by Statute Law Revision Act 1890 (c. 33), **Sch. 1**

7, 8. . . . . . [F5]

Textual Amendments

F5 Ss. 7, 8 repealed by Statute Law Revision Act 1873 (c. 91)

9 . . . . . [F6]

Textual Amendments

F6 S. 9 repealed by Statute Law Revision Act 1890 (c. 33), **Sch. 1**

10 Knight marshall and vice-admiral.

No person henceforth to be appointed to either of the offices of knight marshal or vice-admiral in Scotland shall enjoy or receive any salary whatever for or in respect of either of the said offices.

11 Certain other offices regulated.

From the after and upon the termination respectively of the present existing interests of the under-mentioned offices, videlicet, . . . [F7] the office of clerk to the admission of notaries in Scotland, . . . [F7] and so soon as the said offices or any or either of them respectively shall become vacant, the duties thereof shall be discharged by the officer appointed to hold the same in person; and from time to time, as any of the said respective offices shall become vacant, it shall be lawful for the Treasury, and they are hereby authorized and required, to regulate the duties and establishments of the said offices respectively as they respectively become vacant, so as that the several duties to be discharged therein respectively shall be performed in person; and thereupon and thereafter such and such number of fit and proper persons shall be appointed, or shall be authorized and directed to be appointed, as may be sufficient and necessary to perform and execute the duties to be done, performed, and executed in the said offices respectively, as the said commissioners shall deem fit, with such salaries or allowances as shall be ordered and appointed by the Treasury in that behalf, regard being had in every such case to the nature and extent of the duties to be performed, and to the responsibility which may attach or belong to the several and respective offices or persons executing the duties of the said offices respectively; and all such regulations, appointments, salaries, and allowances, when so made and established, shall become and be in full force and effect in relation to the said offices respectively, anything contained in any Act or Acts of Parliament, or any law or laws, or usage, custom, or practice to the contrary notwithstanding: Provided always, that any fees at present charged or chargeable for or in respect of any of the said offices, or received or receivable according to law in any of the said offices respectively, shall continue to be

received; and the same shall be applied in payment of the salary or salaries, allowance or allowances authorized by this Act to be granted or made in each of the said offices in which such fees shall be received; and if any balance of such fees shall remain after paying and satisfying such salaries or allowances respectively, the same shall be paid at least once in three months to the receiver general of Scotland, and shall by him be paid and accounted for in the same manner with any public monies received and accounted for by him.

Textual Amendments

F7 Words repealed by Statute Law Revision Act 1890 (c. 33), **Sch. 1**

Modifications etc. (not altering text)

C4 S. 11 repealed, except as to office of clerk to the admission of notaries in Scotland, by Statute Law Revision Act 1890 (c. 33), **Sch. 1**

12 . . . . . F8

Textual Amendments

F8 Ss. 12, 14 repealed by Statute Law Revision Act 1873 (c. 91)

13 Treasury to order how bishops rents shall be collected.

It shall and may be lawful for the Treasury, and they are hereby authorized and required, to order and direct in what manner the bishops rents in Scotland, heretofore collected by the said collector of bishops rents, shall be collected at the least possible expense with certainty and safety after the abolition of the said office, and to grant such salary, or to make such allowances, as shall be deemed necessary for that purpose.

14 . . . . . F9

Textual Amendments

F9 Ss. 12, 14 repealed by Statute Law Revision Act 1873 (c. 91)

15 . . . . . F10

Textual Amendments

F10 S. 15 repealed by House of Commons Disqualification Act 1957 (c. 20), **Sch. 4 Pt. I**

Changes to legislation:
There are currently no known outstanding effects for the Public Offices (Scotland) Act 1817.