

2001 No. 4058

PUBLIC RECORDS, ENGLAND AND WALES

**The Public Records Act 1958 (Admissibility of Electronic
Copies of Public Records) Order 2001**

Made - - - - - *19th December 2001*

Laid before Parliament *27th December 2001*

Coming into force - - *4th February 2002*

The Lord Chancellor, considering that records of anything done by means of electronic storage or electronic communications by virtue of this Order will be no less satisfactory than in other cases, in exercise of the powers conferred on him by sections 8 and 9 of the Electronic Communications Act 2000(a), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Public Records Act 1958 (Admissibility of Electronic Copies of Public Records) Order 2001 and shall come into force on 4th February 2002.

Electronic communication of authenticated copies of Public Records

2.—(1) Section 9 of the Public Records Act 1958(b) (legal validity of public records and authenticated copies) shall be amended as follows.

(2) The words in subsection (2) from “In this subsection” to the end shall be re-numbered as subsection (4), and in that subsection for “In this subsection the reference” there shall be substituted “In this section any reference”.

(3) After subsection (2) there shall be inserted the following subsection:—

“(3) An electronic copy of or extract from a public record in the Public Record Office which—

(a) purports to have been examined and certified as true and authentic by the proper officer; and

(b) appears on a website purporting to be one maintained by or on behalf of the Public Record Office;

shall, when viewed on that website, be admissible as evidence in any proceedings without further or other proof if the original record would have been admissible as evidence in those proceedings.”.

Signed by authority of the Lord Chancellor

Rosie Winterton
Parliamentary Secretary
Lord Chancellor’s Department

Dated 19th December 2001

(a) 2000 c. 7. For the definition of “the appropriate Minister” see sections 9(1) and 10(1).
(b) 1958 c. 51.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Public Records Act 1958 in order to enable the Public Record Office to authenticate copies in electronic form of public records so as to make them admissible evidence in legal proceedings when they are viewed on the Public Record Office website.

The provisions inserted by this Order, in common with the rest of the Public Records Act 1958, will apply to Welsh public records within the meaning given by section 118 of the Government of Wales Act 1998 only until an order under section 117 of that Act imposes on the National Assembly for Wales a duty to preserve them.

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