



Public Records (Scotland) Act 1937

1937 CHAPTER 43

PART II

STATE, DEPARTMENTAL AND LOCAL AUTHORITY RECORDS

4 Certain records to be transferred from the Public Record Office

The documents specified in the First Schedule to this Act, which prior to the passing of this Act have been kept in the Public Record Office, shall, as soon as may be after the passing of this Act, be transmitted by the Master of the Rolls to the Keeper for custody.

5 Provision for transfer of departmental and local authority records to the Keeper

- (1) It shall be lawful for any Government Department, board of trustees, or other body or person having the custody of any records belonging to His Majesty and relating exclusively or mainly to Scotland (other than the documents specified in section four of this Act) to transmit such records to the Keeper:

Provided that no record which is in the charge and superintendence or custody of the Master of the Rolls in pursuance of the Public Record Office Acts, 1838 to 1898, shall be so transmitted without the consent of the Master of the Rolls.

- (2) Notwithstanding anything contained in section seventy-eight of the Town Councils (Scotland) Act, 1900, or in any other enactment it shall be lawful for the town council of any burgh in Scotland, or for any other local authority in Scotland, with the consent of the Keeper, to transmit any of their records to the Keeper for custody:

Provided that nothing in this subsection shall apply to any burgh register of sasines or to any book or public record relating thereto.

- (3) Any document transmitted under this section to the Keeper shall be re-transmitted by him to the Department, local authority, body or person from whom it was received, on application to that effect made on the ground that such re-transmission is necessary for the purposes of such Department, local authority, body or person. Any record so

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re-transmitted shall be returned to the Keeper as soon as may be after it has ceased to be required for the purposes for which it was re-transmitted.

6 Records transmitted by the Master of the Rolls

Any record or document which is, under either of the last two foregoing sections, transmitted to the Keeper by or with the consent of the Master of the Rolls shall cease to be under the charge and superintendence of the Master of the Rolls.