



Public Records (Scotland) Act 1937

1937 CHAPTER 43 1 Edw 8 and 1 Geo 6

PART III

GENERAL

12 Disposal of documents not to be preserved by the Keeper.

(1) The Lord Justice General, as regards records of the High Court of Justiciary, the Lord President, as regards other court records, and the Secretary of State, as regards any other records to which this Act applies, may make regulations regarding the disposal by destruction or otherwise of records which have been transmitted to the Keeper in pursuance of this Act or otherwise, and which are of insufficient value to justify their preservation or which would more appropriately be in the custody of any person, body or institution other than the Keeper.

[^{F1}(2) Regulations under this section are subject to the negative procedure.]

(3) No regulations made under this section shall authorise—

(a) the disposal of records relating to a Government department or belonging to a local authority without the consent of that department or authority; or

[^{F2}(b) the disposal by destruction of any records of older date than the year 1707.]

Textual Amendments

F1 S. 12(2) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, 4

F2 S. 12(3)(b) substituted by [National Heritage \(Scotland\) Act 1985 \(c. 16, SIF 78\)](#), s. 19(3)

Modifications etc. (not altering text)

C1 S. 12 extended by [Public Registers and Records \(Scotland\) Act 1948 \(c. 57\)](#), s. 5

C2 S. 12 modified (S.) (5.2.2009) by [Scottish Register of Tartans Act 2008 \(asp 7\)](#), ss. 3(2), 18(2); S.S.I. 2009/5, art. 2

Changes to legislation:

There are currently no known outstanding effects for the Public Records (Scotland) Act 1937, Section 12.