



Secretary for Scotland Act 1885

1885 CHAPTER 61 48 and 49 Vict

An Act for appointing a Secretary for Scotland and Vice-President of the Scotch Education Department. [14th August 1885]

Modifications etc. (not altering text)

- C1 Functions of Secretary for Scotland now exercisable by Secretary of State: [Secretaries of State Act 1926 \(c. 18\), s. 1\(1\)](#)
- C2 Act applied (S.)(*prosp.*) by [Local Government Finance Act 1992 \(c. 14\), ss. 111\(9\), 119\(2\)](#) (with s. 118(1)(2)(4))
- C3 Act applied (S.) (1.4.1992) by [Valuation and Rating \(Scotland\) Act 1956 \(c. 60\), s. 22\(3\)](#) (as substituted by [Local Government Finance Act 1992 \(c. 14\), s. 117\(1\), Sch. 13, para. 10](#) (with s. 118(1)(2)(4))); S.I. 1992/818, [art. 2\(a\)](#)

1 Short title.

This Act may be cited as the Secretary for Scotland Act 1885.

2 Appointment of a Secretary for Scotland.

...^{F1}

The Secretary may appoint such permanent secretaries, inspectors, clerks, and other officers as he may with the sanction of the Treasury determine.

The salaries of such secretaries and other officers of the Secretary's office shall be fixed with the consent of the Treasury, and shall, together with such other expenses of the said office as may from time to time be sanctioned by the Treasury, be paid out of moneys provided by Parliament.

Textual Amendments

- F1 Words repealed by [Secretaries of State Act 1926 \(c. 18\), Sch.](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Secretary for Scotland Act 1885. (See end of Document for details)

3, 4. F2

Textual Amendments
F2 Ss. 3, 4 repealed by Secretaries of State Act 1926 (c. 18), Sch.

5 Transfer of powers of Secretary of State. Privy Council. Local Government Board and Treasury.

- (1) All powers and duties vested in or imposed on one of Her Majesty’s Principal Secretaries of State by the enactments specified in Part I of the Schedule to this Act, and all powers and duties vested in or imposed on one of Her Majesty’s Principal Secretaries of State in relation to the Universities of Scotland;
- (2) All powers and duties vested in or imposed on the Privy Council by the enactments specified in Part II of the said Schedule;
- (3) All powers and duties vested in or imposed on the Treasury by the enactments specified in Part III of the said Schedule, or the Local Government Board for England by the enactments specified in Part IV of the said schedule, so far as such duties and powers relate to Scotland, shall, on and after the appointment of the Secretary, be transferred to, vested in, and imposed on the Secretary.

Any report, act, or thing required or authorized by the said enactments, or any of them, to be made or done to the said Secretary of State, or Privy Council or any committee thereof, or the Treasury, or the Local Government Board for England, and any report required to be made to Her Majesty by virtue of any of the said enactments, shall, so far as such enactments apply to Scotland, from and after the appointment of the said Secretary be made to or be done by or to the Secretary.

6 F3

Textual Amendments
F3 S. 6 repealed by Reorganisation of Offices (Scotland) Act 1939 (c. 20), Sch.

7 Transference of powers and duties of Scotch Education Department.

From and after the appointment of the Vice-President of the Scotch Education Department as herein-before provided, all powers and duties vested in or imposed on the Scotch Education Department constituted under the ^{M1}Education (Scotland) Act 1872 shall be transferred to, vested in, and imposed on the Scotch Education Department constituted under this Act; and wherever in any Act of Parliament, minute, or regulation, reference is made to the Scotch Education Department, such reference shall be read and construed as applying to the Scotch Education Department constituted under this Act.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Secretary for Scotland Act 1885. (See end of Document for details)

Marginal Citations

M1 [1872 c. 62.](#)

8 Secretary to be Keeper of the Great Seal.

The Secretary shall have the place, trust, and office of Keeper of Her Majesty's Seal, appointed by the Treaty of Union to be kept and made use of in Scotland in place of the Great Seal of Scotland, with all such powers, privileges, and liberties as do by law and custom belong to the same.

9 Reservation of rights of Lord Advocate.

Nothing in this Act contained shall prejudice or interfere with any rights, powers, privileges, or duties vested in or imposed on the Lord Advocate by virtue of any Act of Parliament or custom.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Secretary for Scotland Act 1885. (See end of Document for details)

SCHEDULE

Section 5

PART I

POWERS AND DUTIES OF SECRETARY OF STATE

Subject.	Act.
Poor Law	8 & 9 Vict. c. 83.
F4	45 & 46 Vict. c. 62.
F4	
F4	
Public Works Loans	
Fishery Board	45 & 46 Vict. c. 78.
General Register House in Edinburgh	42 & 43 Vict. c. 44.s.8.
F4	25 & 26 Vict. c. 101.
F4	
F4	
F4	
Burgh Police and Improvement	
F4	10 Vict. c. 14.
Markets and Fairs	
Prisons	40 & 41 Vict. c. 53.
Public Parks	41 & 42 Vict. c. 8.
F4	23 & 24 Vict. c. 79.
F4	
F4	
Sheriff Court Houses	
Rivers Pollution	39 & 40 Vict. c. 75.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Secretary for Scotland Act 1885. (See end of Document for details)

Burial Grounds	18 & 19 Vict. c. 68.
F4	44 & 45 Vict. c. 37.
F4	
Alkali	25 & 26 Vict. c. 97.
Salmon Fisheries	27 & 28 Vict. c. 118. 31 & 32 Vict. c. 123.
F4	17 & 18 Vict. c. 91, s.20.
Assessor of Railways and Canals	And any Acts amending the said Acts, and conferring powers on the said Secretary of State in relation thereto.

Textual Amendments

F4 Entries in Pt. I repealed by Statute Law Revision Act 1898 (c. 22), Education (Scotland) Act 1945 (c. 37), **Sch. 5**, Protection of Birds Act 1954 (c. 30), **Sch. 6**, Mental Health (Scotland) Act 1960 (c. 61), **Sch. 5**, Statute Law Revision Act 1963 (c. 30), Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c. 49), **Sch. 2**, Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI** and Marriage (Scotland) Act 1977 (c. 15), **Sch. 3**

PART II.....^{F5}

Textual Amendments

F5 **Sch. Pt. II** repealed by Statute Law Revision Act 1963 (c. 30)

PART III

POWERS AND DUTIES OF THE TREASURY

Subject.	Act.
Assessor of Railways and Canals	17 & 18 Vict. c. 91, s. 29.
F6 General Register House in Edinburgh, except the power to fix salaries and emoluments.	42 & 43 Vict. c. 44, s. 8. And any Acts amending the said Acts, and conferring powers on the Treasury in relation thereto.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Secretary for Scotland Act 1885. (See end of Document for details)

Textual Amendments

F6 Entry repealed by [Statute Law Revision Act 1963 \(c. 30\)](#)

PART IV

POWERS AND DUTIES OF THE LOCAL GOVERNMENT BOARD FOR ENGLAND

Subject.	Act.
Loans by Public Works Loan Commissioners.	38 & 39 Vict. c. 89. 41 Vict. c. 18. 44 & 45 Vict. c. 38.
Alkali	44 & 45 Vict. c. 37.
	And any Acts amending the said Acts, and conferring powers on the said Local Government Board in relation thereto.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Secretary for Scotland Act 1885.