

# **PUBLIC RECORDS (SCOTLAND) ACT 2011**

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## **EXPLANATORY NOTES**

### **SUMMARY OF THE ACT**

#### **Part 1 – Records Management Plans**

##### ***Section 7 – Action notices***

29. This section allows the Keeper to issue an action notice to an authority which is failing in its obligations under Part 1 of the Act. An action notice could be issued in relation to a failure to prepare a records management plan, a failure to comply with a plan, a failure to assist in a review or any other failure under the Act. Subsection (2) sets out the information which must be included in an action notice.
30. Subsection (3) requires the Keeper to notify an authority before issuing an action notice, to give the authority an opportunity to make representations and to have regard to these before making his decision.
31. Where an authority fails to comply with the action notice, subsection (5) allows the Keeper to publicise the failure.