



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART XI

GENERAL PROVISIONS AS TO LOCAL AUTHORITIES

Legal Proceedings, Notices, etc.

200 **Records**

- (1) Where records of an existing local authority relate exclusively to property vested in or functions transferred to a new local authority the records shall vest in that new local authority.
- (2) Records of parochial boards and parish councils held by an existing local authority shall vest in the regional or islands council which succeeds that authority.
- (3) All other records held by a county council shall vest in the regional or islands council which succeeds the county council, and all such records held by any other existing local authority shall vest in the islands or district council which succeeds that authority.
- (4) Where the area of an existing local authority is divided among two or more new local authorities, the records shall, subject to the foregoing provisions of this section, vest in the new local authority whose area includes, according to the latest census (not being a sample census), the greater part of the population of the existing local authority.
- (5) Where records relating to property or functions vested in or transferred to a local authority have vested in another local authority that other local authority shall make the records available for consultation by the former authority.
- (6) Any dispute as to the vesting of records shall be referred to and determined by the Secretary of State, whose decision in the matter shall be final.
- (7) A local authority shall make proper arrangements with respect to any records which belong to or are in the custody of the authority or any of their officers, and may dispose of records which they do not consider worthy of preservation.

Status: This is the original version (as it was originally enacted).

- (8) A local authority may transmit any of their records to the Keeper of the Records of Scotland for safe custody, and accordingly in section 5(2) of the Public Records (Scotland) Act 1937 (transfer of records to Keeper), for the words from " the town " to " any other " there shall be substituted the word " any " .
- (9) A regional council may deposit any of their records with a district council within their region, and a district council may deposit any of their records with the regional council within whose region their area is situate or with any other district council within the same region.
- (10) A local authority may permit persons, with or without charge, and subject to such conditions as the authority may determine, to inspect their records and to make or obtain copies thereof.
- (11) In this section—
- (a) " records" includes charters, deeds, minutes, accounts and other documents, and any other records of whatever form which convey information, but does not include records which are the property of the Registrar General of Births, Deaths and Marriages for Scotland ; and
 - (b) "local authority" includes a joint board, joint committee, river purification board and a water board.