



# Public Registers and Records (Scotland) Act 1948

1948 CHAPTER 57 11 and 12 Geo 6

## **1 Substitution of a Keeper of the Registers and a Keeper of the Records for the Keeper of the Registers and Records of Scotland.**

- (1) It shall be lawful for the [<sup>F1</sup>Scottish Ministers] with the consent of the Lord President of the Court of Session to appoint (a) a Keeper of the Registers of Scotland, and (b) a Keeper of the Records of Scotland, and on such appointments being made the office of Keeper of the Registers and Records of Scotland shall cease to exist.
- (2) There shall be transferred to and vested in the Keeper of the Registers of Scotland the whole functions of the Keeper of the Registers and Records of Scotland with regard to the framing of the General Register of Sasines, the Register of Hornings, the Register of Inhibitions and Adjudications<sup>F2</sup>... and the Register of Deeds, together with the powers and duties transferred to the said Keeper from the Director of Chancery under section seven of the <sup>M1</sup>Reorganisation of Offices (Scotland) Act, 1928.
- (3) There shall be transferred to and vested in the Keeper of the Records of Scotland, the whole functions of the Keeper of the Registers and Records of Scotland with regard to the preservation of the public registers, records and rolls of Scotland.
- <sup>F3</sup>(4) .....
- <sup>F3</sup>(5) .....
- (6) In the event of a vacancy in the office of either of the Keepers appointed under this section or in the absence of either of them from any cause his functions shall be performed by such member of his staff or such other person as may be authorised by the [<sup>F4</sup>Scottish Ministers].
- (7) Any reference in any enactment to the Keeper of the General Register of Sasines shall be construed as a reference to the Keeper of the Registers of Scotland, and any reference in any enactment to the Keeper of the Registers and Records of Scotland shall be construed as a reference to the Keeper of the Registers of Scotland or to the Keeper of the Records of Scotland according as the enactment relates to the functions specified in subsection (2) or in subsection (3) of this section.

**Changes to legislation:** Public Registers and Records (Scotland) Act 1948, Section 1 is up to date with all changes known to be in force on or before 01 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(8) ..... F5

#### Textual Amendments

- F1** Words in s. 1(1) substituted (1.7.1999) by 1998 c. 46, s. 125, **Sch. 8**, para. 8 (with s. 126(3)-(11)); S.I. 1998/3178, **art. 2**
- F2** Words in s. 1(2) repealed (28.11.2004) by Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), ss. 71, 77(2), **Sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F3** S. 1(4)(5) repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 22(a)**, Pt. IV
- F4** Words in s.1(6) substituted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 22(b)**
- F5** S. 1(8) repealed by Statute Law Revision Act 1950 (14 Geo. 6 c. 6)

#### Modifications etc. (not altering text)

- C1** S. 1(3) restricted (5.2.2009) by Scottish Register of Tartans Act 2008 (asp 7), **ss. 3(3)**, 18(2); S.S.I. 2009/5, art. 2

#### Marginal Citations

- M1** 1928 c. 34.

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**Changes and effects yet to be applied to :**

- s. 1(2) words repealed by [2007 asp 3 Sch. 6 Pt. 1](#)