



Public Records (Scotland) Act 2011

2011 asp 12

PART 1

RECORDS MANAGEMENT PLANS

5 Review of plans

- (1) An authority must—
 - (a) keep its records management plan under review, and
 - (b) if the Keeper so requires (whether at the time of agreement of the plan or otherwise), carry out a review of the plan by such date (the “review date”) as the Keeper may determine in accordance with subsections (2) to (4).
- (2) The Keeper must not determine a review date under subsection (1)(b) which is earlier than five years after the date on which the authority’s records management plan was last agreed.
- (3) In subsection (2), reference to the plan being agreed includes—
 - (a) agreement of the plan under section 4,
 - (b) if the authority has been required to carry out a review of the plan under subsection (1)(b) of this section or section 6(3)(b), agreement of the revised or, as the case may be, resubmitted plan, and
 - (c) if the authority has submitted a revised plan under subsection (6) of this section, agreement of the revised plan.
- (4) If—
 - (a) the Keeper has determined a review date under subsection (1)(b) in relation to a plan, and
 - (b) before that date, the Keeper agrees—
 - (i) a revised plan submitted by the authority under subsection (6), or
 - (ii) if the authority has been required to carry out a review of the plan under section 6(3)(b), a revised or, as the case may be, resubmitted plan,

the Keeper must determine a new review date and inform the authority of the new review date.

Status: This is the original version (as it was originally enacted).

- (5) After carrying out a review of its plan in accordance with subsection (1)(b), the authority must, by the review date, either—
 - (a) revise its plan and submit the revised plan to the Keeper for agreement, or
 - (b) if the authority decides not to revise its plan, resubmit its current plan to the Keeper for agreement.
- (6) An authority may at any time revise its records management plan and submit the revised plan to the Keeper for agreement.
- (7) Subsections (2) to (9) of section 4 apply, as they apply to a proposed records management plan submitted for agreement under that section, to—
 - (a) a revised records management plan submitted to the Keeper for agreement under subsection (5)(a) or (6) of this section, and
 - (b) a records management plan resubmitted to the Keeper for agreement under subsection (5)(b) of this section.
- (8) The Keeper may make different determinations under this section for different authorities or different descriptions of authorities.