



# Local Government etc. (Scotland) Act 1994

## 1994 CHAPTER 39

### PART II

#### WATER AND SEWERAGE REORGANISATION

##### *Miscellaneous provisions as respects new authorities*

#### **119 Records held by new authorities**

- (1) Subject to subsection (3) below—
- (a) this section applies to all records (in whatever form or medium)—
    - (i) transferred to and vested in a new water and sewerage authority by virtue of section 91(1) of this Act;
    - (ii) created or acquired by them in the exercise of any of their functions; or
    - (iii) otherwise in their keeping;
  - (b) the authority shall ensure that the records, other than such as are mentioned in paragraph (c) below, are preserved and managed in accordance with such arrangements as the authority, after consulting the Keeper of the Records of Scotland, shall put into effect;
  - (c) records which, in the opinion of the authority, are not worthy of preservation may be disposed of by them;
  - (d) the authority may from time to time revise the arrangements mentioned in paragraph (b) above but before making any material change to those arrangements shall consult the Keeper; and
  - (e) the authority—
    - (i) shall secure that the Keeper has at all reasonable hours, unrestricted access to the records preserved by them;

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*Status: This is the original version (as it was originally enacted).*

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- (ii) may afford members of the public, free of charge or on payment of reasonable charges, facilities for inspecting, and for obtaining copies or extracts from, those records.
- (2) Nothing in subsection (1)(e)(ii) above permits infringement of copyright or contravention of conditions subject to which records are in the keeping of the authority.
- (3) In so far as any provision of, or inserted or amended by, this Part of this Act, being a provision which relates to records of a specific kind, is (but for this subsection) inconsistent with subsection (1) above, that subsection is subject to the provision in question.