Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.

Number 11 *of* 1986

NATIONAL ARCHIVES ACT 1986

REVISED

Updated to 1 December 2025

This Revised Act is an administrative consolidation of the *National Archives Act 1986*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Electricity (Supply) (Amendment) Act 2025* (12/2025), enacted 20 November 2025, and all statutory instruments up to and including *European Union (Hague Maintenance Convention) (Amendment) Regulations 2025* (S.I. No. 583 of 2025), made 1 December 2025, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 11 *of* 1986

NATIONAL ARCHIVES ACT 1986

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Number 11 *of* 1986

NATIONAL ARCHIVES ACT 1986

REVISED

Updated to 1 December 2025

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A BODY TO BE KNOWN AS THE NATIONAL ARCHIVES AND FOR OTHER CONNECTED MATTERS. [18*th May*, 1986]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Interpretation.

1.—(1) In this Act—

"archives" has the meaning assigned to it by *section 2*;

"the Council" means the National Archives Advisory Council established under *section 20*;

"Departmental records" has the meaning assigned to it by *section 2*;

"the Director" has the meaning assigned to it by *section 5*;

"functions" includes powers and duties, and the reference to the performance of functions includes, as respects powers and duties, a reference to the exercise of powers and the carrying out of duties;

"local authority" means any body which is—

(*a*) the council of a county,

(*b*) the corporation of a county borough,

(*c*) the corporation of a borough other than a county borough,

(*d*) the council of an urban district,

(*e*) the commissioners of a town, or

(*f*) a joint board or committee established by or under a statute to execute functions belonging to two or more of the bodies referred to in *paragraphs (a), (b), (c), (d)* or *(e)*;

F1**[**"Minister" means the Minister for Culture, Heritage and the Gaeltacht;**]**

"the National Archives" means the body established by *section 3*;

"public service organisation" means a local authority, a health board or a body established by or under statute and financed wholly or partly by grants or loans made by a member of the Government or by the issue of shares taken up by a member of the Government.

F1**[**"relevant records" has the meaning assigned to it by *section 2A* (inserted by section 3 of the National Archives (Amendment) Act 2018).**]**

(2) (*a*) In this subsection "a scheduled body" means a body, institution, office, commission or committee referred to in the Schedule to this Act.

(*b*) In this Act (other than in *paragraph (c)*), references to a Department of State include, where appropriate, references to a court and also include references to a scheduled body, and the definition of "Departmental records" in *section 2(2)* shall be construed accordingly.

(*c*) In this Act, except in *subsection (1)* and *section 2*, any reference to a member of the Government shall be construed, as appropriate,—

(i) in relation to the Office of the Secretary to the President, the Office of the Attorney General, the Office of the Comptroller and Auditor General or the Office of the Director of Public Prosecutions, as a reference to the President, the Attorney General, the Comptroller and Auditor General or the Director of Public Prosecutions,

(ii) in relation to a court, as a reference to the Minister for Justice, and

(iii) in relation to a Department of State or a scheduled body (other than an office specified in *subparagraph (i)* of this paragraph), as a reference to the member of the Government having responsibility for that Department or scheduled body.

(*d*) The Taoiseach, after consultation with the Director and the Council, may by order amend the Schedule to this Act.

(*e*) Where an order under this subsection is proposed to be made, a draft of the order shall be laid before each House of the Oireachtas and the order shall not be made until a resolution approving the draft has been passed by each such House.

(3) A reference in this Act to an officer of a Department of State authorised for the purpose of a particular section or for a particular purpose shall be construed as a reference to an officer of that Department belonging to such class, grade or rank as is specified in regulations made by the Taoiseach.

(4) In this Act a reference to a section is to a section of this Act, unless it is indicated that reference to some other enactment is intended.

(5) In this Act a reference to a subsection or paragraph is to the subsection or paragraph is to the subsection or paragraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

Archives and Departmental records.

2.—(1) For the purposes of this Act, "archives" includes—

(*a*) such records and documents (and copies of them) as are, at the commencement of this Act, held in the Public Record Office of Ireland or the State Paper Office,

(*b*) Departmental records transferred to and accepted for preservation by the National Archives under this Act,

(*c*) other records or documents (and copies of them) acquired permanently or on loan by the National Archives from public service organisations, institutions or private individuals,

(*d*) all public records held at the commencement of this section elsewhere than in the Public Record Office of Ireland under an Act repealed by this Act.

(2) For the purposes of this Act, "Departmental records" means any of the following—

books,

maps,

plans,

drawings,

papers,

files,

photographs,

films,

microfilms and other micrographic records,

sound recordings,

pictorial records,

magnetic tapes,

magnetic discs,

optical or video discs,

other machine-readable records,

other documentary or processed material,

made or received, and held in the course of its business, by a Department of State within the meaning of *section 1(2)* or any body which is a committee, commission or tribunal of enquiry appointed from time to time by the Government, a member of the Government or the Attorney General, and includes copies of any such records duly made, but does not include—

(i) grants, deeds or other instruments of title relating to property for the time being vested in the State, and

(ii) any part of the permanent collection of a library, museum or gallery.

(3) Nothing in this Act shall prevent a Department of State from retaining a copy of any record transferred under this Act to the National Archives.

F2[Relevant records **2A.**—(1) Subject to *subsection (2)*, for the purposes of this Act, relevant records are Departmental records which are—

(*a*) more than 30 years old, or

(*b*) less than 30 years old but more than 20 years old and in relation to which an order has been made under *section 8(1A)* (inserted by section 4(*b*) of the National Archives (Amendment) Act 2018).

(2) Where the Minister makes an order under *section 8(1B)* (inserted by section 4(*c*) of the National Archives (Amendment) Act 2018), relevant records are all Departmental records which are more than 20 years old.**]**

Establishment of National Archives.

3.—From the commencement of this section the functions of the Public Record Office of Ireland (including the functions assigned to the Deputy Keeper of the Records by the Public Records (Ireland) Act, 1867) and of the office known as the State Paper Office shall be performed by the Director of a body to be known as the National Archives, which shall stand established from such commencement and is referred to in this Act by that title.

Functions of Director of National Archives.

4.—(1) In addition to those referred to in *section 3*, the functions of the Director shall include—

(*a*) the control and management of the National Archives,

(*b*) the preservation, restoration, arrangement and description of archives in the custody of the National Archives,

(*c*) the examination and acquisition of Departmental records in accordance with this Act,

(*d*) the inspection and examination of arrangements for the preservation of Departmental records and, with the consent or at the request of the appropriate member of the Government, the examination of Departmental records,

(*e*) the giving of advice to a member of the Government and to any public service organisation on the management, preservation and reproduction of records under their control,

(*f*) the acquisition by purchase, donation, bequest or loan of any record or document, or of a copy of a record or document, appropriate for preservation by the National Archives and the observance of such conditions (if any) relating to such purchase, donation, bequest or loan as may be accepted by the Director,

F3**[**(*fa*) the performance of functions assigned to the Director under Part 3 of the Maternity Protection, Employment Equality and Preservation of Certain Records Act 2024,**]**

(*g*) the preparation and making available of guides, lists, indexes and other finding aids to archives in the custody of the National Archives,

(*h*) the lending of archives by the Director, with the consent of the Council, to archival or educational institutions, libraries, museums, galleries, and other appropriate institutions and societies, whether in the State or elsewhere,

(*i*) the making and provision of copies and extracts from archives in the custody of the National Archives,

(*j*) the making available for public inspection in accordance with this Act of archives in the custody of the National Archives,

(*k*) the publication of archives, finding aids and other material relating to archives in the custody of the National Archives,

(*l*) the provision of such educational services as the Taoiseach may from time to time approve,

(*m*) such functions in relation to management of records as may from time to time be approved by the Taoiseach.

(2) The Taoiseach may from time to time assign to the Director such other functions as are analogous to or consistent with the functions specified in *subsection (1)* and any additional functions conferred under *subsection (3)*.

(3) (*a*) The Government may by order confer additional functions on the Director, and may by order amend or revoke an order under this subsection.

(*b*) Every order made under this subsection shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next subsequent 21 days on which that House has sat after the order is laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

(4) In the event of the office of Director being vacant or of the incapacity or absence of the Director, the Taoiseach may authorise an officer of the National Archives to perform any or all of the functions conferred on the Director under this Act.

Director of National Archives.

5.—(1) The Taoiseach shall from time to time appoint a person to be the Director of the National Archives, and such person is in this Act referred to as "the Director".

(2) The Director shall carry out the functions assigned to him under this Act and such other or additional functions in relation to the National Archives as may from time to time be assigned to him by virtue of *section 4(2)* or *4(3)*.

(3) The Director shall hold office on such terms (including remuneration) as the Taoiseach shall, with the concurrence of the Minister for the Public Service, from time to time determine.

Staff of National Archives.

6.—(1) The Taoiseach may appoint such and, with the concurrence from time to time of the Minister for the Public Service, so many persons to be the officers (in addition to the Director) and servants of the National Archives as the Taoiseach thinks proper.

(2) An officer or servant of the National Archives appointed under this section shall hold his office or employment on such terms and conditions (including remuneration) as the Taoiseach, with the concurrence of the Minister for the Public Service, may from time to time determine.

(3) The F5**[**Public Service Management (Recruitment and Appointments) Act 2004**]**, the Civil Service Regulation Acts, 1956 and 1958, and the Superannuation Acts, 1834 to 1963, and any Act for the time being in force and replacing or amending any of those Acts shall apply to the Director and to officers and servants of the National Archives appointed under this section.

Retention and disposal of Departmental records.

7.—(1) Subject to the provisions of *sections 19(3)* and *19(4)*, Departmental records shall, unless they are transferred to the National Archives in accordance with *section 8* or are disposed of under *subsection (5)*, be retained and preserved in the Department of State in which they were made or are held, and shall not in any case be disposed of except in accordance with *subsection (5)*; provided that, where more than one copy of such a record exists, the retention and preservation of the original or, if the original is no longer available, of an accurate and complete copy thereof shall suffice.

(2) The Director or another officer of the National Archives designated by the Director for the purposes of this section (in this section referred to as "the designated officer") may make an authorisation under this section.

(3) An authorisation under this section—

(*a*) shall authorise the disposal of the Departmental records to which it relates,

(*b*) may specify conditions relating to such disposal, and

(*c*) shall have effect in accordance with its terms and any conditions so specified.

(4) An authorisation under this section shall not be made until the following conditions are complied with:

(*a*) an officer of a Department of State authorised for the purpose of this section has certified that particular Departmental records made, received or held by that Department and specified in the certificate, or a particular class or classes of such records so specified, are not required in connection with the administration of that Department and has requested the Director or the designated officer in writing for such an authorisation;

(*b*) the Director or the designated officer is satisfied that the records or classes of records specified in the certificate under *paragraph (a)* do not warrant preservation by the National Archives;

(*c*) the Chief Justice, in the case of records of the Supreme Court, or the President of the High Court, in the case of records of the High Court, has consented to the making of the authorisation.

(5) Departmental records, the disposal of which is authorised by an authorisation under this section, shall be disposed of by being destroyed in a manner which ensures that their confidentiality is not affected and that their contents are not ascertainable.

(6) Notwithstanding any other provision of this section, an authorisation under this section may relate to Departmental records (or to a class or classes of such records) not in existence at the time of the authorisation.

(7) The Director or the designated officer may inspect and examine any Departmental records the disposal of which under authorisation under this section is under consideration.

Transfer of Departmental records more than 30 years old.

8.—(1) F6**[**Relevant records**]** in relation to which a certificate granted under this section is not in force shall, subject to *section 7*, be transferred by the Department of State in which they were made (or, if they are held in another such Department, by that other Department) to the National Archives, where they shall be made available for inspection by the public.

F7**[**(1A) (*a*) The Minister, on being satisfied as to the matters referred to in *paragraph (b)*, may—

(i) following consultation by him or her with the Director, and

(ii) with the consent of—

(I) the Taoiseach,

(II) the Minister for Public Expenditure and Reform, and

(III) other than where the records concerned are those of the Department of Culture, Heritage and the Gaeltacht, the relevant member of the Government,

make an order requiring the transfer, in accordance with this Act, to the National Archives of a class or classes of Departmental records which are less than 30 years old but more than 20 years old.

(*b*) The Minister may make an order under this subsection where he or she is satisfied that—

(i) (I) the records concerned are of significant historical or public interest such as to warrant their transfer to the National Archives, or

(II) the transfer of the records concerned to the National Archives will facilitate the balanced and fair reporting of matters of common interest to the State and other jurisdictions,

and

(ii) the arrangements for such transfer are adequate.

(*c*) Every order under this subsection shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House sits after the order has been laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

(*d*) *In paragraph (a)*, "relevant member of the Government" means, in relation to a class or classes of Departmental records specified in an order to be made under that paragraph—

(i) the member of the Government who has responsibility for the Department of State where the class or classes of Departmental records concerned were made, or

(ii) where the Departmental records of the class or classes specified in the order to be made are held in another such Department, the member of the Government who has responsibility for that other Department.**]**

F7**[**(1B) (*a*) The Minister may—

(i) following consultation by him or her with the Director, and

(ii) with the consent of the Taoiseach and the Minister for Public Expenditure and Reform,

by order appoint a day as the day with effect from which all Departmental records which are more than 20 years old are to be transferred to the National Archives in accordance with this Act.

(*b*) The Minister may make an order under this subsection where he or she is satisfied that the arrangements for the transfer of all Departmental records which are more than 20 years old to the National Archives are adequate.

(*c*) An order under this subsection shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House sits after the order has been laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.**]**

F7**[**(1C) Nothing in *subsection (1)* shall require a Department of State to transfer relevant records to the National Archives where those records have previously been transferred to the National Archives in accordance with this Act.**]**

(2) An officer of a Department of State authorised for the purpose of this subsection may certify that for stated reasons F8**[**particular relevant records, or a particular class or classes of relevant records, being records prescribed in accordance with *subsection (11)*, which are specified**]** in the certificate are in regular use in that Department or are required in connection with its administration and that their transfer to the National Archives would seriously interfere with the administration of that Department.

(3) The Director (or an officer of the National Archives designated for this purpose by the Director) may certify that F8**[**particular relevant records, or a particular class or classes of relevant records, which are specified**]** in the certificate do not warrant transfer to the National Archives for preservation, and any records so certified shall be retained in the appropriate Department or (as the case may be) returned to that Department, where they may be retained, or disposed of subject to the granting of

an authorisation under *section 7(4)(a)* by an officer of that Department authorised for the purpose of that section.

(4) An officer of a Department of State authorised for the purpose of this subsection may, with the consent of an officer of the Department of the Taoiseach so authorised (except in relation to records of the Department of the Taoiseach), certify, F8**[**in relation to particular relevant records, or a particular class or classes of relevant records, being records prescribed in accordance with *subsection (11)*, which are specified**]** in the certificate, that to make them available for inspection by the public—

(*a*) would be contrary to the public interest, or

(*b*) would or might constitute a breach of statutory duty, or a breach of good faith on the ground that they contain information supplied in confidence, or

(*c*) would or might cause distress or danger to living persons on the ground that they contain information about individuals, or would or might be likely to lead to an action for damages for defamation.

(5) F8**[**Relevant records**]** in relation to which a certificate granted under *subsection (2)* or *(4)* is in force may, unless disposed of under *section 7(5)*, be retained in the Department of State in which they are held or be transferred to the National Archives for preservation.

(6) F8**[**Relevant records**]** retained under *subsection (5)* shall be reviewed by an officer of the Department of State concerned authorised for that purpose at least once in every subsequent period of five years with a view to their possible transfer to the National Archives under *subsection (1)*.

(7) Nothing in this section shall prevent the transfer to the National Archives, with the agreement of the Director, of F8**[**Departmental records which are not relevant records**]** where such transfer is desirable to ensure the proper preservation of such records or for other administrative reasons, but any records so transferred shall not be made available for public inspection except in accordance with this Act.

(8) The Taoiseach may, with the agreement of the Director, direct that the transfer to the National Archives under this section of F8**[**any class of Departmental records, other than a class of Departmental records referred to in *section 2A(1)(b)* or *2A(2)* (each inserted by section 3 of the *National Archives (Amendment) Act 2018*),**]** be not proceeded with until he is satisfied that arrangements for such transfer are adequate.

(9) Archives which were formerly Departmental records may be temporarily requisitioned in writing from the Director by an officer of the appropriate Department of State authorised for the purpose of this subsection subject to the right of the Director, in relation to archives which have been made available for public inspection, to specify arrangements which are to be made relating to access by the public to such archives while so requisitioned.

(10) (*a*) Subject to *paragraph (b), subsection (1)* shall come into operation two years after the commencement of this section.

(*b*) Notwithstanding *paragraph (a)*, the Taoiseach may, at the request in writing of a member of the Government or the Director, extend in writing the period of two years referred to in that paragraph in so far as it relates to the Department of State specified in the request if such extension appears to him to be reasonable for administrative reasons so specified.

(*c*) Nothing in *paragraph (a)* shall prevent the transfer to the National Archives before the commencement of this section of any Departmental records which are more than 30 years old.

(11) The Taoiseach may by order prescribe a particular class or classes of records in relation to which a certificate granted under *subsection (2)* or *(4)* may relate, and may by order amend or revoke an order under this subsection.

Disposal of archives by Director.

9.—(1) The Director may dispose of archives in his custody if—

(*a*) in his opinion, they do not warrant preservation by the National Archives or the preservation by the National Archives of copies of them will suffice, and

(*b*) the Council concurs, and

(*c*) the appropriate member of the Government or any other body or person responsible for the transfer to or the deposit with the National Archives of such archives consents to such disposal.

(2) Archives the disposal of which is authorised under *subsection (1)* shall either—

(*a*) be destroyed in such a manner as to ensure that their confidentiality is not affected and that their contents are not ascertainable, or

(*b*) be transferred, with the consent of the Council and the appropriate member of the Government or other body or person responsible for their transfer to or deposit with the National Archives, to another archival institution or other appropriate body, to be preserved there in accordance with such conditions as may be specified in writing by the Director.

(3) Notwithstanding *subsection (1)*, records of the Supreme Court shall not be disposed of without the consent of the Chief Justice, and records of the High Court shall not be disposed of without the consent of the President of the High Court.

Right to inspect archives.

10.—(1) All archives in the custody of the National Archives or held elsewhere in accordance with this Act shall, subject to such regulations as the Taoiseach may from time to time make, be available for public inspection, except—

(*a*) archives which were formerly F9**[**Departmental records (other than court or testamentary documents) which are not relevant records**]**,

(*b*) archives which were formerly Departmental records and in respect of which a certificate has been granted in accordance with *section 8(4)*.

(2) Where archives have been acquired by the National Archives subject to conditions restricting or limiting their availability for public inspection, such conditions shall be duly complied with.

(3) The provisions of *section 8* shall apply to archives which were formerly Departmental records and which are held in the Public Record Office of Ireland or the State Paper Office at the commencement of this section or are transferred to the National Archives in accordance with the provisions of *section 8(7)*.

(4) Nothing in this section shall limit the right of inspection of any record which the public had—

(*a*) before the commencement of this Act, or

(*b*) before the transfer of such record to the National Archives.

(5) F9**[**Archives which were formerly Departmental records and which have not been available for public inspection—

(*a*) in the case of Departmental records—

(i) referred to in *section 2A(1)(a)* (inserted by section 3 of the National Archives (Amendment) Act 2018), for more than 30 years, or

(ii) referred to in *section 2A(1)(b)* (inserted by section 3 of the National Archives (Amendment) Act 2018), for more than 20 years,

or

(*b*) in the case of Departmental records referred to in *section 2A(2)* (inserted by section 3 of the National Archives (Amendment) Act 2018), for more than 20 years,

shall be reviewed**]** by an officer of the Department of State concerned authorised for that purpose at least once in every subsequent period of five years with a view to deciding whether or not they should be available for public inspection and shall be dealt with accordingly.

(6) F10**[**...**]**

(7) Nothing in this section shall be construed as granting any right to inspect archives (or portions of them) which the Director considers to be in danger of damage through inspection by the public, but the Director shall, in any such case, make copies available for inspection if that is possible.

Right to direct that certain records be made available for public inspection.

11.—Notwithstanding the provisions of *sections 8(2), 8(4), 8(6), 10(1)(b)* and *10(5)*, the Taoiseach may direct that F11**[**relevant records which continue**]** to be retained in a Department or, if transferred to the National Archives, continue to be withheld from public inspection, be transferred to the National Archives to be made available for public inspection or, if already with the National Archives, be made available for public inspection.

Authenticity of records after transfer to National Archives.

12.—The removal of any Departmental records or other records or archives under this Act to the custody of the National Archives or elsewhere shall not affect the authenticity of such records or archives, but any such records or archives so removed shall be taken to be in their proper place of deposit and shall be of the same force and effect in any court or proceedings in the same manner as if they had not been so removed.

Certain records to be Departmental records, etc.

13.—(1)The Taoiseach, at the request of a public service organisation, may declare the records or documents (or a particular class of such records or documents specified in the declaration) of that organisation to be Departmental records for the purpose of this Act.

(2) F12**[**...**]**

Deposit of certain Departmental records.

14.—The deposit of specified Departmental records in any place that may from time to time be approved by the Taoiseach after consultation with the Director shall constitute a transfer to the National Archives for the purposes of this Act.

Recovery of private documents.

15.—Nothing in this Act shall affect any rights of a person claiming to be the owner of a document to recover the document.

Seal of National Archives.

16.—(1) The Taoiseach shall approve a seal of the National Archives, which shall be authenticated in accordance with regulations under *section 19*.

(2) Copies of archives in the custody of the National Archives (or of portions of such archives) shall be authenticated in accordance with regulations made under *section 19*.

(3) Judicial notice shall be taken of the seal of the National Archives or other means of authentication, and every document purporting to be duly stamped with the seal

of the National Archives or to be authenticated in accordance with regulations under *section 19* shall be received in evidence in any court of law and by any duly constituted tribunal and by either House of the Oireachtas (or committee of either such House) and shall be deemed to be a duly authenticated copy of the original unless the contrary is shown.

Copyright and reproduction of archives.

17.—(1) The making or supplying of reproductions by or under the direction of the Director of archives which are in the custody of the National Archives or held elsewhere in accordance with this Act and are open to public inspection shall not infringe the copyright of such archives.

(2) In the case of archives other than archives which were formerly Departmental records, *subsection (1)* shall have effect subject to any terms or conditions under which such archives were obtained.

(3) A person shall not publish or reproduce the whole or any part of any archives in the custody of the National Archives or held elsewhere in accordance with this Act without the written consent of the Director.

(4) A person who contravenes *subsection (3)* shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £800.

Removal of archives, etc.

18.—(1) Except as provided by law—

(*a*) a person shall not remove archives from the National Archives;

(*b*) a person shall not remove from the Irish Land Commission records transferred thereto under the Irish Church Act Amendment Act, 1881;

(*c*) a person shall not remove archives, which at the commencement of *section 23* are held elsewhere than in the Public Record Office of Ireland under an Act mentioned in *subsection (1)* of that section, from the place in which they are so held at such commencement.

(2) A person who contravenes *subsection (1)* or who conceals or damages archives or who, without the consent of the Director, removes or destroys such archives shall be guilty of an offence and shall be liable—

(*a*) on summary conviction, to a fine not exceeding £800 or, at the discretion of the court, to imprisonment for a term not exceeding 12 months, or to both, or

(*b*) on conviction on indictment, to a fine not exceeding £10,000 or, at the discretion of the court, to imprisonment for a term not exceeding 2 years, or to both.

Regulations, etc.

19.—(1)The Taoiseach, after consultation with the Director, may from time to time make regulations in relation to all or any of the following matters:

(*a*) the management and work of, and the services to be provided by, the National Archives,

(*b*) the transfer of Departmental records to the National Archives,

(*c*) the disposal in accordance with this Act of archives and Departmental records,

(*d*) the admission of persons to inspect archives and to use any facilities provided by the National Archives,

(*e*) the reproduction and publication of archives and extracts from them,

(*f*) the authentication of copies of and extracts from archives,

(*g*) any other matter necessary to give effect to this Act.

(2) The Taoiseach may from time to time by regulations, made with the consent of the Minister for Finance, fix the amount and manner of payment of fees for services rendered, and for the use of facilities provided, by the National Archives, and may authorise the remission of fees in relation to such class or classes of services as may be specified in the regulations.

(3) The Minister for the Public Service, after consultation with the Director, may make regulations—

(*a*) for the proper management and preservation of Departmental records in the custody or care of a Department of State, and

(*b*) fixing standards in relation to the copying of such records by photographic, micro-photographic and other processes, and providing for the authentication and preservation of such copies with a view to the disposal of the originals of such copies.

(4) For the purpose of their disposal, originals of records copied in accordance with regulations under *subsection (3)* may be destroyed on the written authorisation of the Director and the disposal of such records shall be carried out in a manner which ensures that their confidentiality is not affected and that their contents are not ascertainable.

(5) Every regulation made under *subsection (1)* or *(3)* shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next subsequent 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

National Archives Advisory Council.

20.—(1) The Taoiseach shall establish a Council, to be known as the National Archives Advisory Council (and referred to in this Act as "the Council"), to advise him in the exercise of his powers under this Act, and on all matters affecting archives and their use by the public, and to discharge the other functions conferred on it by this Act.

(2) The Council shall consist of a chairman and not more than eleven other members, appointed by the Taoiseach on such terms and conditions as shall be determined by him, after consultation with the Minister for the Public Service.

(3) (*a*) The members of the Council shall include not less than two members of the Irish Manuscripts Commission and not less than two archivists not employed by the National Archives.

(*b*) The Director shall be entitled to attend meetings of the Council.

(4) The Taoiseach may at any time terminate the appointment of the chairman or any other member of the Council.

Annual Reports.

21.—(1) The Director shall submit to the Taoiseach an annual report on the work of the National Archives.

(2) The Council shall submit to the Taoiseach an annual report on the activities of the Council.

(3) The Taoiseach shall cause copies of the annual reports referred to in *subsections (1)* and *(2)* to be laid before each House of the Oireachtas.

Construction of certain references.

22.—Any reference, whether express or implied, in any other enactment to the Deputy Keeper of the Records or the person known as the Keeper of the State Papers, or to the Public Record Office of Ireland or the office known as the State Paper Office, shall be construed (unless the context otherwise requires) as a reference to the Director or to the National Archives, as the case may require.

Repeals, etc.

23.—(1) The following are hereby repealed—

(*a*) The Public Records (Ireland) Act, 1867,

(*b*) The Public Records (Ireland) Act, 1867, Amendment Act, 1875,

(*c*) The Parochial Records Act, 1876.

(2) (*a*) Notwithstanding *subsection (1)* all archives which were formerly public records held at the commencement of this section elsewhere than in the Public Record Office of Ireland under an Act mentioned in that subsection shall remain in the custody in which they are at such commencement: provided that the Taoiseach, after consultation with the Director—

(i) may make regulations relating to the manner in which such archives are to be kept and for their proper custody and

(ii) where he considers it necessary for the preservation of all or any of such archives may, by order, provide for the transfer of such archives to the National Archives or, with the consent of the Council, to another archival institution or other appropriate body.

(*b*) The Taoiseach, after consultation with the Director, may by order amend or revoke an order under this section.

Saver for certain records loaned, etc.

24.—Nothing in this Act shall affect the ownership of records loaned to or temporarily deposited in the Public Record Office of Ireland or elsewhere before the commencement of this section.

Expenses.

25.—The expenses incurred in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Short title and commencement.

26.—(1) This Act may be cited as the National Archives Act, 1986.

(2) This Act shall come into operation on such day or days as may be fixed by order or orders of the Taoiseach, either generally or with reference to a particular purpose or provision, and different days may be so fixed for different purposes and different provisions of this Act.

Section 1 (2)

SCHEDULE

Office of the Secretary to the President

Central Statistics Office

National Archives Advisory Council

National Archives

National Museum of Ireland (including Natural History Museum)

Office of the Attorney General (including the Parliamentary Draftsman's Office, the Statute Law Reform and Consolidation Office and the Chief State Solicitor's Office)

Office of the Director of Public Prosecutions

Office of the Comptroller and Auditor General

Office of the Paymaster General

National Savings Committee

Revenue Commissioners

Office of Appeal Commissioners of Income Tax

Commissioners of Public Works

State Laboratory

Ordnance Survey

Commissioner of Valuation and Chief Boundary Surveyor

Stationery Office

Review Body on Higher Remuneration in the Public Sector

Public Service Advisory Council

Civil Service Arbitration Boards

F14**[**Commission for Public Service Appointments**]**

F14**[**Public Appointments Service**]**

An Garda Síochána

Land Registry

Registry of Deeds

Offices or institutions to which the Prisons Acts, 1826 to 1980, apply and St. Patrick's Institution

Office of the Film Censor

Censorship of Films Appeal Board

Censorship of Publications Board

Censorship of Publications Appeal Board

Criminal Injuries Compensation Tribunal

Commissioners of Charitable Donations and Bequests

The Water Pollution Advisory Council

The Rent Tribunal

National Manpower Service

The Labour Court

Rights Commissioners

The Employment Appeals Tribunal

The Levy Appeals Tribunal

Companies Registration Office

Patents Office

Registry of Friendly Societies

Restrictive Practices Commission

Office of the Examiner of Restrictive Practices

National Prices Commission

F15**[**National Consumer Agency**]**

Registry of Building Societies

National Consumer Advisory Council

Motor Insurance Advisory Board

An Coimisiún Dumpála

Land Commission

Office of Controller of Plant Breeders Rights

Judicial Commissioner of Land Commission

Appeal Tribunal of Land Commission

Public Trustee of Land Commission

National Library (including the Genealogical Office)

Geological Survey of Ireland

The Defence Forces

Army Pensions Board

General Register Office

F16**[**An Bord Pleanála**]**

F17**[**Adoption Authority of Ireland**]**

F18**[**The Courts Service**]**

F19**[**An Ghníomhaireacht um Fhoréigean Baile, Gnéasach agus Inscnebhunaithe**]**

F20**[**Fiosrú - Oifig an Ombudsman Póilíneachta

An Oifig Náisiúnta um Shábháilteacht Pobail

Independent Examiner of Security Legislation

An tÚdarás Póilíneachta agus Sábháilteachta Pobail**]**

F21**[**Gambling Regulatory Authority of Ireland, the Appeals Panel, an appeals officer or an adjudication officer (each within the meaning of the Gambling Regulation Act 2024)**]**

Number 11 *of* 1986

NATIONAL ARCHIVES ACT 1986

REVISED

Updated to 1 December 2025

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

This Act is not collectively cited with any other Act.

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available. A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.