



New South Wales

Library Amendment Bill 2011

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Library Act 1939* to enable 2 or more local councils to enter into arrangements for the provision, control and management of libraries and library services in any of the areas of the councils.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Library Act 1939 No 40

Currently, the *Library Act 1939* provides that 2 or more local councils may enter into an agreement under which one of the councils undertakes the function of providing, controlling and managing a library, library services or information services in the area or areas of the other local council or councils. Similar agreements can also be entered into under which a local council's library-related functions are exercised for

or on behalf of that council by another local council. **Schedule 1 [4]** provides that local councils will be able to enter into alternative arrangements for the provision, control and management of a library, library service or information service in the area of any local council that is a party to the arrangement. Such an arrangement cannot be entered into without the approval of the Minister for the Arts, who must have the agreement of the Minister for Local Government.

Schedule 1 [1]–[3] are consequential amendments.

First print



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New South Wales

Library Amendment Bill 2011

No. , 2011

A Bill for

An Act to amend the *Library Act 1939* to authorise local councils to enter into arrangements for the provision, control and management of libraries and library services.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Library Amendment Act 2011</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5

Schedule 1	Amendment of Library Act 1939 No 40	1
[1]	Section 2 Definitions	2
	Insert “or 12A” after “section 12” in the definition of <i>Local library</i> in section 2 (1).	3 4
[2]	Section 5 Duties of Council	5
	Insert “or other arrangement” after “an agreement” wherever occurring in section 5 (1) (a) and (b).	6 7
[3]	Section 10 Requirements as to services to be provided by local libraries	8
	Omit “the provision, control and management by it of any local library” from section 10 (1).	9 10
	Insert instead “any local library that is provided, controlled or managed by the local authority (either directly or under an agreement or other arrangement to which it is a party)”.	11 12 13
[4]	Section 12A	14
	Insert after section 12:	15
12A	Other arrangements relating to local libraries	16
	(1) Without limiting section 12, 2 or more local authorities may, with the approval of the Minister, enter into an arrangement for the provision, control and management of any library, library service or information service in the area of any local authority that is a party to the arrangement.	17 18 19 20 21
	(2) The Minister is not to approve such an arrangement without the agreement of the Minister for Local Government.	22 23