



New South Wales

Library Amendment Bill 2026

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* as follows—

- (a) to provide that a local library is free to collect and make available library material,
- (b) to enable the governing body of a library to make rules about the use of the library and the library's services.

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.

Schedule 1 Amendment of Library Act 1939 No 40

Schedule 1[1] inserts a requirement that local libraries must be free to collect and make available library material. The requirement must be complied with and observed by local authorities in relation to their local libraries.

Schedule 1[2] makes it clear that a local authority determination about a limitation, restriction or condition on the availability of an item of library material or class of library material must be consistent with the proposed requirement that local libraries must be free to collect and make available library material.

Schedule 1[4] provides that the governing body of a library may make rules for the library relating to the use of the library and the library services and information services it provides, controls or

manages. The rules may cover the same matters currently specified in the *Library Act 1939*, section 15(2)(e)–(g), (j), (l) and (n). **Schedule 1[3]** makes a consequential amendment to provide that the regulations may provide for the exclusion or removal from a library of persons contravening the library’s rules.



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This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Library Amendment Bill 2026

No. _____, 2026

A Bill for

An Act to amend the *Library Act 1939* to provide that a local library is free to collect and make available library material and that the governing body of a library may make rules about the use of the library and the library's services; and for related purposes.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

Tabling copy

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Library Amendment Act 2026</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 10 Requirements as to services to be provided by local libraries	2
	Insert after section 10(1)(f)—	3
	(g) Freedom to collect and make available library material	4
	A local library is free to collect and make available library material.	5
[2]	Section 10A Restrictions on borrowing entitlements and other matters	6
	Insert “and that a local library is free to collect and make available library material” after “free of charge” in section 10A(3)(a).	7 8
[3]	Section 15 Regulations	9
	Insert “or contravening the rules for the library” after “regulations” in section 15(2)(g).	10
[4]	Section 16	11
	Insert after section 15—	12
	16 Rules	13
	(1) The governing body of a library may make rules, not inconsistent with this Act or the regulations, for the library relating to the use of the library and the library services and information services it provides, controls or manages, including about matters specified in section 15(2)(e)–(g), (j), (l) and (n).	14 15 16 17
	(2) The rules—	18
	(a) must be published on the governing body’s website, and	19
	(b) take effect on the date of publication or a later date specified in the rules.	20
	(3) In this section—	21
	<i>governing body</i> means—	22
	(a) for the State Library—the Council, or	23
	(b) for a local library—the local authority providing, controlling or managing the library, either directly or under an agreement or other arrangement to which the local authority is a party.	24 25 26