



New South Wales

# Library Amendment (Arrangements for Mutual Provision of Library Services) Bill 2010

## Explanatory note

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

## Overview of Bill

Section 12 of the *Library Act 1939* currently enables 2 or more local authorities (ie councils established under the *Local Government Act 1993*) to enter into an agreement under which one of the local authorities undertakes the function of providing, controlling and managing libraries and library services in the area or areas of the other local authority or authorities concerned. The section also enables local authorities to enter into a similar agreement under which a local authority's library related functions are exercised for or on behalf of that authority by another local authority.

The object of this Bill is to amend the *Library Act 1939* to enable 2 or more local authorities to enter into alternative arrangements for the provision, control and management of libraries and library services in any of their respective local government areas. Instead of agreeing that one of the local authorities undertakes the function of providing, controlling and managing a particular library, local authorities will, subject to the approval of the Library Council, be able to enter into any arrangement for the provision, control and management of a library and library services in the area of any local authority that is a party to an approved arrangement.

## 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**

**Schedule 1** amends the *Library Act 1939* for the purposes described in the above Overview.

Introduced by the Hon C E Cusack, MLC

First print



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New South Wales

# Library Amendment (Arrangements for Mutual Provision of Library Services) Bill 2010

No. , 2010

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## 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.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Library Amendment (Arrangements for Mutual Provision of Library Services) Act 2010</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6

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<b>Schedule 1</b>	<b>Amendment of Library Act 1939 No 40</b>	1
<b>[1]</b>	<b>Section 2 Definitions</b>	2
	Insert “or 12A” after “section 12” in the definition of <i>local library</i> .	3
<b>[2]</b>	<b>Section 5 Duties of Council</b>	4
	Insert “or other arrangement” after “an agreement” wherever occurring in section 5 (1) (a) and (b).	5 6
<b>[3]</b>	<b>Section 10 Requirements as to services to be provided by local libraries</b>	7
	Omit “the provision, control and management by it of any local library” from section 10 (1).	8 9
	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)”.	10 11 12
<b>[4]</b>	<b>Section 12A</b>	13
	Insert after section 12:	14
	<b>12A Other arrangements relating to local libraries</b>	15
	Without limiting section 12, 2 or more local authorities may, with the approval of the Council, enter into any 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.	16 17 18 19 20