

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

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 26 November, 1970.*

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. , 1970.

An Act relating to the borrowing of books from libraries provided, controlled and managed by councils which have adopted the Library Act, 1939; for this purpose to amend that Act; and for purposes connected therewith.

BE

Library (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Library (Amendment) Act, 1970". Short title.

2. The Library Act, 1939, is amended—

Amendment
of Act No.
40, 1939.

10 (a) by omitting from paragraph (c) of subsection one of section ten the words "Any person" and by inserting in lieu thereof the words "Subject to paragraph (b) of this subsection, any person"; Sec. 10.
(Requirements relating to libraries.)

15 (b) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections :—

(2) Nothing in subsection one of this section shall preclude a council from determining—

20 (a) the maximum number of books or the maximum number of books of a particular class of books which a person may at any one time borrow from the library for use upon or away from the premises of the library; or

25 (b) the limitations, restrictions and conditions subject to which any particular book or class of books shall be available for use upon or away from the premises of the library.

(2A)

Library (Amendment).

(2A) Notwithstanding anything in subsection two of this section—

- 5 (a) no determinations under that subsection shall be made which require, or shall have the effect of requiring, the payment of charges by persons borrowing books which they are authorised to borrow under paragraph (a) or (b) of subsection one of this section without charge; and
- 10 (b) no determinations under that subsection, in so far as they are applicable in respect of any one or more books classified as being of literary, informative or educational value (as referred to in paragraph (b) of subsection one of this section), shall be made, or have effect, so as to differ in their operation (except as regards the payment of the charge referred to in subparagraph (ii) of this paragraph) as between—
- 15 (i) persons who may borrow such one or more books under paragraph (b) of subsection one of this section without charge; and
- 20 (ii) persons who may borrow such one or more books under paragraph (c) of that subsection upon payment of a charge.
- 25

30 (2B) Notwithstanding anything in this section, no person is entitled to borrow from a library for use by him away from the premises of the library any book of the library classified by the librarian of the library as a reference book.

BY AUTHORITY:

No. , 1970.

A BILL

Relating to the borrowing of books from libraries provided, controlled and managed by councils which have adopted the Library Act, 1939; for this purpose to amend that Act; and for purposes connected therewith.

[MR CUTLER—11 *November*, 1970.]

BE

Library (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Library (Amendment) Act, 1970". Short title.

2. The Library Act, 1939, is amended—

Amendment
of Act No.
40, 1939.

10 (a) by omitting from paragraph (c) of subsection one of section ten the words "Any person" and by inserting in lieu thereof the words "Subject to paragraph (b) of this subsection, any person"; Sec. 10.
(Require-
ments
relating to
libraries.)

15 (b) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections :—

(2) Nothing in subsection one of this section shall preclude a council from determining—

20 (a) the maximum number of books or the maximum number of books of a particular class of books which a person may at any one time borrow from the library for use upon or away from the premises of the library; or

25 (b) the limitations, restrictions and conditions subject to which any particular book or class of books shall be available for use upon or away from the premises of the library.

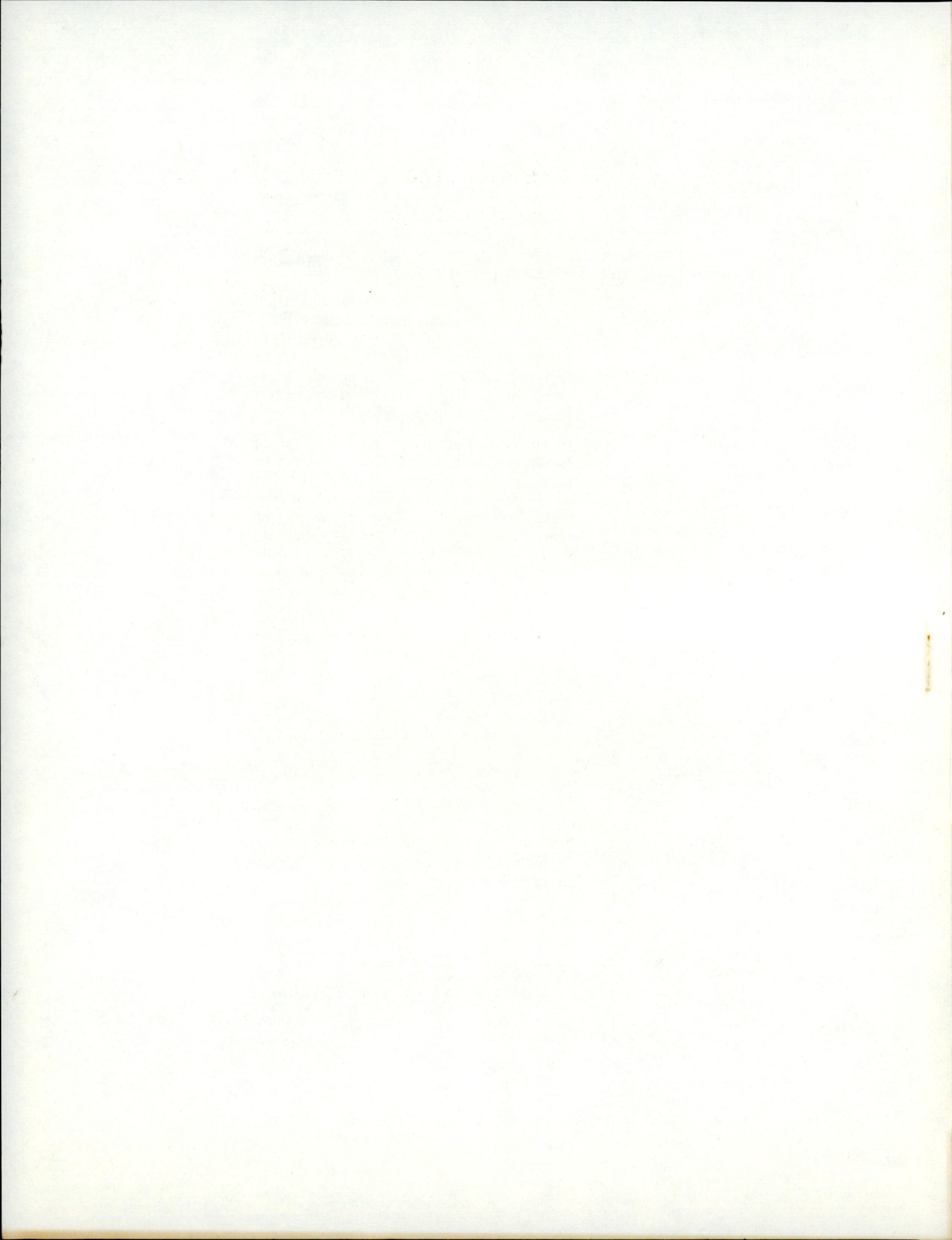
Library (Amendment).

(2A) Notwithstanding anything in subsection two of this section—

- 5 (a) no determinations under that subsection shall be made which require, or shall have the effect of requiring, the payment of charges by persons borrowing books which they are authorised to borrow under paragraph (a) or (b) of subsection one of this section without charge; and
- 10 (b) no determinations under that subsection, in so far as they are applicable in respect of any one or more books classified as being of literary, informative or educational value (as referred to in paragraph (b) of subsection one of this section), shall be made, or have effect, so as to differ in their operation (except as regards the payment of the charge referred to in subparagraph (ii) of this paragraph) as between—
- 20 (i) persons who may borrow such one or more books under paragraph (b) of subsection one of this section without charge; and
- 25 (ii) persons who may borrow such one or more books under paragraph (c) of that subsection upon payment of a charge.

30 (2B) Notwithstanding anything in this section, no person is entitled to borrow from a library for use by him away from the premises of the library any book of the library classified by the librarian of the library as a reference book.

BY AUTHORITY:



LIBRARY (AMENDMENT) BILL, 1970

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to provide that the determinations of a council relating to the borrowing of books from a library which it provides, controls and manages under the Library Act, 1939, shall not require the payment of a charge by any person who by subsection one of section ten of that Act is entitled to borrow a book without charge;
- (b) to prevent the determinations referred to in paragraph (a) hereof from operating differently as between—
 - (i) persons who are entitled to borrow, for use away from the premises of the library, books of literary, informative or educational value without charge; and
 - (ii) persons who may borrow those books upon payment of a charge;
- (c) to provide that a reference book may not be borrowed for use away from the premises of such a library; and
- (d) to make other amendments to the Library Act, 1939, of a consequential or ancillary character.

No. , 1970.

A BILL

Relating to the borrowing of books from libraries provided, controlled and managed by councils which have adopted the Library Act, 1939; for this purpose to amend that Act; and for purposes connected therewith.

[MR CUTLER—11 November, 1970.]

BE

Library (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by
and with the advice and consent of the Legislative
Council and Legislative Assembly of New South Wales in
Parliament assembled, and by the authority of the same, as
5 follows :—

1. This Act may be cited as the "Library (Amendment) Short title.
Act, 1970".

2. The Library Act, 1939, is amended—

Amendment
of Act No.
40, 1939.

10 (a) by omitting from paragraph (c) of subsection one of section ten the words "Any person" and by inserting in lieu thereof the words "Subject to paragraph (b) of this subsection, any person";

Sec. 10.
(Require-
ments
relating to
libraries.)

15 (b) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections :—

(2) Nothing in subsection one of this section shall preclude a council from determining—

20 (a) the maximum number of books or the maximum number of books of a particular class of books which a person may at any one time borrow from the library for use upon or away from the premises of the library;
or

25 (b) the limitations, restrictions and conditions subject to which any particular book or class of books shall be available for use upon or away from the premises of the library.

(2A)

Library (Amendment).

(2A) Notwithstanding anything in subsection two of this section—

- 5 (a) no determinations under that subsection shall be made which require, or shall have the effect of requiring, the payment of charges by persons borrowing books which they are authorised to borrow under paragraph (a) or (b) of subsection one of this section without charge; and
- 10 (b) no determinations under that subsection, in so far as they are applicable in respect of any one or more books classified as being of literary, informative or educational value (as referred to in paragraph (b) of subsection one of this section), shall be made, or have effect, so as to differ in their operation (except as regards the payment of the charge referred to in subparagraph (ii) of this paragraph) as between—
- 20 (i) persons who may borrow such one or more books under paragraph (b) of subsection one of this section without charge; and
- 25 (ii) persons who may borrow such one or more books under paragraph (c) of that subsection upon payment of a charge.

30 (2B) Notwithstanding anything in this section, no person is entitled to borrow from a library for use by him away from the premises of the library any book of the library classified by the librarian of the library as a reference book.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970

Library (insertion of)

the following provisions shall be substituted in section 10 of the Library Act, 1967—

(1) A library shall be established and maintained by the Government or a local authority or any other person or body of persons.

(2) A library shall be established and maintained for the benefit of the community.

(3) A library shall be established and maintained in accordance with the provisions of this Act.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 26 November, 1970.*

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. 86, 1970.

An Act relating to the borrowing of books from libraries provided, controlled and managed by councils which have adopted the Library Act, 1939; for this purpose to amend that Act; and for purposes connected therewith. [Assented to, 9th December 1970.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Library (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Library (Amendment) Act, 1970".

Amendment of Act No. 40, 1939. **2.** The Library Act, 1939, is amended—

Sec. 10.
(Requirements relating to libraries.)

(a) by omitting from paragraph (c) of subsection one of section ten the words "Any person" and by inserting in lieu thereof the words "Subject to paragraph (b) of this subsection, any person";

(b) by omitting subsection two of the same section and by inserting in lieu thereof the following subsections:—

(2) Nothing in subsection one of this section shall preclude a council from determining—

(a) the maximum number of books or the maximum number of books of a particular class of books which a person may at any one time borrow from the library for use upon or away from the premises of the library; or

(b) the limitations, restrictions and conditions subject to which any particular book or class of books shall be available for use upon or away from the premises of the library.

(2A)

Library (Amendment).

(2A) Notwithstanding anything in subsection two of this section—

- (a) no determinations under that subsection shall be made which require, or shall have the effect of requiring, the payment of charges by persons borrowing books which they are authorised to borrow under paragraph (a) or (b) of subsection one of this section without charge; and
- (b) no determinations under that subsection, in so far as they are applicable in respect of any one or more books classified as being of literary, informative or educational value (as referred to in paragraph (b) of subsection one of this section), shall be made, or have effect, so as to differ in their operation (except as regards the payment of the charge referred to in subparagraph (ii) of this paragraph) as between—
 - (i) persons who may borrow such one or more books under paragraph (b) of subsection one of this section without charge; and
 - (ii) persons who may borrow such one or more books under paragraph (c) of that subsection upon payment of a charge.

(2B) Notwithstanding anything in this section, no person is entitled to borrow from a library for use by him away from the premises of the library any book of the library classified by the librarian of the library as a reference book.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 9th December, 1970.*

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