

Authorised Version No. 053

Libraries Act 1988

No. 80 of 1988

Authorised Version incorporating amendments as at
15 December 2017

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The Parliament of Victoria enacts as follows:

Part 1—Preliminary

1 Purposes

The purposes of this Act are to establish a Library Board of Victoria, to make provision for the co-ordination and organisation of libraries and to make provision for land subject to library purposes trusts.

S. 1
amended by
No. 61/1996
s. 4(1)(2).

2 Commencement

This Act comes into operation on a day to be proclaimed.

3 Definitions

(1) In this Act—

S. 3
amended by
No. 85/2006
s. 173(Sch. 1
item 4.2) (ILA
s. 39B(1)).

* * * * *

S. 3 def. of
bank
repealed by
No. 11/2001
s. 3(Sch.
item 41.1(b)).

authorised deposit-taking institution has the same meaning as in the Banking Act 1959 of the Commonwealth;

S. 3 def. of
*authorised
deposit-taking
institution*
inserted by
No. 11/2001
s. 3(Sch.
item 41.1(a)).

S. 3 def. of
Board
repealed by
No. 61/1996
s. 5(1),
new def. of
Board
inserted by
No. 61/1996
s. 5(2)(a).

Board means the Library Board of Victoria
constituted under section 16;

S. 3 def of
*Chief
Executive
Officer*
inserted by
No. 61/1996
s. 5(3)(b).

Chief Executive Officer (except in section 43)
means the Chief Executive Officer of the
Library Board of Victoria appointed under
section 29;

S. 3 def. of
Council
repealed by
No. 61/1996
s. 5(2)(b).

* * * * *

S. 3 def. of
Director
repealed by
No. 61/1996
s. 5(3)(a).

* * * * *

S. 3(1) def. of
*film friendly
principles*
inserted by
No. 51/2014
s. 9(Sch. 2
item 7.1).

film friendly principles has the same meaning as
in the **Filming Approval Act 2014**;

S. 3(1) def. of
film permit
inserted by
No. 51/2014
s. 9(Sch. 2
item 7.1).

film permit has the same meaning as in the
Filming Approval Act 2014;

information organisation means a person who
provides a prescribed information service or
a service included in a prescribed class of
information services;

library land means land granted by the Crown to trustees for library purposes, whether—

- (a) the trustees hold the land as trustees for, or as the governing body of, or otherwise on behalf of, an unincorporated association; or
- (b) the trust is created by Crown grant, deed, will or any other instrument whatever—

and in sections 37 to 41 includes land held by trustees for library purposes otherwise than by grant from the Crown;

library material includes books, periodicals, newspapers, pamphlets, manuscripts, films, sound recordings, musical scores, maps, charts, plans, pictures, photographs, prints and other recorded material, whether in writing or in some other form, and whether stored on tape, microfilm, microfiche, disc or any other method of information storage;

library purposes means the purposes of—

- (a) a free library, reading room, mechanics' institute or trades' hall; or
- (b) a body corporate the objects or purposes of which include the establishment or conduct of a free library, reading room, mechanics' institute or trades' hall; or
- (c) the members for the time being of an unincorporated body formed to establish or conduct a free library, reading room, mechanics' institute or trades' hall;

S. 3 def. of
*metropolitan
area*
substituted by
No. 85/2006
s. 173(Sch. 1
item 4.1).

metropolitan area means—

- (a) *metropolitan area* within the meaning of section 201 of the **Melbourne and Metropolitan Board of Works Act 1958** (as in force immediately before its repeal); or
- (b) any area declared by the Governor in Council under subsection (2) to be the metropolitan area;

publication includes the whole or any part of—

- (a) any printed book, periodical, newspaper, pamphlet, musical score, map, chart, plan, picture, photograph, print and any other printed matter; and
- (b) any film (including a microfilm and a microfiche), negative, tape, disc, sound track and any other device in which one or more visual images, sounds or other data are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced from it;

trustees—

- (a) in relation to library land for which there is a committee of management, means the trustees for the time being acting on the recommendation of that committee; and
- (b) in relation to library land for which there is no committee of management, means the trustees for the time being of the trust on which the library land is held.

- (2) The Governor in Council may, by Order published in the Government Gazette, declare an area to be the metropolitan area for the purposes of this section. **S. 3(2) inserted by No. 85/2006 s. 173(Sch. 1 item 4.2).**
- (3) An Order made under subsection (2) may apply, adopt or incorporate any matter contained in any document formulated, issued, prescribed or published by any person, whether—
- (a) wholly or partially or as amended by order or other instrument; or
 - (b) as formulated, issued, prescribed or published at the time the order is made or at any time before then.
- (4) Subsection (3) does not apply to the incorporation of a map or plan of an area of land unless the map or plan is lodged in the Central Plan Office. **S. 3(4) inserted by No. 85/2006 s. 173(Sch. 1 item 4.2), amended by No. 53/2017 s. 81.**

4 State collection

The State collection comprises—

- (a) all library material vested in the Board; and **S. 4(a) amended by No. 61/1996 s. 6(a).**
- (b) all publications deposited with the Board under section 49 and accepted for the State collection; and **S. 4(b) amended by No. 61/1996 s. 6(a).**
- (c) all library material acquired and accepted for the State collection by the Board; and **S. 4(c) amended by No. 61/1996 s. 6(a).**
- (d) all donations, gifts, dispositions and trusts of property real or personal, other than money, lawfully made or declared whether before or **S. 4(d) amended by No. 61/1996 s. 6(b).**

after the commencement of this Act by deed, will or otherwise to or in favour of the trustees of the Public Library or of the State Library or of the Library Council of Victoria or of the Council of the State Library of Victoria or for the uses or purposes of those persons or bodies and accepted for the State collection.

New s. 5
inserted by
No. 51/2014
s. 9(Sch. 2
item 7.2).

5 Filming Approval Act 2014

This Act is filming approval legislation within the meaning of the **Filming Approval Act 2014**.

Pt 2
(Heading and
ss 5–15)
amended by
Nos 29/1994
ss 65(1)(a)(b),
66(1), 67(1)(2),
68(1), 42/1995
s. 224(Sch. 2
item 22.1
(a)–(c)),
repealed by
No. 61/1996
s. 7.

* * * * *

Part 3—Library Board of Victoria

Pt 3
(Heading)
substituted by
No. 61/1996
s. 8.

16 Establishment of the Board

- (1) There is established a Board called the Library Board of Victoria.
- (2) The Board—
- (a) is a body corporate with perpetual succession; and
 - (b) has an official seal; and
 - (c) may sue and be sued in its corporate name; and
 - (d) is capable of acquiring, holding, dealing with or disposing of property for the purpose of performing its functions and exercising its powers; and
 - (e) is capable of doing and suffering anything that a body corporate may by law do and suffer, and that is necessary or expedient for performing its functions and exercising its powers.
- (3) The official seal must be kept as directed by the Board and must only be used as authorised by the Board.
- (4) All courts must take judicial notice of the imprint of the official seal on a document and, until the contrary is proved, must presume that the document was properly sealed.

S. 16(1)
amended by
No. 61/1996
s. 9(a).

S. 16(2)
amended by
No. 61/1996
s. 9(b).

S. 16(3)
amended by
No. 61/1996
s. 9(c).

* * * * *

S. 17
repealed by
No. 61/1996
s. 10.

18 Functions

S. 18
amended by
No. 61/1996
s. 11(1)(a)(b).

(1) The functions of the Board are to do all things necessary to carry out its objectives and, without limiting the generality of its functions—

S. 18(1)(b)
amended by
No. 61/1996
s. 11(1)(b).

(a) to ensure the maintenance, preservation and development of a State collection of library material including a comprehensive collection of library material relating to Victoria and the people of Victoria; and

S. 18(1)(c)
amended by
No. 61/1996
s. 11(1)(b).

(b) to ensure that library material in the State collection is available to such persons and institutions, and in such manner and subject to such conditions as the Board determines with a view to the most advantageous use of the State collection; and

(c) to ensure the availability of such other services and facilities in relation to library matters and library material (including bibliographical services) as the Board determines; and

S. 18(1)(e)
amended by
No. 29/1994
s. 66(2).

(d) to arrange the publication and sale of reproductions of any library material in the State collection; and

(e) to oversee the exhibition of material from the State collection for information, education and entertainment; and

S. 18(1)(ea)
inserted by
No. 61/1996
s. 11(1)(c).

(ea) to oversee co-operation in programs with libraries and information organisations to promote access to library and information services and resources; and

S. 18(1)(eb)
inserted by
No. 61/1996
s. 11(1)(c).

(eb) to exercise leadership and promote high standards in the provision of library and information services; and

- (ec) to provide advice and information to the Minister on any matter concerning libraries and information organisations; and
- (f) to perform any other functions appropriate to the Board as the Minister may approve.
- (2) In carrying out its functions, the Board must endeavour to contribute to the enrichment of the cultural, educational, social and economic life of the people of Victoria.

19 Powers

The Board has power to do all things necessary or convenient to be done for or in connection with the performance of its functions including but not limited to the power—

- (a) to enter into contracts, agreements or arrangements with any person or body of persons and do everything, including the payment of money, that is necessary or expedient for carrying the contracts, agreements or arrangements into effect; and
- (b) to accept real or personal property by purchase, gift, grant, devise or bequest, whether on trust or otherwise; and
- (c) to act as trustee of money, library material or other property vested in the Board upon trust.

20 Board to represent Crown

In performing its functions and exercising its powers under this Act the Board represents the Crown in the right of the State.

S. 21
amended by
No. 61/1996
s. 14(a)(b).

21 Board subject to control of Minister

In performing its functions and exercising its powers under this Act, the Board is subject to the direction and control of the Minister.

22 Members

S. 22(1)
amended by
Nos 29/1994
s. 65(2),
35/1996
s. 453(Sch. 1
item 50),
substituted by
No. 61/1996
s. 15(1).

- (1) The Board shall consist of not less than 7 and not more than 11 members appointed by the Governor in Council on the recommendation of the Minister, of whom at least half shall be persons who satisfy one or more of the following—
 - (a) hold senior academic office in Victoria in a discipline appropriate to the functions of the Board;
 - (b) in the opinion of the Minister, are experienced in business administration or finance or marketing;
 - (c) in the opinion of the Minister, are experienced in local government or libraries or information technology;
 - (d) in the opinion of the Minister, are distinguished in education, the humanities or any other field appropriate to the functions of the Board.

S. 22(2)
amended by
No. 61/1996
s. 15(2).

- (2) At least one member of the Board appointed under subsection (1) must be a person who resides outside the metropolitan area.

S. 22(3)
amended by
No. 29/1994
s. 65(2),
substituted by
No. 61/1996
s. 15(3).

- (3) The Governor in Council must appoint a member of the Board to be President.

S. 22(4)
repealed by
No. 61/1996
s. 15(3).

* * * * *

23 Terms and conditions of appointment

- | | |
|---|---|
| (1) A member of the Board holds office for the period, not exceeding 3 years, specified in the instrument of appointment and, subject to subsection (2), is eligible for re-appointment. | S. 23(1)
amended by
No. 61/1996
s. 16(1)(a). |
| (2) A person who has been a member of the Board for 9 consecutive years ceases to hold office and is not eligible for re-appointment unless—

(a) the person is, or immediately before the expiry of the ninth consecutive year the person was, the President; or

(b) a period of 3 years or more has elapsed since the person last was a member of the Board. | S. 23(2)
substituted by
No. 7/1992
s. 8,
amended by
No. 61/1996
s. 16(1)(b).

S. 23(2)(b)
amended by
No. 61/1996
s. 16(1)(b). |
| (3) The Governor in Council may at any time remove a member of the Board from office. | S. 23(3)
amended by
No. 61/1996
s. 16(1)(c). |
| * * * * * | S. 23(4)
repealed by
No. 42/1995
s. 224(Sch. 2
item 22.2(a)). |
| (5) The office of a member of the Board becomes vacant—

(a) if the member becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit; or

(b) if the member is wilfully absent from three consecutive meetings of the Board without the leave of the Board; | S. 23(5)
amended by
No. 61/1996
s. 16(1)(d)(i).

S. 23(5)(b)
amended by
Nos 42/1995
s. 224(Sch. 2
item 22.2(b)),
61/1996
s. 16(1)(d)(i)(ii). |

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S. 23(5)(c)
repealed by
No. 42/1995
s. 224(Sch. 2
item 22.2(c)).

* * * * *

(6) A member may resign his or her office in writing given to the Governor in Council.

S. 23(7)
substituted by
No. 61/1996
s. 16(2),
amended by
No. 46/1998
s. 7(Sch. 1),
substituted by
Nos 108/2004
s. 117(1)
(Sch. 3
item 114),
80/2006
s. 26(Sch.
item 60).

(7) The **Public Administration Act 2004** (other than Part 3 of that Act) applies to a member of the Board in respect of the office of member.

S. 23(8)
substituted by
No. 61/1996
s. 16(3).

(8) A member of the Board is entitled to be paid any remuneration or travelling or other allowances fixed for that member from time to time by the Governor in Council.

(9) A member is appointed subject to any other terms and conditions that are specified in the instrument of appointment.

S. 23(10)
inserted by
No. 29/1994
s. 69,
repealed by
No. 61/1996
s. 16(4).

* * * * *

S. 24
amended by
Nos 29/1994
s. 68(2),
61/1996 s. 17.

24 Membership of Board not office of profit

A member of the Board shall not be taken by reason of being a member to hold an office or place of profit under the Crown which would—

- (a) prevent the member sitting or voting as a member of the Legislative Council or Legislative Assembly; or

- (b) make void the member's election to the Legislative Council or Legislative Assembly; or
- (c) prevent the member continuing to be a member of the Legislative Council or Legislative Assembly; or
- (d) subject the member to liability to a penalty under the **Constitution Act 1975**.

25 Meetings of the Board

- | | |
|---|---|
| (1) The President or, in his or her absence, a member elected by the members present, must preside at a meeting of the Board. | S. 25(1)
substituted by
No. 61/1996
s. 18(1). |
| * * * * * | S. 25(2)
repealed by
No. 61/1996
s. 18(1). |
| (3) A majority of members in office at the time constitutes a quorum. | |
| (4) Subject to the presence of a quorum, the Board may act notwithstanding a vacancy in its membership. | S. 25(4)
amended by
No. 61/1996
s. 18(2). |
| (5) A question arising at a meeting of the Board is determined by a majority of votes of the members present and voting on the question and, if the votes are equal, the person presiding has a casting vote. | S. 25(5)
amended by
No. 61/1996
s. 18(2). |
| (6) The Board must meet on at least 6 occasions in each year at the times and places that are determined by the President or the Board. | S. 25(6)
amended by
Nos 29/1994
s. 70, 61/1996
s. 18(2)(3). |
| (7) An act or decision of the Board is not invalid by reason only of a defect or irregularity in or in connection with the appointment of a member of the Board. | S. 25(7)
amended by
No. 61/1996
s. 18(2). |

S. 25(8)
amended by
No. 61/1996
s. 18(2).

- (8) Subject to this Act, the Board may regulate its own procedure.

S. 25A
inserted by
No. 61/1996
s. 19.

25A Resolutions without meetings

- (1) If—
- (a) the Board has taken reasonable steps to give notice to each member setting out the terms of a proposed resolution; and
 - (b) a majority of the members in office at the time sign a document containing a statement that they are in favour of the resolution in the terms set out in the document—

a resolution in those terms is deemed to have been passed at a meeting of the Board held on the day on which the document is signed or, if the members referred to in paragraph (b) do not sign it on the same day, on the day on which the last of those members signs the document.

- (2) For the purposes of subsection (1), 2 or more separate documents containing a statement in identical terms, each of which is signed by one or more members, are deemed to constitute one document.
- (3) If a resolution is, under subsection (1), deemed to have been passed at a meeting of the Board, each member must as soon as practicable be advised of the matter and given a copy of the resolution.
- (4) The majority of members referred to in subsection (1)(b) must not include a member who, because of section 26, is not entitled to vote on the resolution.

26 Conflicts of interest

S. 26
substituted by
No. 61/1996
s. 20.

- (1) If—
- (a) a member has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Board; and
 - (b) the interest could conflict with the proper performance of the member's duties in relation to the consideration of the matter—
- the member, as soon as practicable after becoming aware of the relevant facts, must declare the nature of the interest to the Board or, in the case of a proposed resolution notice of which is given under section 25A(1)(a), to the President.
- (2) The Board or the President must cause the declaration to be tabled at the next meeting of the Board and the person presiding at that meeting must cause the declaration to be recorded in the minutes of the meeting.
- (3) A member who has a conflict of interest in a matter—
- (a) must not be present during any deliberations on the matter, unless the Board directs otherwise; and
 - (b) is not entitled to vote on the matter.
- (4) If a member votes on a matter in contravention of subsection (3)(b), the vote must be disallowed.
- (5) A member who has a conflict of interest in a matter must not be present during any deliberations leading to a direction, or take part in making a direction, under subsection (3)(a).

- (6) For the purposes of this section, a member is not to be regarded as having a conflict of interest—
- (a) in a matter relating to the supply of goods or services to the member if the goods or services are, or are to be, available to members of the public on the same terms and conditions; or
 - (b) in a contract or arrangement only because that contract or arrangement may benefit a company or other body in which the member has a beneficial interest that does not exceed 1% of the total nominal value of beneficial interests in that company or body.

S. 27
substituted by
No. 61/1996
s. 21.

27 Committees

- (1) The Board may—
- (a) establish any committees it considers necessary and define the constitution and functions of each committee so established;
 - (b) determine the procedure of each committee;
 - (c) change the constitution or functions of a committee;
 - (d) dissolve a committee.
- (2) A person may be a member of a committee established by the Board even though he or she is not a member of the Board.
- (3) A member of a committee established by the Board is entitled to receive any fees or travelling or other expenses determined by the Board.

28 Delegation

- (1) The Board may, by instrument under its official seal, delegate any of its functions or powers (except this power of delegation or the power to make by-laws) to—
- (a) the members constituting a committee of the Board, if the committee includes 2 or more members of the Board; or
 - (b) the Chief Executive Officer; or
 - (c) any of its members; or
 - (d) any member of its staff.
- (2) A delegation under subsection (1) may be made to a specified person or class of persons referred to in that subsection.

S. 28
substituted by
No. 61/1996
s. 22.

S. 28(1)(b)
amended by
No. 61/1996
s. 23.

29 Chief Executive Officer of the State Library

- (1) A Chief Executive Officer of the Library Board of Victoria shall be appointed by the Board, with the approval of the Minister, for the term, not exceeding 5 years, that is specified in the instrument of appointment but is eligible for re-appointment¹.
- (1A) The Chief Executive Officer holds office, subject to this Act, on the terms and conditions that are specified in the instrument of appointment.
- (1B) The Board must not remove the Chief Executive Officer from office except with the approval of the Minister.

S. 29(1)
amended by
No. 61/1996
s. 24(1),
substituted by
No. 61/1996
s. 24(4).

S. 29(1A)
inserted by
No. 61/1996
s. 24(4).

S. 29(1B)
inserted by
No. 61/1996
s. 24(4).

S. 29(2)
amended by
No. 61/1996
s. 24(5)(a).

(2) The Chief Executive Officer shall—

S. 29(2)(a)
amended by
No. 61/1996
s. 24(2),
repealed by
No. 61/1996
s. 24(5)(b).

* * * * *

S. 29(2)(b)
amended by
No. 61/1996
s. 24(2).

(b) attend meetings of the Board; and

S. 29(2)(c)
amended by
No. 61/1996
s. 24(2).

(c) have the control and management of the day to day affairs of the Board in accordance with directions given by the Board; and

S. 29(2)(d)
amended by
No. 61/1996
s. 24(2).

(d) manage the State collection, subject to the direction of the Board.

S. 29(3)
repealed by
No. 61/1996
s. 24(3).

* * * * *

S. 30
amended by
No. 61/1996
s. 25,
substituted by
No. 61/1996
s. 26.

30 Employment of staff

The Board may employ any other persons necessary for the purposes of this Act.

31 Accounts

S. 31(1)
amended by
Nos 61/1996
s. 27(a),
46/1998
s. 7(Sch. 1),
11/2001
s. 3(Sch.
item 41.2).

(1) The Board may establish and keep in any authorised deposit-taking institution or institutions an account or accounts in the name of the Board approved for the purpose by the Minister administering Part 7 of the **Financial Management Act 1994**.

(2) The Board must pay into any account or accounts referred to in subsection (1) all money received by it, other than money to which subsection (4) applies, and may make out of an account any payment for or towards the costs and expenses of or incidental to the performance of functions or exercise of powers of the Board under this Act.

S. 31(2)
amended by
Nos 61/1996
s. 27(a),
11/2001
s. 3(Sch.
item 41.3).

* * * * *

S. 31(3)
amended by
No. 104/1995
s. 6(Sch. 1
item 14),
repealed by
No. 61/1996
s. 27(b).

(4) This section does not apply to money received or paid out by the Board subject to and in accordance with the terms of a special trust.

S. 31(4)
amended by
No. 61/1996
s. 27(a).

32 Borrowing and investment powers

The Board has the powers conferred on it by the **Borrowing and Investment Powers Act 1987**.

S. 32
substituted by
No. 61/1996
s. 28.

* * * * *

Ss 33–35
repealed by
No. 31/1994
s. 4(Sch. 2
item 48).

36 Transfer to Consolidated Fund

(1) Before 30 September in each year, the Board must pay to the Treasurer for payment to the Consolidated Fund an amount determined by the Treasurer after consultation with the Minister as a contribution in respect of the preceding financial year towards the capital costs previously provided from the Consolidated Fund.

S. 36(1)
amended by
No. 61/1996
s. 29(a).

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S. 36(2)
amended by
No. 61/1996
s. 29(a).

- (2) The contribution under subsection (1) in respect of a financial year is not payable from money of the Board appropriated from the Consolidated Fund in respect of that financial year or received by way of gift, grant or bequest or received under any trust.

Part 4—Library purposes trusts

37 Leasing

- (1) This section applies despite anything to the contrary in any Crown grant or instrument of trust.
- (2) The trustees of library land may lease it or a part of it to any person, if the land to be leased is not immediately required for library purposes.
- (3) A lease under this section—
 - (a) if it is a building lease that provides for the erection of buildings for library purposes and associated purposes, must be for a term of not more than 50 years; and
 - (b) in any other case, must be for a term of not more than 31 years; and
 - (c) may be on any other terms that the trustees think fit.
- (4) The trustees must not apply rent received under a lease under this section for any purpose except—
 - (a) repaying money borrowed under this Part or a corresponding previous enactment and paying interest in respect of any money so borrowed; or
 - (b) a library purpose or an associated purpose being a purpose authorised by the document creating the trust or any relevant document of title.

38 Borrowings

- (1) To finance the erection of buildings for library purposes and associated purposes, the trustees of library land may with the Minister's approval, borrow and re-borrow money.

- (2) Money may be borrowed under subsection (1) on the security of—
 - (a) an assignment of the rents payable, or which may become payable, to the trustees under any lease under this Part; or
 - (b) the issue of debentures payable to bearer with interest coupons attached.
- (3) An assignment under subsection (2)(a) must be by deed and may relate to a person or future entitlements for rents.
- (4) Debentures under subsection (2)(b) may be issued on any terms that the trustees think fit.
- (5) The trustees of library land must not apply money borrowed under this section for any purpose except a library purpose or an associated purpose, being a purpose authorised by the instrument creating the trust or any relevant document of title.

39 Default

- (1) If the trustees of library land—
 - (a) fail to repay money borrowed under this Part; or
 - (b) fail to pay interest in respect of money so borrowed—

as and when the payment is due, the lender or the holder for the time being of a deed of assignment or debenture may apply to the Supreme Court for an order under subsection (2).
- (2) On application in accordance with subsection (1), the Supreme Court may make an order appointing a receiver for the whole or a specified part of rents payable or which may become payable to the trustees, to the extent that the Court considers necessary for repayment of the loan and payment of interest.

- (3) If a receiver has been appointed under subsection (2), the person who applied for the receiver's appointment or the receiver may apply to the Supreme Court for an order under subsection (4).
- (4) On application in accordance with subsection (3), the Court may make an order terminating the receiver's appointment.
- (5) When making an order under subsection (2) or (4), the Court may make any other incidental order that it considers appropriate.
- (6) A receiver appointed under this section—
 - (a) is deemed to be an officer of the Supreme Court and is subject to its direction; and
 - (b) is entitled to receive rents from time to time becoming payable to the trustees in accordance with the order of appointment; and
 - (c) is entitled to receive out of the money coming into the receiver's hand under paragraph (b) any commission or remuneration that the Supreme Court determines; and
 - (d) after deducting any commission or remuneration to which the receiver is entitled, and expenses of the receivership, must hold any money coming into the receiver's hand in accordance with the order for the benefit of the lender or the holder for the time being of any relevant deed of assignment or debenture.

40 Application of money

- (1) A receipt, if given by the trustees of library land or by any committee of management of library land and relating to rents under a lease of that land, is sufficient discharge to the lessee and the lessee need not enquire as to the application of the rent.
- (2) A person lending money to the trustees of library land—
 - (a) need not enquire as to the application of the money lent; and
 - (b) is not liable for the loss or misapplication of any money so lent.

41 Trustees may make regulations

With the Minister's approval, the trustees of library land may, for that land, make regulations for or with respect to—

- (a) the appointment, election, resignation and removal of trustees; and
- (b) the constitution, functions, powers and duties of a committee of management.

42 Surrender of certain library land

- (1) This section applies despite anything to the contrary in any Crown grant.
- (2) The trustees of library land to which this section applies and the council of the municipal district in which the land is located may jointly apply to the Minister for authority to surrender the land to the Crown.

- (3) An application under subsection (2)—
 - (a) must be in accordance with the regulations;
and
 - (b) must include a written consent of any lessee
of the land.
- (4) On application in accordance with this section, the Minister may authorise the trustees to surrender the land to the Crown, if the Minister is satisfied that the land is no longer required for library purposes.
- (5) If the Minister so authorises, the trustees of library land may surrender it by transferring or conveying it to the Crown.

43 Transfer or surrender of certain land held in trust

- (1) This section applies despite anything to the contrary in any Crown grant or document of title or in any trust instrument whatever.
- (2) In this section *eligible person*—
 - (a) in relation to land which is under the operation of the **Transfer of Land Act 1958** (other than land in an identified folio under that Act), means the registered proprietor of an estate in fee simple in the land; and
 - (b) in relation to land which is land in an identified folio under the **Transfer of Land Act 1958** or land not under the operation of that Act, means a person who, from the Register kept under the **Property Law Act 1958**, appears to be the owner of an estate in fee simple in the land; and
 - (c) if a person mentioned in paragraph (a) or (b) is dead or the whereabouts of the person are unknown, means the council of the municipal district in which the land is located.

S. 43(2)(a)
amended by
No. 85/1998
s. 24(Sch.
item 39.1(a)).

S. 43(2)(b)
amended by
No. 85/1998
s. 24(Sch.
item 39.1(b)).

(3) This section applies to land specified in a notice published under subsection (6).

(4) An eligible person may request the Minister to make a declaration under subsection (6).

(5) A request under subsection (4)—

S. 43(5)(a)
substituted by
No. 23/2000
s. 7.

(a) must be in the form, or contain the details, required by the regulations; and

S. 43(5)(b)
amended by
No. 125/1993
s. 20(7).

(b) must include a certificate signed by the Chief Executive Officer of the council of the municipal district in which the land is located stating that, after having made reasonable enquiries, he or she is satisfied the land has been used for library purposes and is no longer required for those purposes.

(6) On a request in accordance with this section, the Minister may by notice published in the Government Gazette declare land specified in the notice to be land to which this section applies if the Minister is satisfied that the land has been used for library purposes.

(7) The Minister cannot under subsection (6) declare library land to be land to which this section applies.

(8) An eligible person may apply to the Minister for authority to surrender to the Crown land to which this section applies or to transfer or convey it to the council of the municipal district in which the land is located.

- (9) An application under subsection (8)—
- (a) must be in accordance with the regulations;
and
 - (b) if the applicant is not a council, must include the written consent of the council to the application; and
 - (c) must include the written consent to the application of any lessee, mortgagee or other person having an estate, interest or equity of redemption in the land.
- (10) Within 14 days after making an application under this section, the applicant must cause notice of the application to be published in a newspaper circulating in the area in which the land is located and in a newspaper circulating generally in Victoria.
- (11) A notice under subsection (10)—
- (a) must be in accordance with the regulations;
and
 - (b) must state the period, being the prescribed period, within which any person may lodge objections with the Minister.
- (12) A person may within the period stated in the notice lodge with the Minister a written objection to the granting of an application under this section.
- (13) Before deciding on the application the Minister must consider all objections lodged within the period stated in the notice.
- (14) On an application in accordance with this section and after complying with subsection (13), the Minister may authorise the applicant to surrender land to the Crown or to transfer or convey it to the council of the municipal district in which the land is located, if the Minister is satisfied—

- (a) that the land is no longer required for library purposes; and
 - (b) that it is in the public interest to grant the application; and
 - (c) the purposes for which the land may or must be used are not the subject of proceedings before or a subsisting order of a Court.
- (15) If so authorised by the Minister, an eligible person may surrender land by transferring or conveying it to the Crown or transfer or convey land to a municipal council.
- (16) For the purposes of this section, an eligible person referred to in subsection (2)(c) may execute a transfer or conveyance of land in the name and on behalf of the registered proprietor or owner and a transfer or conveyance so executed has the same effect as a transfer or conveyance executed by the registered proprietor or owner.

44 Transfers, conveyances and surrenders generally

- (1) On the conveyance or the registration of a transfer of land to the Crown under this Part—
- (a) any Order in Council reserving the land and any Crown grant of the land is revoked; and
 - (b) the land is deemed to be unalienated land of the Crown freed and discharged from all encumbrances, trusts, conditions, reservations, limitations, exceptions, estates or interests; and
 - (c) the trustees of the land immediately before its conveyance or the registration of its transfer are, in respect of the land, discharged from all further liabilities under the trust.

- (2) If land is transferred or conveyed to the Crown under this Part, the Governor in Council may grant the land to the council of the municipal district in which the land is located subject to any conditions, restrictions, limitations, reservations and exceptions that the Governor in Council determines.
- (3) On the conveyance or the registration of a transfer of land to a municipal council under this Part—
 - (a) the land is freed from all trusts, conditions, restrictions, limitations or provisions affecting the land except limitations as to depth; and
 - (b) the trustees of the land immediately before its conveyance or the registration of its transfer are, in respect of the land, discharged from all further liabilities under the trust.
- (4) On production of a certificate signed by the Minister as to any authority to surrender, transfer or convey land under this Part, and on production of any other instrument that the Registrar of Titles requests, the Registrar of Titles must make any recordings in the Register that are necessary because of the operation of this section.

S. 44(4)
substituted by
No. 85/1998
s. 24(Sch.
item 39.2).

45 No compensation payable

No compensation is payable by the Crown in respect of anything done under, or arising out of, this Part.

46 Power to demand and receive charges etc.

The trustees of every free library, reading room, mechanics' institute or trades' hall may demand, recover and receive all rents, fees, tolls and charges that are determined by the committee of management from any person coming on to land, or part of any land, held by or vested in the trustees, or into any building on that land.

47 Accounts and audit

- (1) The committee of management of every free library, reading room, mechanics' institute or trades' hall must ensure that there are kept proper accounts and records of the transactions and affairs of the committee under this Act.
- (2) Before 30 September in each year, the committee must, in respect of the financial year ended on 30 June in that year, prepare an annual report containing—
 - (a) a report of its operations during the financial year; and
 - (b) financial statements for the financial year.
- (3) The financial statements referred to in subsection (2)(b) must be audited by an auditor and must be certified by the auditor and the treasurer of the free library, reading room, mechanics' institute or trades' hall.

48 Provision of Crown grant or trust instrument to prevail

Except where otherwise expressly provided in this Part, where a provision of a Crown grant or trust instrument is inconsistent with a provision of this Part, the provision of the Crown grant or trust instrument prevails.

Part 5—Miscellaneous

49 Legal deposit

- (1) A good copy of the whole of every new publication published in Victoria, other than a prescribed publication, must be deposited by or on behalf of the publisher in accordance with directions of the Board at a place or with a person determined by the Board within 2 months after the day on which the publication was first published.
- (2) For the purposes of subsection (1), a new publication includes—
 - (a) a publication published for the first time; and
 - (b) revised, corrected, enlarged and abridged editions and other editions differing in content from the original publication; and
 - (c) different forms or formats of publications; and
 - (d) reprints of publications.
- (3) A copy of a publication which must be deposited under subsection (1) must be delivered at the expense of the publisher and be clearly marked "Legal Deposit Copy".
- (4) The Chief Executive Officer must acknowledge receipt of a publication deposited under subsection (1) within 14 days of delivery by notice in writing to the publisher or depositor.
- (5) Acknowledgement under subsection (4) is not necessary in respect of any numbered serial publication other than the first issue of the publication deposited.

S. 49(1)
amended by
No. 61/1996
s. 29(b).

S. 49(4)
amended by
No. 61/1996
s. 29(c).

S. 49(7)
amended by
No. 61/1996
s. 29(b)(c).

- (6) A publication deposited under this section must include any containers, wrapping material, notices, instructions or other material generally accompanying the publication.
- (7) The Chief Executive Officer or other officer authorised by the Board may recover in a court of competent jurisdiction as a debt due to the Board from a publisher who neglects to deposit a publication as required by this section—
 - (a) the value of the publication which ought to have been deposited; and
 - (b) a sum not exceeding \$200; and
 - (c) costs.

50 Sale, disposal or exchange of object in State collection

S. 50(1)
amended by
No. 61/1996
s. 29(d).

- (1) The Board must not sell or dispose of an object that is part of the State collection unless—

S. 50(1)(a)
amended by
No. 61/1996
s. 29(d).

- (a) the Board has resolved that retention of that object or objects of that class is unnecessary and inappropriate to the activities of the Board; and

S. 50(1)(b)
amended by
No. 61/1996
s. 29(d).

- (b) the Board has caused to be published and displayed in accordance with subsection (3) a notice containing—

S. 50(1)(b)(ii)
amended by
No. 61/1996
s. 29(d).

- (i) a description of the object or class of objects; and
- (ii) a statement that the Board intends to sell or dispose of that object or an object or objects in that class of objects; and

- (iii) a statement that any person may object in writing to the proposed sale or disposal within 2 months after the date of publication or display; and
- (c) either—
 - (i) no objection was received within that period; or
 - (ii) if an objection was so received, the Minister, or a delegate of the Minister, has decided in accordance with this section that the sale or disposal should proceed.
- (2) Subsection (1) does not apply if an object or class of objects was published for the first time within the preceding 10 years.
- (3) A notice under subsection (1)(b)—
 - (a) must be published not less than 2 months before the proposed sale or disposal in a newspaper circulating generally in Victoria; and
 - (b) must be displayed on the premises where the State Library is situated in a prominent position accessible to the public for a period of not less than 2 months before the proposed sale or disposal.
- (4) A person may object to the proposed sale or disposal of an object or class of objects under this section by notice in writing given to the Board within 2 months after—
 - (a) the date of publication of a notice under subsection (3)(a); or
 - (b) the date of first display of a notice under subsection (3)(b).

**S. 50(4)
amended by
No. 61/1996
s. 29(d).**

S. 50(5)
amended by
No. 61/1996
s. 29(d).

(5) If the Board receives an objection under subsection (4) and wishes to proceed with the sale or disposal despite the objection, the Board must refer the objection to the Minister.

(6) The Minister must—

- (a) decide whether or not the object or class of objects should be sold or disposed of; and
- (b) cause the Board and every objector to be notified of the Minister's decision.

S. 50(6)(b)
amended by
No. 61/1996
s. 29(d).

(7) The Minister may, by instrument, delegate to a panel of persons selected by the Minister the power of the Minister under subsection (6)(a).

S. 50(8)
amended by
No. 61/1996
s. 29(d).

(8) The Board may exchange with a body which has objects or functions similar to those of the Board any duplicate material that is part of the State collection.

51 Disposal of unclaimed property

S. 51(1)
amended by
No. 61/1996
s. 29(e)(i).

(1) Subject to subsection (2) and with the approval of the Governor in Council, the Board may retain, exchange, sell, lease or dispose of any property which, although not vested in it by or under this Act—

S. 51(1)(a)
amended by
No. 61/1996
s. 29(e)(i).

(a) has been submitted to or left with the Board with a view to its acceptance by the Board by way of gift or purchase or for valuation or for the giving of an opinion thereon by or on behalf of the Board or for consideration for the purpose of any prize or competition; and

S. 51(1)(b)
amended by
No. 61/1996
s. 29(e)(i).

(b) has remained in the possession or custody of the Board for a period of not less than 5 years; and

- (c) after notice has been given under subsection (2), has not been claimed by or on behalf of the person submitting or leaving the property or any other person claiming the property or any interest in it.
- (2) Before seeking the approval of the Governor in Council to any retention, exchange, sale, lease or disposal under subsection (1), the Board must give not less than 6 months notice of its intention to deal with the property—
- (a) by notice sent by certified mail to the person who submitted or left the property and addressed to the person at the person's last known residential or business address or, if the person has died, to his or her personal representative; or
- (b) by notice published in the Government Gazette and in a daily newspaper circulating generally throughout Victoria, if the name or residential address of the person who submitted or left the property is not known to the Board.

S. 51(2)
amended by
No. 61/1996
s. 29(e)(ii).

S. 51(2)(b)
amended by
No. 61/1996
s. 29(e)(ii).

52 Board may make by-laws

- (1) The Board may make by-laws not inconsistent with the regulations for or with respect to—
- (a) regulating or prohibiting admission to or removal from any building managed or controlled by the Board; and
- (b) the preservation, inspection, copying or lending of library material; and

S. 52(1)
amended by
Nos 7/1992
s. 5(1)(a),
61/1996
s. 29(f).

S. 52(1)(a)
amended by
No. 61/1996
s. 29(f).

S. 52(1)(b)
amended by
No. 7/1992
s. 5(1)(b).

S. 52(1)(c)
inserted by
No. 7/1992
s. 5(1)(b),
amended by
No. 61/1996
s. 29(f).

(c) the care, protection and management of land and buildings or parts of buildings owned or under the management or control of the Board, and the safeguarding of the contents of those buildings against theft or damage; and

S. 52(1)(d)
inserted by
No. 7/1992
s. 5(1)(b),
amended by
No. 61/1996
s. 29(f).

(d) the preservation of good order and decency on land and in buildings or parts of buildings owned or under the management or control of the Board.

(2) The by-laws may impose penalties not exceeding 2 penalty units for a contravention of the by-laws.

S. 52(3)
inserted by
No. 51/2014
s. 9(Sch. 2
item 7.3).

(3) Any by-laws made under this section for or with respect to the issuing of film permits must not be inconsistent with the film friendly principles.

S. 52A
inserted by
No. 7/1992
s. 4.

52A Land to vest in the Board

- (1) The permanent reservation of the land shown hatched on the plan in the Schedule is revoked.
- (2) The land shown hatched on the plan in the Schedule—
 - (a) is divested from the Council of the Museum of Victoria and ceases to be under its management and control; and
 - (b) vests in the Crown; and
 - (c) is deemed to be unalienated land of the Crown, freed and discharged from all trusts, limitations, reservations, restrictions, encumbrances, estates and interests.

- (3) The land shown hatched on the plan in the Schedule is to be taken to be permanently reserved for the purposes of a public library under section 4(1) of the **Crown Land (Reserves) Act 1978**.
- (4) Despite subsection (3), nothing in this Act prevents the Council of the Museum of Victoria from continuing to use the land referred to in subsection (3) or any building or part of a building on that land for the purposes of a public museum.
- (5) The management of the land shown hatched on the plan in the Schedule is vested in the Board.
- (6) No compensation is payable by the Crown in respect of anything done under or arising out of this section.

S. 52A(5)
amended by
No. 61/1996
s. 29(g).

52B Supreme Court—limitation of jurisdiction

It is the intention of this section to alter or vary section 85 of the **Constitution Act 1975** to the extent necessary to prevent the Supreme Court from awarding compensation in respect of anything done under or arising out of section 52A.

S. 52B
inserted by
No. 7/1992
s. 4.

53 Regulations

- (1) The Governor in Council may make regulations for or with respect to—
- (a) in relation to Crown land reserved under the **Crown Land (Reserves) Act 1978**, anything for or in respect of which the Board as trustee could make regulations under section 13(1) of that Act; and
- (b) generally prescribing any other matter or thing required or permitted by this Act to be prescribed or necessary to be prescribed to give effect to this Act.

S. 53(1)
substituted by
No. 7/1992
s. 5(2).

S. 53(1)(a)
amended by
No. 61/1996
s. 29(h).

S. 53(2A)
inserted by
No. 51/2014
s. 9(Sch. 2
item 7.4).

(2) The regulations may impose penalties not exceeding 2 penalty units for a contravention of the regulations.

(2A) Any regulations made under this Act for or with respect to the issuing of film permits must not be inconsistent with the film friendly principles.

S. 53(3)
substituted by
No. 59/1998
s. 4.

(3) The regulations are subject to disallowance by a House of the Parliament.

S. 53(4)
repealed by
No. 59/1998
s. 4.

* * * * *

Part 6—Repeals, consequential amendments and transitional provisions

*	*	*	*	*	S. 54 repealed by No. 5/1998 s. 3(Sch. item 1).
*	*	*	*	*	S. 55 amended by No. 93/1995 s. 218(1)(Sch. 2 item 3), repealed by No. 5/1998 s. 3(Sch. item 1).

56 Transitional provision

On the commencement of this section—

- (a) the Council becomes the successor in law of the Library Council of Victoria; and
- (b) all real and personal property vested in the Library Council of Victoria is vested in the Council.

57 Determination of staff to be transferred

The Minister must designate in writing the officers and employees of the public service who are employed in the administration of this Act who are to become employees of the Board under section 61.

S. 57
inserted by
No. 61/1996
s. 30.

58 Abolition of Libraries Board

- (1) The Libraries Board of Victoria established by section 5 is abolished.
- (2) Despite any provision to the contrary made by or under the **Financial Management Act 1994**, there must be prepared, in accordance with Part 7 of that Act, a report of the operations of the Libraries Board of Victoria during the period

S. 58
inserted by
No. 61/1996
s. 31.

beginning on 1 July immediately preceding the commencement of section 31 of the **Arts Institutions (Amendment) Act 1996** and ending on that commencement.

- (3) The report prepared under subsection (2) must be incorporated in and consolidated with that of the Council of the State Library of Victoria or, if the Library Board of Victoria is in existence on the commencement referred to in subsection (2), with that of the Library Board of Victoria for the financial year that includes the last day of the period referred to in subsection (2).

S. 59
inserted by
No. 61/1996
s. 32.

59 Council of the State Library of Victoria

- (1) The Library Board of Victoria is to be taken as the same body as the Council of the State Library of Victoria in spite of any changes to the name and structure of the Library Board of Victoria by this Act and no act, matter or thing is to be affected because of those changes of name and structure.
- (2) A reference in any document to the Council of the State Library of Victoria is to be taken to refer to the Library Board of Victoria.
- (3) A member of the Council of the State Library of Victoria holding office immediately before the commencement of section 32 of the **Arts Institutions (Amendment) Act 1996** continues to hold office after that commencement as a member of the Library Board of Victoria on the same terms and conditions as those on which he or she held office as a member of the Council of the State Library of Victoria for the remainder of the term specified in his or her instrument of appointment.

60 Director

The person who immediately before the commencement of section 33 of the **Arts Institutions (Amendment) Act 1996** was the Director of the State Library of Victoria is deemed to be appointed by the Board as the Chief Executive Officer of the Library Board of Victoria.

S. 60
inserted by
No. 61/1996
s. 33.

61 Transfer of staff

- (1) On and from the commencement of section 33 of the **Arts Institutions (Amendment) Act 1996**, any officer or employee designated under section 57—
 - (a) becomes an employee of the Board; and
 - (b) is entitled to remuneration, terms and conditions determined by the Minister to be no less favourable in aggregate than those which he or she received or was entitled to receive immediately before that commencement as such an officer or employee; and
 - (c) retains any entitlement to long service leave, annual leave, sick leave or other leave accrued or accruing to that person immediately before that commencement.
- (2) If a person who becomes an employee of the Board under this section was, immediately before the transfer, an officer within the meaning of the **State Superannuation Act 1988** or a corresponding previous enactment, he or she continues, subject to that Act, to be an officer within the meaning of that Act while serving with the Board.

S. 61
inserted by
No. 61/1996
s. 33.

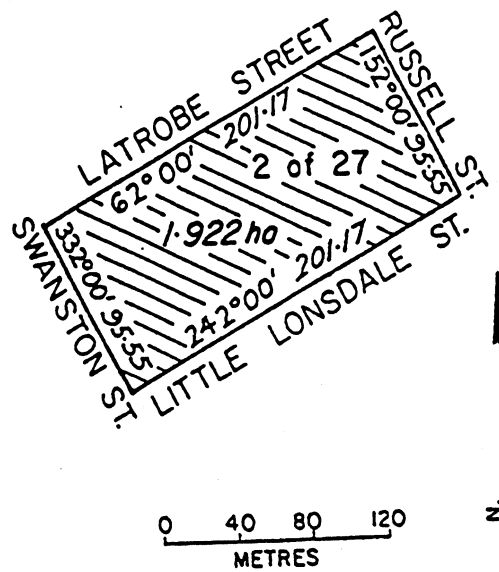
- (3) For the purpose of long service leave entitlements as employees of the Board of those transferred under this section, their service with the public service must be taken to be service with the Board.
- (4) There must be paid out of the Consolidated Fund (which is, by this subsection, appropriated to the necessary extent) any amount determined from time to time by the Treasurer after consultation with the Minister to be the component of any entitlement to pay in lieu of long service leave attributable to the service with the public service of a person transferred under this section.

Schedule

Section 52A

Sch.
inserted by
No. 7/1992
s. 6.

Land at Melbourne, Parish of Melbourne North, which shall be taken to have been permanently reserved for the purposes of a public library under section 4(1) of the **Crown Land (Reserves) Act 1978**.



Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

Minister's second reading speech—

Legislative Assembly: 28 October 1988

Legislative Council: 24 November 1988

The long title for the Bill for this Act was "A Bill to constitute a Libraries Board of Victoria and a Council of the State Library of Victoria, to repeal the **Libraries Act 1958** and the **Library Council of Victoria Act 1965** and for other purposes."

The **Libraries Act 1988** was assented to on 20 December 1988 and came into operation on 24 May 1989: Government Gazette 24 May 1989 page 1222.

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided section or clause of a Schedule is amended by the insertion of one or more subsections or subclauses, the original section or clause becomes subsection or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original section or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in an Act which is passed on or after 1 January 2001 form part of that Act. Any heading inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. This includes headings to Parts, Divisions or Subdivisions in a Schedule; sections; clauses; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in an Act which is passed on or after 1 January 2001 form part of that Act. Any examples, diagrams or notes inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, form part of that Act. See section 36(3A).

- **Punctuation**

All punctuation included in an Act which is passed on or after 1 January 2001 forms part of that Act. Any punctuation inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. See section 36(3B).

- **Provision numbers**

All provision numbers included in an Act form part of that Act, whether inserted in the Act before, on or after 1 January 2001. Provision numbers include section numbers, subsection numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of an Act is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of an Act. See section 36(3)(3D)(3E).

2 Table of Amendments

This publication incorporates amendments made to the **Libraries Act 1988** by Acts and subordinate instruments.

Libraries (Amendment) Act 1992, No. 7/1992

Assent Date: 5.5.92
Commencement Date: S. 11 on 1.7.83: s. 2(2); rest of Act on 11.8.92: Special Gazette (No. 43) 11.8.92 p. 1
Current State: All of Act in operation

Local Government (Miscellaneous Amendments) Act 1993, No. 125/1993

Assent Date: 7.12.93
Commencement Date: S. 20(7) on 7.12.93: s. 2(4)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Arts Institutions (Amendment) Act 1994, No. 29/1994

Assent Date: 31.5.94
Commencement Date: 31.5.94
Current State: All of Act in operation

Financial Management (Consequential Amendments) Act 1994, No. 31/1994

Assent Date: 31.5.94
Commencement Date: S. 4(Sch. 2 item 48) on 1.1.95: Government Gazette 28.7.94 p. 2055
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Equal Opportunity Act 1995, No. 42/1995

Assent Date: 14.6.95
Commencement Date: S. 224 on 5.10.95: Government Gazette 28.9.95 p. 2731; Sch. 2 item 22 on 1.1.96: Government Gazette 21.12.95 p. 3571
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Heritage Act 1995, No. 93/1995

Assent Date: 5.12.95
Commencement Date: S. 218(1)(Sch. 2 item 3) on 23.5.96: Government Gazette 23.5.96 p. 1248
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Trustee and Trustee Companies (Amendment) Act 1995, No. 104/1995

Assent Date: 5.12.95
Commencement Date: 1.1.96: s. 2
Current State: All of Act in operation

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Legal Practice Act 1996, No. 35/1996

Assent Date: 6.11.96
Commencement Date: S. 453(Sch. 1 item 50) on 1.1.97: s. 2(3)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Arts Institutions (Amendment) Act 1996, No. 61/1996

Assent Date: 17.12.96
Commencement Date: S. 30 on 17.12.96: s. 2(1); ss 3–5(2), 6–22, 24(1)(2), 27–29(b), 29(d)–(h), 31, 32 on 6.2.97: Government Gazette 6.2.97 p. 257—see **Interpretation of Legislation Act 1984**; ss 5(3)(a)(b), 23, 24(3)–(5), 25, 26, 29(c), 33 on 1.1.98: s. 2(3)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Arts Acts (Statute Law Revision) Act 1998, No. 5/1998

Assent Date: 21.4.98
Commencement Date: 21.4.98: s.2
Current State: All of Act in operation

Public Sector Reform (Miscellaneous Amendments) Act 1998, No. 46/1998

Assent Date: 26.5.98
Commencement Date: S. 7(Sch. 1) on 1.7.98: s. 2(2)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Arts Acts (Amendment) Act 1998, No. 59/1998

Assent Date: 27.10.98
Commencement Date: S. 3 on 26.5.98: s. 2(2); s. 4 on 27.10.98: s. 2(1)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Transfer of Land (Single Register) Act 1998, No. 85/1998

Assent Date: 17.11.98
Commencement Date: S. 24(Sch. item 39) on 1.1.99: s. 2(3)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Local Government (Governance) Act 2000, No. 23/2000

Assent Date: 16.5.00
Commencement Date: 17.5.00: s. 2
Current State: All of Act in operation

Statute Law Amendment (Authorised Deposit-taking Institutions) Act 2001, No. 11/2001

Assent Date: 8.5.01
Commencement Date: S. 3(Sch. item 41) on 1.6.01: s. 2(2)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

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Public Administration Act 2004, No. 108/2004

Assent Date: 21.12.04
Commencement Date: S. 117(1)(Sch. 3 item 114) on 5.4.05: Government Gazette 31.3.05 p. 602
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Public Sector Acts (Further Workplace Protection and Other Matters) Act 2006, No. 80/2006

Assent Date: 10.10.06
Commencement Date: S. 26(Sch. item 60) on 11.10.06: s. 2(1)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Water (Governance) Act 2006, No. 85/2006

Assent Date: 17.10.06
Commencement Date: S. 173(Sch. 1 item 4) on 1.7.07: s. 2(3)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Filming Approval Act 2014, No. 51/2014

Assent Date: 12.8.14
Commencement Date: S. 9(Sch. 2 item 7) on 1.3.15: s. 2(2)
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

Parks and Crown Land Legislation Amendment Act 2017, No. 53/2017

Assent Date: 24.10.17
Commencement Date: S. 81 on 15.12.17: Special Gazette (No. 433) 12.12.17 p. 1
Current State: This information relates only to the provision/s amending the **Libraries Act 1988**

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

¹ S. 29(1): The amendment made by section 7 (Schedule 1) of the **Public Sector Reform (Miscellaneous Amendments) Act 1998**, No. 46/1998 was repealed, as from 26 May 1998, by section 3 of the **Arts Acts (Amendment) Act 1998**, No. 59/1998.