



ANNO VICESIMO QUARTO

# ELIZABETHAE II REGINAE

A.D. 1975

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## No. 20 of 1975

An Act to amend the Libraries and Institutes Act, 1939-1974.

[Assented to 27th March, 1975]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Libraries and Institutes Act Amendment Act, 1975". Short titles.

(2) The Libraries and Institutes Act, 1939-1974, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Libraries and Institutes Act, 1939-1975".

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section 4 of the principal Act is amended by striking out the passage "The Adelaide Circulating Library" and inserting in lieu thereof the passage "Dissolution of the Adelaide Circulating Library". Amendment of principal Act, s. 4—  
Arrangement.

4. Section 8 of the principal Act is amended by inserting after subsection (1) the following subsection:— Amendment of principal Act, s. 8—  
Term of office.

(1a) The Governor may appoint a person to be a deputy of a member and that person, while acting in the absence of that member, shall be deemed to be a member of the board and shall have all the powers, rights and duties of that member.

5. Section 16 of the principal Act is amended by striking out from subsection (3) the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars". Amendment of principal Act, s. 16—  
Power to appoint committees.

6. Section 31 of the principal Act is amended by striking out from subsection (3) the passage "ten pounds" and inserting in lieu thereof the passage "two hundred dollars". Amendment of principal Act, s. 31—  
Destruction of public documents.

Amendment of  
principal Act,  
s. 32—  
Public  
documents in  
the custody or  
possession of  
authorized  
persons.

7. Section 32 of the principal Act is amended—

- (a) by striking out from subsection (2) the passage “ten pounds” and inserting in lieu thereof the passage “two hundred dollars”;
- and
- (b) by striking out from subsection (2) the passage “one pound” and inserting in lieu thereof the passage “twenty dollars”.

Amendment of  
principal Act,  
s. 61—  
Regulations.

8. Section 61 of the principal Act is amended by striking out from paragraph vii the passage “twenty pounds” and inserting in lieu thereof the passage “two hundred dollars”.

Amendment of  
principal Act,  
s. 62—  
Distribution of  
moneys.

9. Section 62 of the principal Act is amended by striking out from subsection (1) the passage “and the Adelaide Circulating Library (which herein-after in this section is included in the term “institute”)”.

Amendment of  
principal Act,  
s. 65—  
Powers of  
inspection, etc.

10. Section 65 of the principal Act is amended by striking out from subsection (2) the passage “five pounds” and inserting in lieu thereof the passage “one hundred dollars”.

Amendment of  
principal Act,  
s. 76—  
Filing of  
memorials of  
names of  
trustees.

11. Section 76 of the principal Act is amended—

- (a) by striking out from subsection (3) the passage “ten shillings” and inserting in lieu thereof the passage “one dollar”;
- and
- (b) by striking out from subsection (3) the passage “five pounds” and inserting in lieu thereof the passage “ten dollars”.

Amendment of  
principal Act,  
s. 78—  
Returns of real  
property.

12. Section 78 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (3) the passage “one pound” and inserting in lieu thereof the passage “twenty dollars”;
- (b) by striking out from paragraph (a) of subsection (3) the passage “five pounds” and inserting in lieu thereof the passage “one hundred dollars”;
- (c) by striking out from paragraph (b) of subsection (3) the passage “five pounds” and inserting in lieu thereof the passage “one hundred dollars”;
- and
- (d) by striking out from paragraph (b) of subsection (3) the passage “fifty pounds” and inserting in lieu thereof the passage “five hundred dollars”.

Amendment of  
principal Act,  
s. 89a—  
Regulations.

13. Section 89a of the principal Act is amended by striking out from paragraph v the passage “twenty pounds” and inserting in lieu thereof the passage “two hundred dollars”.

**14. Section 105 of the principal Act is amended—**

(a) by inserting after subsection (2) the following subsection:—

(2a) The resolution referred to in paragraph (a) of subsection (1) of this section may be expressed to have effect at such future time as is specified in the resolution, subject to the fulfilment of such conditions as are specified in the resolution, and shall have effect accordingly.;

(b) by striking out from subsection (3) the passage “Where the first-mentioned resolution is confirmed as provided by subsection (1) of this section” and inserting in lieu thereof the passage “Where the resolution referred to in paragraph (a) of subsection (1) of this section is confirmed as provided by that subsection and has effect”;

(c) by striking out from subparagraph (i) of paragraph (a) of subsection (3) the passage “after the first-mentioned resolution is so confirmed” and inserting in lieu thereof the passage “after that resolution has effect”;

and

(d) by striking out from subsection (4) the passage “Five pounds” and inserting in lieu thereof the passage “one hundred dollars”.

Amendment of principal Act, s. 105—  
Dissolution of institute.

**15. Section 107 of the principal Act is amended by striking out from subsection (5a) the passage “Five pounds” and inserting in lieu thereof the passage “one hundred dollars”.**

Amendment of principal Act, s. 107—  
Dissolution of institute when less than ten members.

**16. The heading to Part VI of the principal Act is amended by inserting immediately before the word “THE” the passage “DISSOLUTION OF”.**

Amendment of heading to Part VI of principal Act.

**17. Sections 132 to 145 (inclusive) of the principal Act are repealed and the following sections are enacted and inserted in their place:—**

Repeal of ss. 132 to 145 of principal Act and enactment of sections in their place—

132. (1) The body corporate known immediately before the commencement of the Libraries and Institutes Act Amendment Act, 1975, as “The Adelaide Circulating Library” (and in this Part referred to as “the former library”) is hereby dissolved.

Dissolution of Adelaide Circulating Library and subrogation of the board.

(2) All rights, powers, duties and liabilities of the former library are, subject to this Part, hereby transferred to and vested in the board.

(3) All property of the former library is hereby transferred to and vested in the board for the purpose of the State Library.

(4) Any proceedings commenced by or against the former library and not finally disposed of at the commencement of the Libraries and Institutes Act Amendment Act, 1975, may be continued and completed by or against the board.

(5) A reference to the former library in any Act, regulation, rule, by-law, order of a court, instrument, agreement or document of any kind shall be read, where the context admits, as a reference to the board.

Termination of memberships of Adelaide Circulating Library and repayment of subscriptions.

133. (1) All memberships of the former library and rights derived therefrom existing immediately before the commencement of the Libraries and Institutes Act Amendment Act, 1975, are hereby terminated.

(2) The board shall, as soon as practicable after the commencement of the Libraries and Institutes Act Amendment Act, 1975, cause to be refunded to each person who immediately before that commencement was a member of the former library such proportion of his last subscription to the former library as the unexpired period of his membership immediately before that commencement bears to the period of membership derived from that subscription.

Amendment of principal Act, s. 147—  
Reward for information of commission of offence.

18. Section 147 of the principal Act is amended by striking out from subsection (3) the passage "five pounds" and inserting in lieu thereof the passage "ten dollars".

Amendment of principal Act, s. 148—  
Delivery of copies of books published in South Australia.

19. Section 148 of the principal Act is amended by striking out from subsection (3) the passage "five pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 149—  
Regulations.

20. Section 149 of the principal Act is amended by striking out from paragraph ix the passage "twenty pounds" and inserting in lieu thereof the passage "two hundred dollars".

Repeal of fifth schedule of principal Act.

21. The fifth schedule to the principal Act is repealed.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor