

House of Representatives

Supplementary Order Paper

Tuesday, 27 November 2012

Local Government Act 2002 Amendment Bill

Proposed amendments

Darfen Fenton, in Committee, to move the following amendments:

New clause 5A

After clause 5 (after line 14 on page 5), insert:

- 5A Section 6 amended (Meaning of council-controlled organisation and council organisation)**
Repeal section 6(4)(c) and (ca).

New clause 20A

After clause 20 (after line 20 on page 11), insert:

- 20A Section 142 replaced (Obligation to provide free membership of libraries)**

Replace section 142 with:

“142 Obligation to provide free public libraries

- “(1) A local authority must provide for a library and library services for public use on the following minimum terms:
- “(a) the residents in the district or region of the local authority are entitled to join the library free of charge; and
 - “(b) the library must not charge any resident of the authority’s district or region for the use of library material, including books, non-print resources, and digital information; and
 - “(c) the library must not charge any resident of the authority’s district or region for access to the Internet, in accordance with requirements for reasonable use.
- “(2) The National Librarian must present an annual report to Parliament on the implementation by local authorities of **subsection (1)**, and make any such recommendations as he or she sees fit with regard to that implementation.

- “(3) Local authorities must furnish such information as is reasonably required by the National Librarian to complete his or her annual report to Parliament.
- “(4) In this section, **National Librarian** means the National Librarian referred to in section 8 of the National Library of New Zealand (Te Puna Matauranga o Aotearoa) Act 2003.”

Schedule 2

After the item relating to the Local Government (Auckland Council) Act 2009 (2009 No 32) (after line 23 on page 66), insert:

Port Companies Act 1988

Repeal section 6(4).

Explanatory note

This Supplementary Order Paper amends the Local Government Act 2002 to remove the exclusion of port companies and their subsidiaries from the definition of council-controlled organisations. This will have the effect of applying normal public accountabilities to port companies, including the application of the Local Government Official Information and Meetings Act 1987, the requirement to act as a good employer, and the requirement to exhibit a sense of social and environmental responsibility by having regard to the interests of the community in which they operate.

This Supplementary Order Paper also replaces section 142, which deals with the provision of public library services. Public libraries play an important role in our communities by helping New Zealanders to achieve access to information and entertainment. They also provide important community hubs. They empower New Zealanders to participate in their democracy and play a part in improving literacy and reading. They are important for New Zealand’s social and cultural, educational, environmental and economic life, present and future.

At present the Local Government Act 2002 obliges those local authorities who provide for a library only to ensure that local residents can join the library free of charge. The result of this has been the growth of user charges for library use, including membership fees, rental charges, access fees, and other cost barriers. There have been recent examples of local authorities introducing or proposing charges for books in addition to other resources such as DVDs and CDs.

This Supplementary Order Paper attempts to fulfil the vision of the UNESCO Guidelines on Libraries and Information in New Zealand by ensuring that all local authorities provide for libraries and ensure that there is no charge for library services, including books, digital information, and access to the Internet.

The Supplementary Order Paper also gives a role to the National Librarian to monitor and report on the implementation of the obligations on local authorities and to make recommendations concerning those obligations.
