



ANNO DUODECIMO

GEORGII VI REGIS.

A.D. 1948.

No. 30 of 1948.

An Act to amend the Libraries and Institutes Act, 1939-1946.

[Assented to 16th December, 1948.]

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, 1948 " Short titles.

(2) The Libraries and Institutes Act, 1939-1946, as amended by this Act, may be cited as the " Libraries and Institutes Act, 1939-1948 ".

(3) The Libraries and Institutes Act, 1939-1946, is hereinafter referred to as " the principal Act ".

2. Section 106 of the principal Act is amended by adding at the end of subsection (2) thereof the following passage :—

If the land aforesaid is situated within the area of any council and the council is willing to accept the said land then the council of the association may, with the consent of the Minister, direct the trustees to dispose of the said land by transfer or conveyance to the council of the said area together with the furniture and fittings of the hall and the whole or any part of the other assets of the institute remaining after the payment of the debts of the institute (other than a debt secured by a charge upon the said land), but nothing in this paragraph shall apply to the library of the institute which shall be disposed of in

Amendment of
s. 106 of
principal Act—
Disposal of
property of
dissolved
institute.

manner provided by subsection (1) of this section. If the council of the association does not decide that the said land should be disposed of by transfer or conveyance to the council of the said area or, if the said land is to be so disposed of, that any part of the furniture or fittings of the hall or the assets of the institute should not be transferred to the council of the said area, the council of the association shall in writing inform the council of the said area and the trustees accordingly. The council of the said area or any other person interested may, within one month after notice is given as aforesaid, appeal to the Minister who may, after considering the circumstances, direct the trustees to dispose of the said land, furniture or fittings, or assets, as the case may be, or any part thereof, to the council of the said area.

Any furniture, fittings or other assets transferred to the council of the area in which any land upon which any such hall is situated, shall be applied by the said council for the purposes of the maintenance and improvement of the hall or otherwise for the improvement of the said land.

If the property of the institute includes land upon which is erected a hall and the land is not situated within the area of any council, but the council of the association is satisfied that there is an association incorporated under the Associations Incorporation Act, 1929-1935, willing to take over and manage the hall or that an association will be incorporated under the said Act for purposes including such a purpose, and the council of the association is satisfied that it is desirable that the incorporated association or, as the case may be, the association to be incorporated, should take over the control and management of the hall, the council of the association may, with the consent of the Minister, direct that the trustees shall transfer or convey the land aforesaid to the incorporated association, or, if the association has not been incorporated, to the association after it is incorporated. The preceding provisions of this subsection relating to the disposal of the said land and of the furniture and fittings of the hall and the other assets of the institute shall apply as if the incorporated association were the council of the area in which the land aforesaid is situated and the said provisions shall, *mutatis mutandis*, apply accordingly.

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

C. W. M. NORRIE, Governor.