

Public Libraries and Museums Act 1964 (Amendment) Bill

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TO

Amend the Public Libraries and Museums Act 1964 to broaden the scope of the general duty of library authorities so as to include a duty to provide related cultural facilities alongside the library service; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of the Public Libraries and Museums Act 1964

- (1) In section 1 (Secretary of State to superintend library service) —
- (a) in subsection (1), after the words “public library” there shall be inserted the words “and cultural”;
 - (b) in subsection (1), after the word “libraries” there shall be inserted the words “and cultural services”; and 5
 - (c) in subsection (2), after the words “and records,” there shall be inserted the words “and of such premises, records and similar as relate to the provision of a broader cultural service.”
- (2) In section 2 (National Advisory Councils), after subsection (5) insert — 10
- “(6) The council of the Arts Council England shall act as a Cultural Advisory Council, and it shall be the duty of that Council to advise the Secretary of State upon such matters connected with the provision or use of cultural services and facilities in England whether under this Act or otherwise as they think fit, and upon any questions referred to them by him. 15
- (7) The membership and appointment of members to the council of the Arts Council England shall not be affected by this Act.”
- (3) In section 7 (General duty of library authorities) —
- (a) in subsection (1), after the words “efficient library” there shall be inserted the words “and cultural”; 20

- (b) in subsection (1), at the end there shall be inserted –
 “No library authority shall by virtue of this subsection be under a duty to make cultural facilities or services available to persons other than those whose residence or place of work is within the library area of the authority or who are undergoing full-time education within that area.”; 5
- (c) in subsection (2), at the end of paragraph (c) there shall be inserted –
 “(d) of securing provision, either directly, through the voluntary sector or through the commercial sector, and by any other appropriate means, of a cultural service that is sufficient in range and quality to meet the general requirements and any special requirements of communities within the area of the library authority; and 10
 (e) of encouraging both adults and children, and all communities within the area of the library authority, to make full use of the cultural service.” 15
- (4) In section 10 (Default powers of Secretary of State) –
 (a) in subsection (1), paragraph (a), after the words “public library” there shall be inserted the words “or cultural”;
 (b) in subsection (2), paragraph (b)(iii), after the words “public library” there shall be inserted the words “or cultural”; and 20
 (c) in subsection (2), paragraph (c), after the words “public library” there shall be inserted the words “or cultural”.
- (5) In section 11 (Supplemental provisions as to transfers of officers, assets and liabilities) – 25
 (a) in subsection (3) after the words “liabilities” there shall be inserted the words “, or officers, assets and liabilities in relation to cultural services”; and
 (b) in subsection (5) after the words “liabilities” there shall be inserted the words “, or officers, assets and liabilities in relation to cultural services”. 30
- (6) In section 24 (Isles of Scilly), in subsection (1) after the word “libraries” there shall be inserted the words “and cultural services”.
- (7) In section 25 (Interpretation), after “In this Act –” insert –
 ““assets and liabilities in relation to cultural services” means property held by a local authority solely or mainly for the purposes of any functions exercisable by it in relation to cultural services and rights and liabilities to which the authority is entitled or subject by reason of the exercise of such functions;”. 35

2 Financial provisions

- There shall be paid out of money provided by Parliament –* 40
- (a) *any expenditure incurred under or by virtue of this Act by a Minister of the Crown or a government department, and*
 (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

3 Short title, commencement and extent

- (1) This Act may be cited as the Public Libraries and Museums Act 1964 (Amendment) Act 2011.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act extends to England and Wales only.

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To amend the Public Libraries and Museums Act 1964 to broaden the scope of the general duty of library authorities so as to include a duty to provide related cultural facilities alongside the library service; and for connected purposes.

*Ordered to be brought in by Alison McGovern,
Tristram Hunt, Stephen Twigg
and David Miliband.*

*Ordered, by The House of Commons,
to be Printed, 1 December 2010.*

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