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Delegations of the Library Council of New South Wales

Delegations to the State Librarian & Chief Executive

The Library Act s 7B(1) provides that the Library Council of New South Wales may delegate the exercise or performance of its powers, authorities and functions, by instrument in writing, to a member, the State Librarian or an authorised person employed under the Government Sector Employment Act 2013 to enable the Library Council to exercise its functions.

At its meeting on 15 February, the Library Council delegated the following powers and duties to the State Librarian & Chief Executive:

- the control and management of all property vested in the Council (subject to the Act and the regulations (s 4B(2)) and:
 - taking such actions as are necessary to maintain and develop the property and to progress the Master Plan of the State Library of New South Wales or other approved developments including making applications for funding, development approval and such other required approvals
- acceptance of collection material by gift inter vivos, devise or bequest and agreement to any conditions being imposed on such acquisitions (s 4B(3 & 4))
- making and applying rules, consistent with the Library Regulation, for or with respect to the management and control of the State Library including (s 15(2)):
 - regulating the conduct of persons using the Library and providing for the exclusion or removal from the Library of persons committing any offence against the regulations
 - determining charges for the use of a library service or information service
 - managing the various branches or departments of the Library
 - prescribing the conditions subject to which the use or reading of library material or the loan thereof or the making of copies or extracts therefrom may be allowed
 - regulating the perusal and examination of books, manuscripts, paintings, engravings and other library material
- making of careful inquiry into the administration and management of local libraries, library services and information services provided by a local authority which has adopted the Library Act (s 5(1)(a))
- periodic inspection of local libraries, library services and information services provided by a local authority which has adopted the Library Act (s 5(1)(b))
- making and managing investments (ss 5(2), 5(C), 5(D)) on the advice of the Audit & Risk Committee
- establishment of branches or departments of the State Library (s 4B(11))

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Duties & powers reserved to the Library Council of New South Wales

The Library Council reserved to itself the following powers and duties:

- establishment of committees to assist the Library Council to exercise and perform its powers (s4B(9)-(10))
- reporting to the Minister as to the sums required to be provided in each year to meet the cost of subsidies payable under the Library Act (s 5(1)(c))
- making recommendations to the Minister as to subsidies payable under the Library Act to any local authority in support of local libraries (s 5(1)(d))

Constraints & reporting

The State Librarian & Chief Executive is responsible for the administration and management of the State Library and its library and information services and is subject to the direction and control of the Library Council in the performance of the State Librarian's powers, authorities, duties and functions under the Library Act. The State Librarian is expected to keep the Library Council fully informed of all relevant matters and to regularly report to the Library Council on any matters which come, or may come, within the scope of matters reserved for the Library Council.

In respect of delegated powers and duties, the Library Council requires the State Librarian & Chief Executive to inform it of any policies established to implement those powers and duties, of the implementation of those policies and of any exceptional matters arising from the exercise of the delegations.

Revision History

Version	Date Issued	Notes	By
1.0	26/1/1	Brief recommending delegations prepared	NSW State Librarian and Chief Executive
1.1	15/2/16	Approval of Delegations	Library Council of New South Wales

Review Date

The next review date is by February 2017; then annually thereafter.

Alex Byrne

State Librarian & Chief Executive

15 February 2016