(2) The Aliens Act, 1905, is hereby repealed as from such date or dates as may be specified by Order in Council made under the principal Act, and any such order may fix different dates for the repeal of different provisions of the said Act, but an order under the principal Act may incorporate (with or without modifications) any of the provisions of the said Act: 5 Edw. 7. c. 13.

Provided that any order or appointment made or action taken under the said Act shall, notwithstanding any such repeal as aforesaid, continue in force as though it had been made or taken under an Order in Council under the principal Act, subject, however, to any provisions of any such order.

CHAPTER 93.

An Act to amend the Public Libraries Acts, 1892 to 1901, and to repeal so much of the Museums and Gymnasiums Act, 1891, as authorises the provision of Museums in England and Wales. [23rd December 1919.]

BE it enacted by the King'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:

Powers of county councils to adopt the Public Libraries Acts.

1.—(1) The council of any county in England or Wales shall have power by resolution specifying the area to which the resolution extends to adopt the Public Libraries Acts for the whole or any part of their county, exclusive of any part of the county which is an existing library area within the meaning of this Act, as if the area specified in the resolution were a library district for the purposes of those Acts.

(2) Where any resolution is passed by the council of a county under this section, the Public Libraries Acts shall, as respects the area specified in the resolution, be carried into execution by the council as the library authority of the area, and, subject to the provisions of this Act, the power to adopt those Acts for any district comprised in that area, being a library district within the meaning of the Public Libraries Act, 1892, shall cease. 55 & 56 Vict. c. 53.

(3) Where the Public Libraries Acts have been adopted by the council of a county, the council may borrow for the purposes of those Acts as for the purposes of the Local Government Act, 1888: 51 & 52 Vict. c. 41.

Provided that money borrowed for the purposes of those Acts shall not be reckoned as part of the total debt of the county for the purposes of subsection (2) of section sixty-nine of the Local Government Act, 1888, and that sixty years shall be substituted for thirty years in subsection (5) of the said section sixty-nine as the maximum period within which money borrowed for the purposes of those Acts is to be repaid.

Arrangements between existing library authorities and county councils.

2.—(1) Any library authority, being the library authority of an existing library area and not being the council of a county borough, may, on such terms as may be agreed upon between the authority and the council of the county and approved by the Board, relinquish in favour of the council of the county any of their powers and duties under the Public Libraries Acts, and in that case the powers and duties so relinquished shall cease and the provisions of this Act shall have effect as if the council of the county had passed a resolution under this Act adopting the Public Libraries Acts as respects that area.

(2) Where under the provisions of this Act any existing library authority relinquishes its powers and duties in favour of the council of a county, any property or rights acquired for the purpose of the performance of those powers and duties shall by virtue of this Act be transferred to and become vested in the county council and any liabilities incurred for that purpose shall by virtue of this Act become liabilities of the county council.

Reference and delegation of library powers to education committees. 2 Edw. 7. c. 42.

3.—(1) Where after the commencement of this Act the Public Libraries Acts are adopted by an authority which is not the library authority of an existing library area and which is the local education authority for the purpose of Part II. of the Education Act, 1902, all matters relating to the exercise by the authority of their powers under the Public Libraries Acts, except the power of raising a rate or borrowing money, shall stand referred to the education committee established under the Education Acts, 1870 to 1918, and the authority before exercising any such powers shall, unless in their opinion the matter is urgent, receive and consider the report of the education committee with respect to the matter in question.

(2) A library authority, being the local education authority for the purpose of Part II. of the Education Act, 1902, may refer any matters relating to the exercise by them of their powers under the Public Libraries Acts to the education committee established under the Education Acts, 1870 to 1918, and may delegate to that committee any of those powers other than the power of raising a rate or borrowing money, and any education committee to which any powers are delegated under this section may, subject to any directions of the council, delegate all or any of those powers to a sub-committee consisting either in whole, or in part, of members of the education committee.

(3) Where any powers stand referred or are delegated to an education committee in pursuance of this section, those powers shall not, by reason of being so delegated, be deemed for any purposes whatsoever to be powers conferred by the Education Acts, 1870 to 1918.

Provision as to expenses and audit. 55 & 56 Vict. c. 53.

4.—(1) Section two of the Public Libraries Act, 1892 (which imposes limitations on the amount of the rate which may be levied for the purposes of that Act) shall cease to have effect,

and, where the expenses incurred by any library authority for the purposes of the Public Libraries Acts during the financial year current at the commencement of this Act exceed the amount produced by the maximum rate which the authority have power to levy for the purposes of those Acts, no part of those expenses shall be open to objection on the audit of the accounts of the authority on the ground that the statutory limitation on expenditure has been exceeded, if and in so far as the expenses were in the opinion of the Ministry of Health reasonably incurred:

Provided that, if the library authority of any library district, either at the time when the Public Libraries Acts are adopted for the district or at any subsequent time, by resolution declare that the rate to be levied for the purposes of those Acts in the district or any specified portion of the district in any one financial year shall not exceed such sum in the pound as may be specified, the power to raise a rate for the purpose of those Acts in that district shall be limited accordingly, and any such resolution shall not be rescinded until the expiration of twelve months from the date on which it was passed.

(2) Any expenses incurred by the council of a county under the Public Libraries Acts shall be defrayed out of the county fund, and the council may, if they think fit, after giving reasonable notice to the overseers of the parish or parishes concerned, and in the case of an area situate within a borough including a metropolitan borough or urban district after consultation with the council of the borough or urban district, charge any expenses incurred by them under those Acts on any parish or parishes which in the opinion of the council of the county are served by any institution which has been provided or is being maintained by that council under those Acts:

Provided that the council of a county shall not charge any expenses so incurred on any parish or parishes within an existing library district without the concurrence of the library authority of that district.

(3) The accounts of the receipts and expenditure under the Public Libraries Acts of the council of a county shall be audited in manner provided by section seventy-one of the Local Government Act, 1888.

Power to rescind resolutions of county councils adopting the Public Libraries Acts.

5.—(1) The council of a county by whom a resolution has been passed under this Act adopting the Public Libraries Acts may, if they think it advisable so to do with a view to the better carrying into effect of those Acts in any district, apply to the Board for an order rescinding the resolution as respects that district, and the Board may on any such application, if they think fit, make an order accordingly, and thereupon the Public Libraries Acts shall, as respects that district, have effect as from the date specified in that behalf in the order as though the resolution had not been passed.

(2) Any order made under this section may contain such consequential and supplemental provisions with respect to the transfer of any property or rights acquired or liabilities incurred under the Public Libraries Acts from the council of the county to the library authority of the district concerned as the Board think fit, but no such liabilities shall be transferred to such last-mentioned library authority without their consent.

(3) In this section the expression "district" means, as the case requires, either a library district or a district which would have been a library district if a resolution adopting the Public Libraries Acts had not been passed under this Act by the council of the county.

Power of certain library authorities to purchase land compulsorily.

6. A library authority, being the local education authority for the purpose of Part II. of the Education Act, 1902, may be authorised to purchase land compulsorily for the purpose of any of their powers or duties under the Public Libraries Acts in the same manner as they are authorised to purchase land compulsorily for the purpose of their powers or duties under the Education Acts, 1870 to 1918, and subsection (1) of section thirty-four of the Education Act, 1918, shall apply accordingly with the substitution of a reference to the Public Libraries Acts for references therein to the Education Acts, and with the omission of proviso (*b*) thereof.

8 & 9 Geo. 5. c. 39.

Repeal of s. 3 of 56 & 57 Vict. c. 11.

7. Section three of the Public Libraries Act, 1893, shall cease to have effect, and accordingly any resolution passed in accordance with the ordinary procedure of the council concerned shall have full effect for the purposes of that Act.

Power of providing schools of science and of art under s. 11 of 55 & 56 Vict. c. 53. to cease.

8. As from the date of the commencement of this Act, the power of providing schools for science and schools for art conferred by section eleven of the Public Libraries Act, 1892, shall cease, without prejudice, however, to the power of maintaining under the Public Libraries Acts any such school established under that section before that date.

Power of providing museums under 54 & 55 Vict. c. 22. to cease.

9. As from the date of the commencement of this Act, so much of section four of the Museums and Gymnasiums Act, 1891, as authorises the provision of museums in England and Wales shall cease to have effect, without prejudice however, subject as hereinafter provided, to the power of maintaining under that Act any museum established thereunder before the said date:

Provided that, where the district for which a museum has been provided under the said Act at the said date is, or is part of, or at any time after the said date becomes, or becomes part of, a district which is a library district within the meaning of the Public Libraries Act, the museum shall be transferred to the library authority of the district, and be maintained by that authority as though it had been provided under those Acts.

10. For the purposes of this Act— Interpretation.

The expression "the Public Libraries Acts" means the Public Libraries Acts, 1892 to 1901, and this Act;

The expression "the Board" means the Board of Education;

The expression "existing library area" means a district as respects which the Public Libraries Acts are in force and in which expenses have, within the last preceding financial year, been incurred for the purposes of those Acts, or in which a public library has been established and is being maintained under or by virtue of any local Act;

The expression "financial year" means the year ending on the thirty-first day of March.

11.—(1) This Act may be cited as the Public Libraries Act, 1919, and shall be construed as one with the Public Libraries Acts, 1892 to 1901, and those Acts and this Act may be cited together as the Public Libraries Acts, 1892 to 1919. Short title and repeal.

(2) The enactments mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

SCHEDULE.

Section 11.

Session and Chapter.	Short Title.	Extent of Repeal.
55 & 56 Vict. c. 53.	The Public Libraries Act, 1892.	Section two; in section three the words "or with respect to any "limitation of the rate other "than the limitations specified "in this Act"; subsection (4) of section twenty-one.
56 & 57 Vict. c. 11.	The Public Libraries (Amendment) Act, 1893.	In section two the words "subject "to the conditions contained in "the second section of that Act" and the words "and the limita- "tion of the maximum rate to "be levied for the purposes of "that Act may within the limits "fixed by that Act be fixed, "raised or removed"; section three.
1 Edw. 7. c. 19.	The Public Libraries Act, 1901.	Section ten.