

CHAPTER 27

An Act to remove the limitations imposed by section one hundred and ninety-one of the Local Government (Scotland) Act, 1947, and by section fourteen of the Public Libraries Consolidation (Scotland) Act, 1887, on the annual expenditure and the power to borrow money of county and town councils for and in connection with public libraries; to facilitate co-operation among statutory and non-statutory library authorities; to authorise the revocation of a decision to adopt the Public Libraries Consolidation (Scotland) Act, 1887; and to extend the lending powers of statutory library authorities. [6th May, 1955]

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:—

Removal of limitation on expenditure and borrowing by county and town councils for public libraries.

1.—(1) Subsection (1) and subsection (3) of section one hundred and ninety-one of the Local Government (Scotland) Act, 1947, and any corresponding enactment contained in any local Act shall, in so far as they impose a limitation on the annual expenditure of a county or town council for and in connection with public libraries, cease to have effect.

(2) So much of section fourteen of the principal Act as imposes a limitation on the amount of money which may be borrowed by a county or town council for the purposes of that Act shall cease to have effect.

10 & 11 Geo. 6. c. 43.

Provisions for facilitating co-operation among statutory and non-statutory library authorities.

2.—(1) A statutory library authority shall have power to enter into arrangements with any other statutory library authority or with any non-statutory library authority with a view to the improvement of their respective library services, and, without prejudice to the foregoing generality, any such arrangements may provide for the lending by one authority to the other of any library material.

(2) A statutory library authority may, with the consent of the Secretary of State given either generally or specially, contribute towards the expenses of any non-statutory library authority.

(3) Where—

(*a*) a non-statutory library authority includes among its objects the provision of library services to all statutory library authorities in Scotland, and

(*b*) the Associations representing the local authorities concerned agree that a specified sum should be jointly contributed annually for a specified number of years to the said non-statutory library authority by the statutory library authorities belonging to their Associations, and that the said sum should be apportioned among the said authorities on a specified basis,

then, if each of the said Associations resolves that each of the statutory library authorities belonging to that Association shall for the said number of years contribute the amount due by them in accordance with the agreement and if the Secretary of State approves of the said resolution, each of the said statutory library authorities shall contribute accordingly.

(4) The provisions of this section shall have effect notwithstanding anything in any other enactment (including any enactment contained in a local Act).

Revocation of decision to adopt the principal Act.

3.—(1) Where the principal Act has been adopted in respect of part of a county or in respect of a burgh, the county council or the town council, as the case may be, if they are satisfied that adequate library services will thereafter be provided in that part of the county or in the burgh by some other statutory library authority, may revoke the decision to adopt that Act, and thereupon that Act shall cease to apply to that part of the county or to the burgh.

(2) Where the council of a county or of a burgh have, under the foregoing subsection, revoked a decision to adopt the principal Act, they may transfer any property vested in them by virtue of that Act for the benefit of the area affected by the revocation to any other statutory library authority by whom in pursuance of arrangements made by them library services will thereafter be provided in that area, or may dispose of it in such other way as, with the approval of the Secretary of State, they may determine.

Extension of lending power of public libraries.

4. The power conferred by the seventh paragraph of section twenty-one of the principal Act of lending out books from a library shall extend to the lending out of any other library material which the managers of the library may think proper to lend out.

Interpretation, citation and extent.

5.—(1) In this Act the following expressions have the meanings hereby respectively assigned to them:—

" library material " means any library material the purchase of which is authorised by the third paragraph of section twenty-one of the principal Act;

" non-statutory library authority " means a body, not trading for profit, which provides library services otherwise than in the exercise of statutory powers;

" the principal Act " means the Public Libraries Consolidation (Scotland) Act, 1887; 50 & 51 Vict. c. 42.

" statutory library authority " means a county council, town council or committee authorised by the Public Libraries (Scotland) Acts, 1887 to 1920, or by any other enactment (including any enactment contained in a local Act) to provide library services, or the education authority of a county within the meaning of the Education (Scotland) Act, 1946. 9 & 10 Geo. 6. c. 72.

(2) This Act may be cited as the Public Libraries (Scotland) Act, 1955, and the Public Libraries (Scotland) Acts, 1887 to 1920, and this Act may be cited together as the Public Libraries (Scotland) Acts, 1887 to 1955.

(3) This Act shall extend to Scotland only.

PRINTED BY JOHN ROUGHTON SIMPSON, C.B.
Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament