



New South Wales

Library Amendment Bill 2026

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Library Act 1939* as follows—

- (a) to provide that a local library is free to collect and make available library material,
- (b) to enable the governing body of a library to make rules about the use of the library and the library's services.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Library Act 1939 No 40

Schedule 1[1] inserts a requirement that local libraries must be free to collect and make available library material. The requirement must be complied with and observed by local authorities in relation to their local libraries.

Schedule 1[2] makes it clear that a local authority determination about a limitation, restriction or condition on the availability of an item of library material or class of library material must be consistent with the proposed requirement that local libraries must be free to collect and make available library material.

Schedule 1[4] provides that the governing body of a library may make rules for the library relating to the use of the library and the library services and information services it provides, controls or

manages. The rules may cover the same matters currently specified in the *Library Act 1939*, section 15(2)(e)–(g), (j), (l) and (n). **Schedule 1[3]** makes a consequential amendment to provide that the regulations may provide for the exclusion or removal from a library of persons contravening the library’s rules.