

Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

DRAFT STATUTORY INSTRUMENTS

2014 No.

PUBLIC BODIES

**The Public Bodies (Abolition of the Library
Advisory Council for England) Order 2014**

Made - - - - *******

Coming into force in accordance with article 1

The Secretary of State for Culture, Media and Sport, in exercise of the powers conferred by sections 1(1), 6(1) and (5) and 35(2) of the Public Bodies Act 2011⁽¹⁾ (“the Act”), makes the following Order.

In accordance with section 8 of the Act, the Secretary of State considers that this Order—

- (a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1); and
- (b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

The Secretary of State has consulted in accordance with section 10 of the Act.

A draft of this Order, and an explanatory document containing the information required by section 11(2) of the Act, have been laid before Parliament in accordance with section 11(1) after the end of the period of 12 weeks mentioned in section 11(3).

In accordance with section 11(4) of the Act, the draft of this Order has been approved by a resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

Citation and commencement

1.—(1) This Order may be cited as the Public Bodies (Abolition of the Library Advisory Council for England) Order 2014.

(2) Subject to paragraph (3), this Order comes into force on the day after the day on which it is made.

(3) Article 3(4) comes into force two days after the day on which this Order is made.

(1) 2011 c. 24.

(4) The repeals made by this Order have the same extent as the provisions repealed.

Abolition of the Advisory Council

2. The Library Advisory Council for England is abolished.

Consequential repeals to primary legislation

3.—(1) Section 2 of the Public Libraries and Museums Act 1964⁽²⁾ (national advisory councils) is repealed.

(2) In Schedule 2 to the Parliamentary Commissioner Act 1967⁽³⁾ (departments etc. subject to investigation), omit the entry “Advisory Council on Libraries.”

(3) In Schedule 1 to the Freedom of Information Act 2000⁽⁴⁾, in the list in Part 6 (other public bodies and offices: general), omit the entry “The Advisory Council on Libraries.”

(4) In Schedule 1 to the Public Bodies Act 2011 (power to abolish: bodies and offices), omit the entry “Library Advisory Council for England.”

Consequential repeals to secondary legislation

4. In Schedule 2 to the Transfer of Functions (Arts, Libraries and National Heritage) Order 1981⁽⁵⁾ (consequential amendments and repeals), omit paragraph 1.

Date _____ *Name*
Secretary of State for Culture Media and Sport

(2) 1964 c. 75; the words “the Department of Education and Science” in section 2(2) were substituted with “a Department of the Secretary of State” by Schedule 2 of S.I. 1981/207. Section 2 was further amended by S.I. 2004/803, which removed all references to the Library Advisory Council for Wales. There have been other amendments to this section that are not relevant to this Order.

(3) 1967 c. 13; Schedule 2 was substituted by the Schedule to S.I. 2011/2986.

(4) 2000 c. 36.

(5) S.I. 1981/207.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abolishes the Library Advisory Council for England, also known as the Advisory Council on Libraries, which was established under section 2 of the Public Libraries and Museums Act 1964, and is listed in Schedule 1 to the Public Bodies Act 2011.

Article 3 repeals section 2 of the Public Libraries and Museums Act 1964 Act and makes other amendments to primary legislation that are necessary in consequence of the abolition of the Library Advisory Council for England.

Article 4 amends secondary legislation that is no longer relevant in consequence of the abolition of the Library Advisory Council for England.

An impact assessment as to the effect that this Order may have on the costs of business, the voluntary sector and the public sector is available on the Government website at <https://www.gov.uk/government/publications/impact-assessment-for-the-proposed-abolition-of-the-advisory-council-on-libraries>). This impact assessment is also published with the Explanatory Document alongside the instrument on www.legislation.gov.uk.