
STATUTORY INSTRUMENTS

2004 No. 803 (W.83)

LIBRARIES, WALES

**The Library Advisory Council for Wales Abolition
and Consequential Amendments Order 2004**

Made - - - - *17th March 2004*

Coming into force - - *1st April 2004*

Section 28(1) of, and Part 1 of Schedule 4 to, the Government of Wales Act 1998⁽¹⁾ (“the 1998 Act”), enable the National Assembly to transfer to itself the statutory functions of the Council established for Wales under section 2 of the Public Libraries and Museums Act 1964⁽²⁾.

The National Assembly considers that the statutory functions of the Council, namely the functions of advising the National Assembly upon such matters connected with the provision or use of library facilities whether under the 1964 Act or otherwise and upon any questions referred to the Council by the National Assembly, are functions which require advice to be given to the National Assembly itself, and therefore come within section 28(2)(a) of the 1998 Act.

The National Assembly, in exercise of its powers under section 28 of, and Part 1 of Schedule 4 to, the 1998 Act makes the following Order:

Name, commencement, application and interpretation

1.—(1) This Order is called the Library Advisory Council for Wales Abolition and Consequential Amendments Order 2004.

(2) This Order comes into force on 1st April 2004.

(3) This Order applies to Wales.

(4) In this Order —

“the 1964 Act” (“*Deddf 1964*”) means the Public Libraries and Museums Act 1964;

“the Council” (“*y Cyngor*”) means the Library Advisory Council established for Wales and Monmouthshire under section 2 of the 1964 Act, known as the Library and Information Services Council (Wales); and

“the National Assembly” (“*y Cynulliad Cenedlaethol*”) means the National Assembly for Wales.

⁽¹⁾ 1998 c. 38.

⁽²⁾ 1964 c. 75. The Secretary of State’s functions under the Act have been transferred to the National Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

Abolition of the Council

2.—(1) The Council and its functions are abolished.

(2) All property and rights to which the Council is entitled and any liabilities to which the Council is subject are transferred to the National Assembly.

Consequential Amendments

3.—(1) Section 2 of the 1964 Act is amended as follows:

(a) for subsection (1) substitute —

“(1) There shall be a Library Advisory Council for England and it shall be the duty of the Council to advise the Secretary of State upon such matters connected with the provision or use of library facilities whether under this Act or otherwise as it thinks fit, and upon any questions referred to it by him.”;

(b) In subsection (2) substitute “the” for “each” (in both places);

(c) In subsection (3) substitute “The” for “Each”;

(d) In subsection (4) substitute “the” for “either”;

(e) In subsection (5) substitute “The” for “Each” and “the ” for “a ”.

(2) In Part 2 of Schedule 1A to the Race Relations Act 1976(3), the entry relating to the Library and Information Services Council (Wales) is repealed.

(3) In Part 6 of Schedule 1 to the Freedom of Information Act 2000(4), the entry relating to the Library and Information Services Council (Wales) is repealed.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5).

17th March 2004

D. Elis-Thomas
The Presiding Officer of the National Assembly

(3) 1976 c. 74. Schedule 1A was inserted by the Race Relations (Amendment) Act 2000 (c. 34), section 2(2) and Schedule 1 and amended by the Race Relations Act 1976 (General Statutory Duty) Order 2001 (S.I. 2001/3457), article 2(d), and the Schedule to it.

(4) 2000 c. 36.

(5) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abolishes the Library Advisory Council for Wales (known as 'the Library and Information Services Council (Wales)') and transfers all its property and rights and any liabilities to the National Assembly for Wales. The Order also makes amendments consequential upon the abolition of the Council.