



Western Australia

Library Board of Western Australia Act 1951

## **Regulations for the Conduct of the Central Music Library**

These regulations were repealed by the *Statute Law Revision Act 2006*  
s. 3(1) (No. 37 of 2006) as at 4 Jul 2006 (see s. 2).

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## Regulations for the Conduct of the Central Music Library

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## Regulations for the Conduct of the Central Music Library

### 1. Citation

These regulations may be cited as the *Regulations for the Conduct of the Central Music Library*<sup>1</sup>.

### 2. Interpretation

In these regulations unless the context requires otherwise —

“**Board**” means The Library Board of Western Australia, constituted pursuant to the provisions of the Act;

“**book**” includes periodical, newspaper, pamphlet, picture, print, photograph, map, chart, plan, manuscript, film, slide, gramophone record, or any other article of a like nature, forming part of the contents of the Central Music Library, whether or not the property of the Board, but does not include musical score;

“**Central Music Library**” means any portion of the premises of the Board set apart by the Board primarily for the purpose of there being contained therein musical scores, books relating to music, and other articles of a like nature, and includes any room, office, passage, staircase, entrance, and exit forming part thereof or adjacent thereto;

“**librarian**” means the State Librarian, and includes the person for the time being in charge of the Central Music Library;

“**musical score**” means a publication that consists principally of one or more pieces of music expressed in musical notation on a

staff or staves, forming part of the contents of the Central Music Library and classified by the Board as a musical score, whether such publication is the property of the Board or not;

**“reader”** means any person, other than an officer of the Board, who enters the Central Music Library, and any person or body to whom a book or musical score from that Library is lent pursuant to these regulations;

**“the Act”** means the *Library Board of Western Australia Act 1951* (as amended).

**3. *Regulations for the Conduct of the State Library***

- (1) These regulations shall be read and construed as being in aid of, and not in derogation of or substitution for, the *Regulations for the Conduct of the State Library*, published in the *Government Gazette* on 3 August 1956.
- (2) Regulations 7 to 33 (both inclusive) of the *Regulations for the Conduct of the State Library* are incorporated with these regulations with the adaptation that there is given to the term, “book”, when used for the purpose of these regulations, the meaning ascribed to it by those regulations, and these regulations shall be read and construed as if those regulations were, subject to such adaptation, repeated in and formed part of these regulations.

**4. *General control vested in librarian***

The librarian has the general control and charge of the Central Music Library and is responsible to the Board for the safe custody of the books, musical scores and all other property therein or belonging thereto.

**5. *Opening hours***

The Board shall open or cause to be opened the Central Music Library on such days and during such hours as it may from time to time determine.

**6. Borrowing books**

- (1) Books from the stock of the Central Music Library may, at the discretion of the Board, be lent —
  - (a) to an approved library;
  - (b) to any department or instrumentality of the Government of the State or of the Commonwealth of Australia, for official use; and
  - (c) to any other person or body in exceptional circumstances.
- (2) A book shall not be removed from the Central Music Library without the authority of the librarian, who at his discretion may decline to give such authority or may impose conditions as to the manner in which the book shall be used, the period of loan, or as to any other matter, and a person who accepts the book on loan is deemed to have assented to any such conditions and shall comply with them.
- (3) In respect of any such loan the *Regulations for the Conduct of Public Libraries* published in the *Government Gazette* on 21 May 1954 are applicable, as if the library were a registered public library within the meaning of the Act and any person borrowing a book shall comply with those regulations.

**7. Borrowing musical scores**

Musical scores may be lent, as provided in these regulations, to a person or to a society or institution or to an approved library.

**8. Persons who may borrow musical scores**

- (1) A person who —
  - (a) is enrolled as an elector on a current electoral roll for the Legislative Assembly of the State; or

- (b) not being an elector, is over the age of 14 years, and satisfies the librarian that he is permanently resident within the State; or
- (c) is a child of compulsory school age resident within the State, if he is recommended to the Board by his parent or guardian or by a teacher of the school that he attends; or
- (d) not being permanently resident within the State, is over the age of 14 years, if he pays such sum by way of deposit as the Board determines,

may subject to the provisions of these regulations and of any conditions made by the Board pursuant to these regulations borrow musical scores from the Central Music Library.

- (2) Any association, society or institution established for the study or practice of music, or any school, college or educational institution, may subject to the provisions of these regulations and of any conditions made by the Board pursuant to these regulations borrow musical scores from the Central Music Library.
- (3) The deposit referred to in subregulation (1)(d) shall be refunded by the Board to the person who deposited it, upon his notifying the librarian that he no longer desires to borrow musical scores and surrenders all music tickets issued to him, if at the time of the notification the reader is not liable to pay the Board any moneys, has returned all musical scores to the Central Music Library, and is not liable for a breach of these regulations.
- (4) All deposits made in pursuance of this regulation shall be paid into the general funds of the Board, and all refunds shall be made out of those funds.

**9. Application to borrow musical score**

- (1) A person who desires to borrow a musical score from the Central Music Library shall make an application on the appropriate form provided by the Board.



- (2) A recognised organisation desirous of borrowing a musical score from the Central Music Library shall make an application on the appropriate form provided by the Board signed by an officer authorised in that behalf by the organisation.

**10. Fees**

No charge shall be made for the registration of a reader, or for the issue of a reader's ticket, or for the loan of any musical score except —

- (a) the Board may make a charge not exceeding 10 cents for the issue of a ticket to replace one reported lost or destroyed by a reader; and
- (b) as otherwise provided in these regulations.

*[Regulation 10 amended by Act No. 113 of 1965 s. 8(1).]*

**11. Issue of music tickets**

- (1) When an application form pursuant to regulation 9 is delivered to the librarian, if the form is duly completed by the applicant to the satisfaction of the librarian, he shall issue 3 music tickets to the applicant, and may issue not more than 2 further music tickets at his discretion.
- (2) Every music ticket issued under this regulation shall entitle the person to whom it is issued to borrow one musical score from the Central Music Library.

**12. Music tickets not valid for books or at other libraries**

Music tickets issued pursuant to these regulations shall not entitle a person to borrow books from the Central Music Library, or to borrow books or musical scores from any other library.

**13. Registered readers outside metropolitan area**

- (1) Musical scores may be sent by post, rail or other such means, to a registered reader who is resident outside the metropolitan area and is resident in a municipality that has not been declared a participating body.
- (2) For the purposes of this regulation the metropolitan area shall comprise the districts or part districts of the municipalities specified in the Appendix and known in the aggregate as the Metropolitan Statistical Division.

**14. Musical scores not to be removed without authority**

- (1) A musical score shall not be removed from the Central Music Library without the authority of the librarian who at his discretion may decline to give such authority or may impose conditions as to the manner in which the musical score shall be used, the period of loan, or as to any other matter, and a person who accepts the musical score on loan is deemed to have assented to any such conditions and shall comply with them.
- (2) In respect of any such loan the *Regulations for the Conduct of Public Libraries* referred to in regulation 6(3) shall apply, in so far as they are applicable, as if the library were a registered public library within the meaning of the Act, and any person borrowing a musical score shall comply with those regulations.

**15. Penalty for breach of by-laws**

- (1) A person who commits a breach of any of these regulations is liable to a penalty not exceeding \$100, and in addition to any penalty imposed the amount of any expense incurred in consequence of the breach shall be paid by that person.
- (2) Any penalty or other sum payable under these regulations may be recovered in any court of competent jurisdiction by the Board as a debt due to the Board.

*[Regulation 15 amended by Act No. 113 of 1965 s. 8(1).]*

**Appendix**

City of Perth<sup>2</sup>.  
City of Nedlands.  
City of South Perth.  
City of Subiaco.  
City of Fremantle.  
Town of Claremont.  
Town of Cottesloe.  
Town of East Fremantle.  
Town of Melville<sup>3</sup>.  
Town of Midland.  
Town of Mosman Park.  
Shire of Bassendean<sup>4</sup>.  
Shire of Bayswater<sup>5</sup>.  
Shire of Belmont<sup>6</sup>.  
Shire of Canning<sup>7</sup>.  
Shire of Peppermint Grove.  
Shire of Perth<sup>2</sup>.  
South and Guildford Wards of Swan-Guildford Shire<sup>8</sup>.

### Notes

- <sup>1</sup> This reprint is a compilation as at 19 December 2003 of the *Regulations for the Conduct of the Central Music Library* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Regulations for the Conduct of the Central Music Library</i>	8 Jul 1964 p. 2670-2	8 Jul 1964
<i>Decimal Currency Act 1965</i> assented to 21 Dec 1965		s. 4-9: 14 Feb 1966 (see s. 2(2)); balance: 21 Dec 1965 (see s. 2(1))

**Reprint 1: The *Regulations for the Conduct of the Central Music Library* as at 19 Dec 2003** (includes amendments listed above)

**These regulations were repealed by the *Statute Law Revision Act 2006 s. 3(1) (No. 37 of 2006)* as at 4 Jul 2006 (see s. 2)**

- <sup>2</sup> The former municipal district of the City of Perth has been divided into 4 local government districts, namely the City of Perth, and the towns of Vincent, Cambridge and Victoria Park (formerly Shepperton).
- <sup>3</sup> The former municipal district of the Town of Melville is now a local government district called the City of Melville.
- <sup>4</sup> The former municipal district of the Shire of Bassendean is now a local government district called the Town of Bassendean.
- <sup>5</sup> The former municipal district of the Shire of Bayswater is now a local government district called the City of Bayswater.
- <sup>6</sup> The former municipal district of the Shire of Belmont is now a local government district called the City of Belmont.
- <sup>7</sup> The former municipal district of the Shire of Canning is now a local government district called the City of Canning.
- <sup>8</sup> The former municipal district of Swan-Guildford Shire is now a local government district called the City of Swan.

## Defined terms

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
Board .....	2
book .....	2
Central Music Library .....	2
librarian .....	2
musical score .....	2
reader .....	2
the Act .....	2