



ANALYSIS

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1965, No. 136

An Act to establish the National Library of New Zealand and to make provision for, and where desirable to develop and extend the services provided by or associated with, the General Assembly Library, the Alexander Turnbull Library, and the National Library Service

[30 October 1965]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the National Library Act 1965.

(2) This Act shall come into force on the first day of April, nineteen hundred and sixty-six.

2. Interpretation—In this Act, unless the context otherwise requires,—

“Appointed trustee” means a member of the body to be known as the Trustees of the National Library appointed under paragraph (a) of subsection (1) of section 9 of this Act:

“The Library” or “the National Library” means the National Library of New Zealand established by this Act:

“Library material” includes books, periodicals, newspapers, manuscripts, microfilms, films, sound recordings, musical scores, maps, plans, paintings, drawings, etchings, pictures, prints, and photographs, and such other related materials as the Minister, on the advice of the Trustees, by writing under his hand approves as library material for the purposes of this Act:

“Minister” means the Minister of Education:

“The Trustees” means the Trustees of the National Library established by this Act.

Administration

3. Establishment of National Library of New Zealand—

(1) There is hereby established a library to be known as the National Library of New Zealand, to collect, preserve, and make available recorded knowledge, particularly that relating to New Zealand, to supplement and to further the work of other libraries in New Zealand, and to enrich the cultural and economic life of New Zealand and its cultural interchanges with other nations.

(2) The General Assembly Library shall form part of the National Library of New Zealand:

Provided that nothing in this subsection shall restrict any of the following provisions of this Act, namely, subsections (2) and (3) of section 5, paragraph (b) of subsection (2) of section 6, subsection (1) of section 7, paragraph (b) of subsection (1) and subsection (2) of section 9, and subparagraph (i) of paragraph (b) of subsection (1) of section 13.

(3) The Alexander Turnbull Library shall form part of the National Library of New Zealand:

Provided that nothing in this subsection shall restrict any of the following provisions of this Act, namely, paragraph (c)

of subsection (2) of section 6, subparagraph (ii) of paragraph (b) of subsection (1) of section 13, paragraph (b) of subsection (1) of section 14, and paragraph (b) of section 31.

(4) The National Library Service shall form part of the National Library of New Zealand:

Provided that nothing in this subsection shall restrict any of the following provisions of this Act, namely, paragraphs (d) and (e) of subsection (2) of section 6, and subparagraph (iii) of paragraph (b) of subsection (1) of section 13.

4. National Librarian—(1) There shall from time to time be appointed, under the State Services Act 1962, a National Librarian.

(2) Subject to the control of the Minister, who shall be advised by the Trustees of the National Library, the National Librarian shall be charged with the general administration of this Act.

(3) The Third Schedule to the State Services Act 1962, as amended by subsection (2) of section 204 of the Education Act 1964, is hereby further amended by repealing the item relating to the Department of Education, and substituting the following item:

“Education		Director-General. Assistant Director-General. Assistant Director-General (Administrative). National Librarian.”
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(4) The Education Act 1964 is hereby consequentially amended by repealing subsection (2) of section 204.

5. Officers to act under direction of National Librarian—

(1) There shall be appointed from time to time, under the State Services Act 1962, a Chief Librarian of the General Assembly Library, a Chief Librarian of the Alexander Turnbull Library, a Deputy National Librarian, a Director of the Extension Division of the National Library, and such other officers and employees as may be necessary to assist in providing the services specified in section 6 of this Act.

(2) The persons so appointed shall act under the direction of the National Librarian in the exercise and performance of the functions, duties, and powers conferred or imposed on them by this Act:

Provided that any person appointed to a position in the General Assembly Library which is specified in writing to the

National Librarian by the Chairman of the Library Committee of the House of Representatives shall, for any of the purposes of this Act so specified, be seconded for duty to the Legislative Department by the National Librarian, and when so seconded shall be deemed to be a member of the staff of the Legislative Department, but nothing in this proviso shall affect the rights of any such person to appointment and promotion in the Public Service.

(3) In respect of the appointment of the Chief Librarian of the General Assembly Library, the State Services Commission shall have regard to the wishes of the Library Committee of the House of Representatives.

(4) No person shall hold substantively more than one of the following offices, namely, National Librarian, Chief Librarian of the General Assembly Library, Chief Librarian of the Alexander Turnbull Library, Deputy National Librarian, and Director of the Extension Division of the National Library.

6. Functions and powers of National Librarian—(1) The functions of the National Librarian shall be—

(a) To develop and maintain a national collection of library material, including a comprehensive collection of library material relating to New Zealand and the people of New Zealand:

(b) To provide access to the collections and resources of the library in such manner and subject to such conditions as the Minister, having regard to the advice of the Trustees, determines from time to time, with a view to the most advantageous use of those collections and resources:

(c) To provide such other services, including bibliographical services, as the Minister, having regard to the advice of the Trustees, thinks fit:

(d) To provide means whereby cooperation in library matters shall be brought about with authorities and persons, whether in New Zealand or elsewhere:

(e) To advise and assist the Minister in all matters relating to libraries.

(2) Without limiting the generality of the provisions of subsection (1) of this section, the National Librarian shall have the following specific functions:

(a) The taking of all steps necessary to make the library materials in the National Library available to such persons and institutions, and in such manner, and

subject to such conditions as may be prescribed by regulations made under this Act and to such further conditions as the Minister, having regard to the advice of the Trustees, and subject to any such regulations, determines from time to time:

- (b) The taking of such steps as are necessary to provide the library services to Parliament required by the Library Committee of the House of Representatives:
 - (c) The taking of all steps necessary to provide separate and fitting accommodation in a national library building for the collection of library material bequeathed to His late Majesty King George the Fifth as the nucleus of a national collection by Alexander Horsburgh Turnbull of the City of Wellington in the year nineteen hundred and eighteen, and for bequests and other associated acquisitions in the custody of the Alexander Turnbull Library immediately before the commencement of this Act, and for all library material bequeathed or donated to, or otherwise acquired at any time by the Alexander Turnbull Library; also the making of provision for the continuation of the services given by the Alexander Turnbull Library immediately before the commencement of this Act, and for the further development of its research collections, particularly in the fields of New Zealand and Pacific studies and rare books:
 - (d) The providing of loans of library material, and assistance in the management of libraries, to authorities or to persons in New Zealand on such conditions as may be prescribed by regulations made under this Act and on such further conditions as the Minister, having regard to the advice of the Trustees and subject to any such regulations, determines from time to time:
 - (e) The promoting, and carrying out or causing to be carried out, of training of persons in the profession of librarianship.
- (3) In the exercise of his functions the National Librarian may,—
- (a) With the consent of the Minister, make arrangements with any appropriate authority for the transfer to the library of the ownership, use, or custody of any library material or of any equipment or goods belonging to the Government of New Zealand:

- (b) With the consent of the Minister, given after having regard to the advice of the Trustees, make arrangements with any appropriate authority for the transfer to that authority of the use or custody of any library material belonging to the National Library.

7. Delegation of powers by National Librarian—(1) The National Librarian may from time to time, by instrument in writing under his hand, either generally or particularly, delegate to any officer employed under the State Services Act 1962 (including the Chief Librarian of the General Assembly Library notwithstanding that he may also be an officer of Parliament) all or any of the powers exercisable by the National Librarian under this Act, except this power of delegation.

(2) Subject to any general or special directions attached by the National Librarian, any officer to whom any powers are delegated under this section may exercise those powers in the same manner and with the same effect as if they had been conferred on him directly by this section and not by delegation.

(3) Every person purporting to act pursuant to any delegation under this section shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

(4) Any delegation under this section may be made to a specified officer or to officers of a specified class, or may be made to the holder or holders for the time being of a specified office or class of offices.

(5) Every delegation under this section shall be revocable in writing at will, and no such delegation shall prevent the exercise of any power by the National Librarian.

(6) Every such delegation shall, until revoked, continue in force according to its tenor; and, where the National Librarian by whom it was made has ceased to hold office, it shall continue to have effect as if it had been made by the successor in office of that National Librarian.

Trustees of the National Library

8. Trustees of the National Library—(1) For the purposes of this Act there is hereby established a body to be known as the Trustees of the National Library.

(2) The Trustees shall be a body corporate with perpetual succession and a common seal, and may hold real and personal property for the purposes of this Act, and sue and be sued, and do and suffer all such acts and things as bodies corporate may do and suffer.

9. Constitution of the Trustees—(1) The Trustees of the National Library shall consist of the following trustees:

- (a) Six trustees (in this Act referred to as appointed trustees) to be appointed by the Governor-General on the recommendation of the Minister, of whom one shall be so appointed as Chairman:
- (b) Two members of the House of Representatives to be elected by the Library Committee of the House of Representatives:
- (c) The Director-General of Education:
- (d) The Secretary for Internal Affairs:
- (e) The Clerk of the House of Representatives.

(2) Subject to the provisions of this Act, the trustees elected by the Library Committee of the House of Representatives shall hold office for such period not exceeding three years as is fixed by that Committee at the time of their election, and shall be eligible for re-election.

(3) The appointed trustees shall be persons who, in the opinion of the Minister, are possessed of some special knowledge or qualifications that will be of advantage to the Trustees in the performance of their functions.

(4) In respect of the appointment of four of the appointed trustees, the Minister, before making his recommendation to the Governor-General, shall have regard to any representations made to him by the Royal Society of New Zealand, the University Grants Committee, the New Zealand Library Association, the Friends of the Turnbull Library, and any other body concerned with the provision of library facilities for scholarship and research.

(5) Each of the appointed trustees shall be appointed for a term not exceeding five years, and, subject to subsection (6) of this section, shall be eligible for reappointment from time to time:

Provided that, of the first appointed trustees, two shall be appointed for a term of three years, and two shall be appointed for a term of four years.

(6) Upon the completion by any appointed trustee of ten consecutive years' service as such a trustee, he shall cease to be eligible for reappointment until after the lapse of one year during which he did not hold office as such a trustee:

Provided that any appointed trustee who has completed not more than ten consecutive years' service as such a trustee (otherwise than as Chairman) may be appointed as Chairman of the Trustees for a further term not exceeding five years immediately following the date of the expiry of his term of office as an appointed trustee.

(7) Notwithstanding anything to the contrary in this Act, every appointed trustee, unless he sooner vacates his office under section 10 of this Act, shall continue in office until his successor comes into office.

(8) No person shall, by reason only of being a trustee appointed or holding office under section 9 of this Act or a member of any committee appointed by the Trustees, be deemed to be employed in the service of Her Majesty for the purposes of the State Services Act 1962 or the Superannuation Act 1956.

10. Extraordinary vacancies—(1) Any appointed trustee may at any time be removed from office by the Governor-General for disability, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of the Governor-General, or may at any time resign his office by writing addressed to the Minister.

(2) If an appointed trustee dies or resigns or is removed from office, the Governor-General may, on the recommendation of the Minister, appoint a fit person to fill the vacancy for the residue of the term for which the vacating trustee was appointed.

(3) The powers of the Trustees shall not be affected by any vacancy in their number.

11. Temporary trustees—(1) If any trustee appointed or holding office under section 9 of this Act is absent from New Zealand, or for sufficient reason is unable to act in his capacity as such a trustee, the Minister may appoint a suitable person in his stead as a temporary trustee for such a term, not exceeding the unexpired period of the term of office of the trustee so absent or unable to act, as the Minister directs.

(2) All the provisions of this Act shall apply to every such temporary trustee in all respects as if he were a trustee appointed or holding office under subsection (1) of section 9 of this Act; but while any such temporary trustee continues in office no travelling allowances or expenses under section 17 of this Act shall be payable to the trustee in whose stead the temporary trustee was appointed.

12. Meetings of Trustees—(1) The first meeting of the Trustees of the National Library shall be held at a time and place to be appointed by the Minister.

(2) Subsequent meetings of the Trustees shall be held at such times and places as the Trustees may from time to time appoint:

Provided that the Trustees shall meet at least three times in every year.

(3) At any meeting of the Trustees of the National Library five trustees, of whom at least two shall be appointed trustees, shall form a quorum.

(4) The Chairman shall preside at all meetings of the Trustees at which he is present. In the absence of the Chairman from any meeting, the trustees present shall elect one of their number to be the Chairman for the purposes of that meeting.

(5) The Chairman at any meeting shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.

(6) Every question before any meeting of the Trustees shall be determined by a majority of the votes of the members present and voting thereon.

(7) In the absence from any meeting of the Trustees of the Director-General of Education, the Secretary for Internal Affairs, or the Clerk of the House of Representatives or in the absence of any such trustee from any meeting of any committee appointed by the Trustees of which he is a member, the said trustee who is absent may authorise any other officer of his Department having the status of a deputy or an assistant permanent head of the Department, or some other senior officer of the Department approved by the Minister in charge of the Department, to attend the meeting in his stead. While any person is attending any such meeting in accordance with authority conferred by or under this subsection, he shall be deemed for all purposes to be a trustee holding office under section 9 of this Act. The fact that any person attends and acts as such a trustee at any such meeting shall be sufficient evidence of his authority to do so in the absence of proof to the contrary.

(8) Subject to the provisions of this Act, the Trustees may regulate their own procedure.

(9) The National Librarian shall attend and may speak, but shall not vote, at all meetings of the Trustees.

13. Functions and powers of Trustees—(1) The functions of the Trustees shall be—

(a) To advise the Minister on the general progress and development of the National Library, including:

(i) The acquisition of library materials in sufficient strength to enable the Library to discharge its responsibilities to research, to scholar-

ship, to other libraries, and to the people of New Zealand; and

(ii) The provision of suitable and fitting library accommodation for the purposes of the National Library, including a modern library building which is adequate for the present and reasonable future needs of the Library in Wellington, and which is of a quality in keeping with the responsibilities of the Library and its place in the community:

(b) To report to the Minister on the way in which the identity of collections, or the character of the services, forming part of the National Library is maintained from time to time, and in particular:

(i) The effectiveness of the library services maintained for members of the House of Representatives by the General Assembly Library;

(ii) The adequacy and suitability of the housing of the collections known as the Alexander Turnbull Library and the development of those collections and the associated services; and

(iii) The effectiveness of the aid given from time to time to libraries in New Zealand by the Extension Division of the National Library.

(2) The Trustees may encourage the planning and co-ordinating of library development in New Zealand, and in particular:

(a) The association of the National Library with other libraries for the purpose of increasing New Zealand's resources in library materials for research and scholarship:

(b) The collection and dissemination of information, including the publication of reports and journals:

(c) The development of research into library matters, and the making of grants for the study within or beyond New Zealand of libraries or any matters concerning the administration of libraries.

(3) Subject to the provisions of paragraph (c) of subsection (2) of section 6 of this Act, the Trustees may acquire or accept on behalf of the National Library, whether by purchase, gift, loan, or otherwise, and whether permanently or temporarily, any library material. Any library material so acquired or accepted by the Trustees shall form part of the collections in the Library in the same manner as library material acquired or accepted through the expenditure of money appropriated by Parliament or acquired in any other manner.

(4) The Trustees may acquire, by purchase or lease or bailment or otherwise, any real or personal property for the purposes of this Act.

(5) The Trustees may dispose, by sale or lease or bailment or otherwise, of any real or personal property of the Trustees.

(6) The Trustees shall have power to enter any part of the National Library or any premises used by the Library at any reasonable time, and to call for and be supplied with information by the Librarian on any matter on which they have advisory or other functions or powers under this Act.

14. Power to appoint committees—(1) The Trustees may from time to time, by resolution, appoint or discharge or alter or continue or reconstitute:

(a) An executive committee of not fewer than three members:

(b) A special committee, consisting of four members of whom one shall be the Secretary for Internal Affairs and one shall be a trustee appointed or holding office under section 9 of this Act and having special interest in and knowledge of the Alexander Turnbull Library, to advise the Trustees on all matters relating to the Alexander Turnbull Library, and to exercise such powers as are delegated to them under this section:

(c) Other special committees for particular purposes.

(2) Every member of the executive committee shall be a trustee appointed or holding office under section 9 of this Act, but (subject to paragraph (b) of subsection (1) of this section) any person may be appointed to a special committee, notwithstanding that he is not such a trustee.

(3) The Trustees may delegate to any committee appointed under this section such of their powers as they think fit.

(4) Subject to any general or special directions given or conditions attached by the Trustees, any powers and functions so delegated may be performed and exercised by any committee appointed under this section with the same effect as if those powers and functions had been directly conferred by this Act and not by delegation.

(5) Every such delegation shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Trustees.

(6) Unless and until any such delegation is revoked, it shall continue in force according to its tenor.

15. Rules of Trustees—(1) The Trustees may, by resolution duly passed in accordance with this section, make rules consistent with this Act for regulating their proceedings, and may in like manner amend or revoke any such rules.

(2) Notice of every resolution proposed to be submitted to any meeting of the Trustees for the making, amending, or revocation of any such rules shall be forwarded to every trustee appointed or holding office under section 9 of this Act at least fourteen clear days before the meeting.

16. Contracts—(1) The Trustees are hereby declared to be—

(a) A local authority for the purposes of the Local Authorities (Members' Contracts) Act 1954:

(b) A public body for the purposes of the Public Bodies Contracts Act 1959.

(2) The Local Authorities (Members' Contracts) Act 1954 is hereby amended by inserting in Part II of the First Schedule, before the item relating to the New Plymouth Airport Board, the following item:

“The Trustees of the National Library	1965, No. 136— The National Library Act 1965.”
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(3) The Public Bodies Contracts Act 1959 is hereby amended by inserting in Part II of the First Schedule, after the item relating to the Masterton Licensing Trust, the following item:

“The Trustees of the National Library	1965, No. 136— The National Library Act 1965.”
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Financial Provisions for the Trustees

17. Travelling allowances and expenses—(1) The Trustees may pay to each trustee appointed or holding office under section 9 of this Act travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.

(2) For the purposes of subsection (1) of this section, the Trustees are hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951.

18. Insurance—The Trustees may from time to time enter into contracts of insurance of a type for the time being approved by the Minister insuring trustees appointed or holding office under section 9 of this Act against loss from personal

accident arising out of and in the course of the exercise of their powers or duties as such trustees, and may pay the premiums payable in respect of those contracts.

19. Grants to Trustees—(1) For the purpose of providing funds for the exercise of the functions of the Trustees, any local authority within the meaning of the Local Authorities Loans Act 1956, or any public body, may from time to time make grants out of its general funds to the Trustees of such amounts as it thinks fit.

(2) Subject to the provisions of the Charitable Trusts Act 1957, all benefactions at any time vested in or enjoyed by the Trustees with a declaration of trust, or as an endowment for any purpose, shall be applied strictly by the Trustees accordingly.

20. Funds and property of the Trustees—The funds and property of the Trustees shall comprise—

- (a) All real or personal property given to or vested in the Trustees:
- (b) Any money appropriated by Parliament for the purposes of the Trustees:
- (c) All accumulations of income derived from any such property or money.

21. Investment of funds—Subject to the terms of any trust or endowment, all money belonging to the Trustees that is not immediately required for expenditure by them may be invested in accordance with the provisions of the Trustee Act 1956 as to the investment of trust funds.

22. Unauthorised expenditure—The Trustees may in every financial year, out of money not appropriated or held in trust for any special purpose, expend for purposes not authorised by any Act or law for the time being in force any sum or sums not amounting in the whole to more than fifty pounds.

23. Money to be paid into bank—(1) All money received for the purposes of the Trustees by the Trustees, or by the National Librarian, or by any officer or employee on the staff of the National Library, amounting to ten pounds and upwards shall, as soon as practicable after it has come into the hands of any of them be paid into such bank account or accounts of the Trustees as the Trustees from time to time determine.

(2) No such money shall be withdrawn from the bank

except by authority of the Trustees and by cheque signed by an officer or employee of the National Library approved by the Trustees, and countersigned by another such officer or employee approved by the Trustees.

24. Trustees may establish imprest accounts—(1) The Trustees may from time to time authorise the opening of one or more imprest accounts, each of which may be held jointly in the names of and be operated on by two officers or employees on the staff of the National Library to be appointed in that behalf by the Trustees, or may with the express approval in writing of the Audit Office, but not otherwise, be in the sole name of and operated on by one such officer or employee.

(2) The Trustees shall from time to time by resolution fix the maximum amount that may be held at any time in any such imprest account, not exceeding fifty pounds in any case where the imprest account may be operated on by one person acting alone, and not exceeding such amount as the Audit Office may approve in any other case.

(3) Money in any such imprest account shall be available only for the payment of emergency expenditure and such other expenditure as the Trustees and the Audit Office may jointly approve. A statement of all payments made from any such imprest account shall be submitted to the Trustees for approval at their first ordinary meeting thereafter.

25. Accounts—(1) The Trustees shall keep full and correct accounts of all money received and expended by them, and the accounts shall be audited by the Audit Office which for that purpose shall have and may exercise all the powers that it has under the Public Revenues Act 1953 in respect of public money and the audit of the accounts of local authorities.

(2) The Trustees shall, as soon as practicable after the end of each financial year ending with the thirty-first day of March, cause full and true statements and accounts of all their income and expenditure in that year and of their assets and liabilities at the end of that year to be prepared and submitted to the Audit Office.

26. Exemption from taxes—(1) The Trustees are hereby declared to be exempt from the payment of land tax and income tax.

(2) It is hereby declared that the purposes of the National Library and of the Trustees are charitable purposes.

27. Individual trustees not personally liable—No trustee appointed or holding office under section 9 of this Act shall be personally liable for any act done or default made by the Trustees or by any such trustee in good faith in the course of the operations of the Trustees.

28. National Librarian to provide administrative services for Trustees—The National Librarian shall provide such administrative services as may be necessary for the efficient carrying out of the functions of the Trustees under this Act.

Miscellaneous Provisions

29. Bonds for library training—(1) Any student accepted for admission to a library school authorised under this Act or to any course for the training of librarians approved by the Minister may be required as a condition of acceptance to sign a bond in a form to be determined by the National Librarian requiring the student to pay to the Crown the sum therein specified if he makes default in the performance of any condition of the bond.

(2) The National Librarian may require that such a bond shall also be signed by a parent or guardian or by some other person approved by the National Librarian as surety; and the parent or guardian or person who signs such a bond shall be jointly and severally liable thereunder.

(3) Every such bond shall be enforceable against the student and the surety who signs it notwithstanding anything in this Act or any other Act or any rule of law.

30. Annual reports—(1) The National Librarian shall, not later than the twentieth day of June in each year,—

(a) Furnish to the Minister a report for the preceding financial year on the National Library and on the general administration of this Act:

(b) Furnish to the Trustees a copy of his said report.

(2) The Trustees shall, not later than the thirtieth day of June in each year, furnish to the Minister a report of their proceedings and operations for the preceding financial year, and shall attach to the said report a copy of their accounts for that year certified by the Audit Office and a copy of the National Librarian's report for that year.

(3) A copy of the annual report of the Trustees (including the accounts so certified and the copy of the National Librarian's report attached thereto) shall be laid before Parliament within twenty-eight days after the date of the receipt thereof by the Minister if Parliament is then in session, and, if not, shall

be laid before Parliament within twenty-eight days after the date of the commencement of the next ensuing session.

31. Regulations—The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

- (a) Prescribing the terms and conditions on which services may be provided by the National Library under this Act:
- (b) Giving effect to the wishes expressed by the late Alexander Horsburgh Turnbull in the provisions of the second codicil to his will set out in the Schedule to this Act:
- (c) Authorising the Library Committee of the House of Representatives to make rules regulating the use of the General Assembly Library:
- (d) Providing for the selection and admission of students for courses of training under this Act, and for the payment of allowances and expenses to students accepted for any such course:
- (e) Providing for such matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for the due administration thereof.

Section 31

SCHEDULE

PROVISIONS OF SECOND CODICIL TO WILL OF ALEXANDER
HORSBURGH TURNBULL

I bequeath to His Majesty the King all my Library comprising my printed books pamphlets engravings charts manuscripts sketches maps photographs plans and pictures as and to constitute a Reference Library in the City of Wellington for the use and reference of persons and students interested in the subjects specialised in the said Library.

I desire (but without imposing any trust)

(a) That the contents of the Library shall not be permitted to be lent out it being my desire that the contents of the Library comprised in this bequest shall be kept together as the nucleus of a New Zealand National Collection the permanent site thereof to be in the City of Wellington.

(b) The duplicate copies and in cases where there are more than two copies shall not be sold exchanged or given away.

(c) That the conditions of use shall be at the discretion of the Government of New Zealand from time to time and that the rules of the British Museum Library and the Mitchell Library in Sydney for the time being and from time to time in force be used as a guide as to conditions of use of the Library.

This Act is administered in the Department of Education.