

TASMANIA

**ALLPORT LIBRARY AND MUSEUM OF FINE
ARTS REGULATIONS 2022**

STATUTORY RULES 2022, No. 106

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ALLPORT LIBRARY AND MUSEUM OF FINE ARTS REGULATIONS 2022

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Libraries Act 1984*.

Dated 21 November 2022.

B. BAKER
Governor

By Her Excellency's Command,

R. C. JAENSCH
Minister for Education, Children and Youth

1. Short title

These regulations may be cited as the *Allport Library and Museum of Fine Arts Regulations 2022*.

2. Commencement

These regulations take effect on
12 December 2022.

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3. Interpretation

In these regulations –

Act means *Libraries Act 1984*;

agreement has the same meaning as in the
*Allport Library and Museum of Fine Arts
Agreement Act 1966*;

Collection means the items in the collections
included in the Allport Library and
Museum of Fine Arts referred to in the
agreement;

employee means –

- (a) a person appointed or employed,
for the purposes of the Act, under
section 5(3) of the Act; or
- (b) a person made available, for the
purposes of the Act, under an
arrangement made under section
5(4) of the Act;

item includes a book, or any other article,
regardless of its format;

reserved areas means –

- (a) those areas of a building in which
the Collection is kept under the
agreement; and
- (b) any part of such an area.

4. Permission of Secretary to use Collection

- (1) A person may apply to the Secretary for permission to do one or more of the following:
 - (a) to use, handle, copy, reproduce or remove an item of the Collection;
 - (b) to enter a part of the reserved areas while that part is closed in accordance with regulation 9(1).
- (2) An application under subregulation (1) is to be in a form approved by the Secretary.
- (3) After considering an application under subregulation (1), the Secretary may –
 - (a) approve the application and grant permission for the applicant to undertake the activity specified in the application, if the Secretary considers the activity to be appropriate for research purposes; or
 - (b) refuse the application.
- (4) If the Secretary grants permission under subregulation (3)(a) in respect of an activity, the Secretary may do one or more of the following, as specified in the permission, as the Secretary considers appropriate:
 - (a) impose terms on the permission or activity;
 - (b) impose conditions on the permission or the activity;

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- (c) make a term, or condition, imposed under this regulation, limited or unlimited in application;
- (d) cancel or amend a term, or condition, imposed under this regulation at any time, by written notice to the holder of the permission.

5. Borrowing or removing items from Collection

Except as provided for under the agreement or as authorised in a permission granted under regulation 4, a person must not –

- (a) borrow, or permit another person to borrow, an item from the Collection; or
- (b) remove an item in the Collection from the reserved areas.

Penalty: Fine not exceeding 0.5 penalty units.

6. Examination of items from Collection

Except as authorised in a permission granted under regulation 4, a person must not use, handle, copy, reproduce or remove an item in the Collection.

Penalty: Fine not exceeding 0.5 penalty units.

7. Photographs and electronic representations

Except as authorised in a permission granted under regulation 4, a person must not

photograph, or make an electronic representation of –

- (a) a reserved area; or
- (b) an item, or part of an item, in the Collection.

Penalty: Fine not exceeding 0.5 penalty units.

8. Acknowledgements in publications

A person who publishes, or intends to publish, work that includes an item in the Collection as a source of information for the work is to acknowledge the Collection as a source of the information.

9. Closure of reserved areas

- (1) The Secretary may close the reserved areas to visitors at any time.
- (2) Except as authorised in a permission granted under regulation 4, a person must not enter or remain in the reserved areas while they are closed under this regulation.

Penalty: Fine not exceeding 0.5 penalty units.

10. Power to remove persons

- (1) An employee may direct a person to leave the reserved areas, or exclude a person from the reserved areas, if the person –

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- (a) contravenes these regulations or the *Libraries Regulations 2022*; or
 - (b) enters the reserved areas other than as authorised in a permission granted under regulation 4.
- (2) A person must comply with a direction given to the person, or with the exclusion of the person, by an employee under subregulation (1).

Penalty: Fine not exceeding 0.5 penalty units.

11. Security alarms

A person must not, without lawful excuse, activate a security alarm installed in the reserved areas.

Penalty: Fine not exceeding 0.5 penalty units.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 30 November 2022.

These regulations are administered in the Department for Education, Children and Young People.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) provide, under the *Libraries Act 1984*, for the use of the Allport Library and Museum of Fine Arts; and
- (b) are made consequentially on the repeal of the *Allport Library and Museum of Fine Arts Regulations 2012* under section 11 of the *Subordinate Legislation Act 1992*.