

GOULBURN VALLEY

REGIONAL LIBRARY CORPORATION

General Local Law

Local Law No. 1- 2016

GOULBURN VALLEY REGIONAL LIBRARY CORPORATION

GENERAL LOCAL LAW

Local Law No. 1- 2016

TABLE OF CONTENTS

PART 1 - PRELIMINARY.....	1
1. TITLE.....	1
2. OBJECTIVES OF THIS LOCAL LAW	1
3. THE POWER TO MAKE THIS LOCAL LAW	1
4. OPERATIONAL DATE OF THIS LOCAL LAW	1
5. CESSATION OF OPERATION	1
6. SCOPE OF THIS LOCAL LAW	1
7. WORDS USED IN THIS LOCAL LAW	2
PART 2 – BOARD MEETINGS.....	4
DIVISION 1 – NOTICES AND AGENDAS.....	4
8. DATES AND TIMES OF MEETINGS	4
9. THE BOARD MAY ALTER MEETING DATES	4
10. SPECIAL BOARD MEETINGS	4
11. NOTICE OF MEETING	4
12. LEAVE OF ABSENCE	4
13. POSTPONEMENT OF MEETINGS	4
14. REMOTE PARTICIPATION IN BOARD MEETINGS.....	5
DIVISION 2 - QUORUMS.....	5
15. QUORUM FOR MEETINGS	5
16. INABILITY TO GAIN A QUORUM.....	5
17. INABILITY TO MAINTAIN A QUORUM.....	6
18. INABILITY TO ACHIEVE OR MAINTAIN A QUORUM DUE TO CONFLICTS OF INTEREST OF MEMBERS.	6
19. NOTICE FOR ADJOURNED MEETING.....	6
PART 3 – MINUTES	7
20. KEEPING OF MINUTES.....	7
21. NO DEBATE ON CONFIRMATION OF MINUTES.....	7
22. OBJECTION TO CONFIRMATION OF MINUTES	7
23. DEFERRAL OF CONFIRMATION OF MINUTES.....	7
PART 4 – BUSINESS OF MEETINGS.....	8
24. THE ORDER OF BUSINESS.....	8
25. CHANGE TO ORDER OF BUSINESS.....	8
26. CHIEF EXECUTIVE OFFICER MAY INCLUDE ITEMS ON AN AGENDA	8
27. MEETINGS OF SPECIAL COMMITTEES.....	8
PART 5 – VOTING AT MEETINGS	9
28. HOW DETERMINED	9

29.	BY SHOW OF HANDS	9
30.	WHEN A DIVISION PERMITTED	9
31.	PROCEDURE FOR A DIVISION.....	9
32.	BETWEEN THE ORIGINAL VOTE AND THE DIVISION	9
33.	NO DISCUSSION ONCE DECLARED.....	9
34.	APPLICATION TO ALL MEETINGS	9
PART 6 – ADDRESSING THE MEETING		10
35.	ADDRESSING THE CHAIRPERSON	10
36.	SUSPENSION OF STANDING ORDERS.....	10
37.	NO MOTIONS MAY BE ACCEPTED DURING SUSPENSION OF STANDING ORDERS.....	10
38.	INTERRUPTION FOR POINT OF ORDER.....	10
PART 7 – OTHER MEETING PROCEDURES.....		11
DIVISION 1 – MATTERS NOT PROVIDED FOR.....		11
39.	MATTERS NOT PROVIDED FOR.....	11
DIVISION 2 - MOTIONS		11
40.	CHAIRPERSON'S DUTY.....	11
41.	MOVING A MOTION.....	11
42.	RIGHT OF REPLY	12
43.	NO RIGHT OF REPLY FOR AMENDMENTS	12
44.	MOVING AN AMENDMENT	12
45.	WHO MAY PROPOSE AN AMENDMENT	12
46.	WHO MAY DEBATE AN AMENDMENT	12
47.	HOW MANY AMENDMENTS MAY BE PROPOSED	12
48.	AN AMENDMENT ONCE CARRIED.....	12
49.	FORESHADOWING MOTIONS.....	12
50.	WITHDRAWAL OF MOTIONS.....	13
51.	SEPARATION OF MOTIONS	13
52.	CHAIRPERSON MAY SEPARATE MOTIONS.....	13
53.	MOTIONS IN WRITING	13
54.	DEBATE MUST BE RELEVANT TO THE MOTION.....	13
55.	SPEAKING TIMES.....	13
DIVISION 3 – EXTENSION OF SPEAKING TIME		13
56.	BY RESOLUTION OF THE BOARD	13
57.	WHEN AN EXTENSION CAN BE PROPOSED	13
58.	NO EXTENSION AFTER NEXT SPEAKER COMMENCED.....	14
59.	LENGTH OF EXTENSION.....	14
DIVISION 4 – POINTS OF ORDER		14
60.	CHAIRPERSON TO DECIDE	14
61.	CHAIRPERSON MAY ADJOURN TO CONSIDER	14
62.	FINAL RULING ON A POINT OF ORDER.....	14
63.	PROCEDURE FOR POINT OF ORDER.....	14
64.	VALID POINTS OF ORDER	14
65.	CONTRADICTION OR OPINION.....	15
66.	ADJOURNMENT AND RESUMPTION OF MEETING	15
67.	FORMAL MOTIONS.....	15
68.	LAYING THE QUESTION ON THE TABLE	15
69.	PROCEEDING TO THE NEXT BUSINESS	16
70.	THE PREVIOUS QUESTION.....	16

71.	THE CLOSURE	16
72.	ADJOURNING THE DEBATE	17
DIVISION 5 – NOTICE OF MOTION		17
73.	MUST BE LISTED ON AGENDA	17
74.	PROCEDURE.....	17
75.	REJECTION OF A VAGUE NOTICE	17
76.	LISTING NOTICE ON AGENDA	17
77.	REGISTER OF NOTICES.....	17
78.	MAY BE MOVED BY ANY MEMBER AND AMENDED.....	18
79.	EXCEPT FOR CONFIRMATION OF PREVIOUS RESOLUTION.....	18
80.	IF LOST	18
DIVISION 6 – NOTICE OF AMENDMENT OR RESCISSION		18
81.	PROCEDURE.....	18
82.	LISTING NOTICE ON AGENDA	18
83.	CRITERIA TO AMEND OR RESCIND A MOTION.....	18
84.	IF LOST	18
85.	IF NOT MOVED.....	18
86.	MAY BE MOVED BY ANY MEMBER.....	19
87.	WHEN NOT REQUIRED.....	19
88.	REGISTER OF NOTICES.....	19
89.	URGENT AND OTHER BUSINESS.....	19
DIVISION 7 – PUBLIC PARTICIPATION		19
90.	PETITIONS AND JOINT LETTERS	19
91.	SIGNING PETITIONS.....	19
92.	MEMBER PRESENTING PETITION – OBLIGATIONS.....	19
DIVISION 8 – ADDITIONAL DUTIES OF CHAIRPERSON		19
93.	THE CHAIRPERSON’S DUTIES AND DISCRETIONS.....	19
PART 8 – COMMON SEAL		21
94.	THE CORPORATION’S COMMON SEAL	21
PART 9 – CONDUCT IN LIBRARIES		22
95.	MEMBERSHIP.....	22
96.	FEES AND CHANGES	22
97.	CONDUCT GENERALLY.....	22
98.	RIGHT TO REFUSE ENTRY	23
PART 10 – ENFORCEMENT AND PENALTIES.....		25
99.	OFFENCES	25
100.	INFRINGEMENT NOTICES.....	25

Goulburn Valley Regional Library Corporation

GENERAL LOCAL LAW

Local Law No. 1

PART 1 - PRELIMINARY

1. TITLE

This Local Law is the Corporation's General Local Law No. 1 and referred to below as "this Local Law".

2. OBJECTIVES OF THIS LOCAL LAW

The objectives of this Local Law are to:

- (1) provide a mechanism to facilitate a formal meeting procedure to ensure effective and efficient Board decisions are made.
- (2) regulate and control the procedures governing the conduct of meetings including:
 - (a) the notice required for meetings;
 - (b) the keeping of minutes.
- (3) regulate and control the use of the Corporation's seal;
- (4) provide for the administration of the Board's powers and functions; and
- (5) regulate conduct in libraries operated or managed by the Corporation.

3. THE POWER TO MAKE THIS LOCAL LAW

The Board's power to make this Local Law is contained in sections 5, 91 and 111 of the *Local Government Act 1989*.

4. OPERATIONAL DATE OF THIS LOCAL LAW

This Local Law operates from _____

5. CESSATION OF OPERATION

- (1) Unless this Local Law is revoked sooner, its operation will cease on the 10th anniversary of its commencement of operation.
- (2) Upon the coming into operation of this Local Law, Local Law No. 1 – 2010 is revoked.

6. SCOPE OF THIS LOCAL LAW

This Part and:

- (1) Parts 2-7 (inclusive) and 10 apply to all meetings of the Board;
- (2) Parts 8 and 10 apply to any use of the common seal; and
- (3) Parts 9 and 10 apply to all libraries operated or managed by the Corporation.

7. WORDS USED IN THIS LOCAL LAW

WORDS	MEANING
Act	Means the <i>Local Government Act 1989</i> .
Authorised Officer	Means a person who has been appointed as an Authorised Officer under section 224 of the Act, for the purposes of this Local Law.
Board	Means the governing organ of the Corporation.
Chairperson	The person who chairs a meeting of the Board or Special Committee of the Board.
Chief Executive Officer	Means the person from time to time appointed as such by the Board.
Corporation	Means Goulburn Valley Regional Library Corporation.
Board Meeting	Includes Ordinary and Special meetings of the Board.
Formal Motion	Means a motion which relates to a procedural matter only and which is not designed to produce any substantive result but used merely as a formal procedural measure.
Library	Means a library operated or managed by the Corporation.
Member	Refers to a person who is entitled to vote at a meeting of the Board or a Special Committee of the Board.
Member Councils	Refers to the Councils which constitute the Corporation.
Minister	Means the Minister responsible for administering the Act.
Quorum	Means the minimum number of Board Members or of a Special Committee of the Board required by this Local Law to be present in order to constitute a valid meeting of the Board or the Special Committee respectively.
Replica	In relation to the common seal of the Corporation means any representation which purports to be, looks like or is capable of being mistaken for the common seal whether fixed to or printed on a document or advertisement or sign and includes any use of a

symbol resembling the common seal which is capable of misleading a person into believing it is used with the authority of the Corporation.

Senior Officer

Has the meaning ascribed to it in section 3 of the Act.

**Suspension of
Standing Orders**

Means the suspension of the provisions of this Local Law to facilitate full discussion on an issue without formal constraints.

PART 2 – BOARD MEETINGS

DIVISION 1 – NOTICES AND AGENDAS

8. DATES AND TIMES OF MEETINGS

The date, time and place of all Board meetings are to be fixed by the Board from time to time and reasonable notice must be provided to the Members.

9. THE BOARD MAY ALTER MEETING DATES

The Board may change the date, time and place of any Board meeting which has been fixed and must provide reasonable notice of the changes to the Members.

10. SPECIAL BOARD MEETINGS

A special meeting of the Board:

- (1) may be arranged by resolution of the Board; and
- (2) must be called by the Chief Executive Officer if he or she receives written notice of the requirement for a special meeting by the Chairperson or any three Members.

11. NOTICE OF MEETING

A notice of meeting incorporating or accompanied by an agenda of the business to be dealt with must be served on every Member:

- (1) For an ordinary meeting at least 48 hours before the meeting;
- (2) For a special meeting within a reasonable time before the meeting; and
- (3) For a special committee meeting within a reasonable time before the meeting.

12. LEAVE OF ABSENCE

It will not be necessary for a notice of meeting or agenda to be served on any Member who has been granted leave of absence, unless the Member has requested the Chief Executive Officer in writing to continue to give notice of any meeting to be held during the period of his or her absence.

13. POSTPONEMENT OF MEETINGS

- (1) In the case of an emergency, the Chief Executive Officer or, in his or her absence, a senior officer, may postpone a meeting of the Board, provided reasonable attempts are made to notify every Member.
- (2) The Chief Executive Officer or senior officer must submit a full written report of the circumstances requiring his or her action to the next ordinary meeting of the Board.

14. REMOTE PARTICIPATION IN BOARD MEETINGS

- (1) A Member may participate in a Board meeting by:
 - (a) telephone;
 - (b) video link;
 - (c) Skype; or
 - (d) such other electronic means of communication as the Board determines from time to time.
- (2) When there is a Member or Members participating in a Board meeting by one of the electronic means of communication described in sub-clause (1):
 - (a) not less than three Members must be present at the Board Meeting in person; and
 - (b) section 79 of the Act will continue to apply to the Member or Members so participating by electronic means of communication, and will be observed by the Member or Members if, after disclosing a conflict of interest in accordance with section 79(2) of the Act, they:
 - (i) cease being able to hear and see those Members present at the Board meeting in person; and
 - (ii) remain unable to hear and see those Members present at the Board meeting in person while the item in respect of which they have disclosed a conflict of interest is deliberated and then voted upon, and do not resume participation in the Board meeting until contacted by the Chairperson and advised that their participation in the Board meeting may resume.

DIVISION 2 - QUORUMS

15. QUORUM FOR MEETINGS

A quorum for an ordinary meeting or special meeting of the Board, or any meeting of a special committee of the Board, will be a majority of the members of the Board or special committee (as the case may be).

Note: If there are nine Members of the Board, a quorum of the Board is five Members.

16. INABILITY TO GAIN A QUORUM

If after thirty (30) minutes of the scheduled starting time of any meeting or adjournment a quorum cannot be obtained, those Members present, or if there are no Members present, the Chief Executive Officer, or in his or her absence, a senior officer may adjourn the meeting for a period not exceeding 28 days from the date of the adjournment.

17. INABILITY TO MAINTAIN A QUORUM

If during any meeting or any adjournment of the meeting, a quorum cannot be achieved and maintained, those Members present, or if there are no Members present, the Chief Executive Officer, or in his or her absence, a senior officer may adjourn the meeting for a period not exceeding 28 days from the date of the adjournment.

18. INABILITY TO ACHIEVE OR MAINTAIN A QUORUM DUE TO CONFLICTS OF INTEREST OF MEMBERS.

If, during any meeting or adjournment, a quorum cannot be achieved or maintained due to the number of declarations of conflicts of interest by Members, the Chief Executive Officer, or in his or her absence, a senior officer may adjourn the meeting for a length of time sufficient to enable an exemption for the affected Members to be obtained from the Minister.

19. NOTICE FOR ADJOURNED MEETING

The Chief Executive Officer may provide written notice of an adjourned meeting but where that is not practicable because time does not permit that to occur then provided a reasonable attempt is made to contact each member, notice by telephone, facsimile, in person or by some other means will be sufficient

PART 3 – MINUTES

20. KEEPING OF MINUTES

The Chief Executive Officer is responsible for arranging the keeping of minutes on behalf of the Board.

21. NO DEBATE ON CONFIRMATION OF MINUTES

No discussion or debate on the confirmation of minutes will be permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

22. OBJECTION TO CONFIRMATION OF MINUTES

If a Member is dissatisfied with the accuracy of the minutes, then he or she must:

- (1) state the item or items with which he or she is dissatisfied; and
- (2) propose a motion clearly outlining the alternative wording to amend the minutes.

23. DEFERRAL OF CONFIRMATION OF MINUTES

The Board may defer the confirmation of minutes until later in the meeting or until the next meeting as appropriate.

PART 4 – BUSINESS OF MEETINGS

24. THE ORDER OF BUSINESS

The order of business of Board meetings will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of administration.

25. CHANGE TO ORDER OF BUSINESS

Once an agenda has been sent to Members, the order of business for that meeting may only be altered by resolution of the Board.

26. CHIEF EXECUTIVE OFFICER MAY INCLUDE ITEMS ON AN AGENDA

The Chief Executive Officer may include any matter on an agenda which he or she thinks should be considered by the meeting.

27. MEETINGS OF SPECIAL COMMITTEES

The provisions of clause 24 to 26 apply to meetings of special committees of the Board except that the agenda will be relevant to the issues which are to be raised at the special committee and any reference to Members extends to other persons appointed to a special committee under section 88 of the Act and any reference to the Board is to be read as referring to the special committee under section 87 or 88 of the Act.

PART 5 – VOTING AT MEETINGS

28. HOW DETERMINED

Subject to clause 31, in determining a question before a meeting of the Board the Chairperson will first call for those in favour of the motion, then those opposed to the motion and finally those abstaining from voting before finally declaring the result to the meeting.

29. BY SHOW OF HANDS

Voting on any matter will be by show of hands.

30. WHEN A DIVISION PERMITTED

- (1) A division may be requested by any Member on any matter.
- (2) The request must be made to the Chairperson either immediately prior to or immediately after the vote has been taken but cannot be requested after the next item of business has commenced.

31. PROCEDURE FOR A DIVISION

Once a division has been requested, the Chairperson will call for a show of hands by those Members voting for the motion, then those Members opposed to the motion and finally those Members abstaining from voting.

32. BETWEEN THE ORIGINAL VOTE AND THE DIVISION

No Member is prevented from changing his or her original vote at the voting on the division, and the voting by division will determine the Board's resolution on the issue.

33. NO DISCUSSION ONCE DECLARED

Once a vote on a motion has been taken, no further discussion relating to the motion will be allowed unless the discussion is:

- (1) for a Member to request that his or her opposition to the motion be recorded in the minutes or a register maintained for that purpose; or
- (2) where a subsequent notice of motion follows a rescission motion.

34. APPLICATION TO ALL MEETINGS

The provisions of clauses 28 to 33 apply to meetings of special committees of the Board to the extent that they are relevant to the proceedings of any special committee and any reference to a Member in those clauses extends to any member of a special committee.

PART 6 – ADDRESSING THE MEETING

35. ADDRESSING THE CHAIRPERSON

Any Member or person who addresses the meeting must direct all remarks through the Chairperson.

36. SUSPENSION OF STANDING ORDERS

Subject to clause 37, the provisions of the Local Law may be suspended for a particular purpose by resolution of the Board.

37. NO MOTIONS MAY BE ACCEPTED DURING SUSPENSION OF STANDING ORDERS

No motion may be accepted by the Chairperson or be lawfully dealt with during any suspension of standing orders.

38. INTERRUPTION FOR POINT OF ORDER

A Member who is addressing the meeting must not be interrupted unless called to order when he or she must sit down and remain silent until the Member raising the point of order has been heard and the question disposed of.

PART 7 – OTHER MEETING PROCEDURES

DIVISION 1 – MATTERS NOT PROVIDED FOR

39. MATTERS NOT PROVIDED FOR

Where a situation has not been provided for under this Local Law, the Board may determine the matter by resolution

DIVISION 2 - MOTIONS

40. CHAIRPERSON'S DUTY

Any motion or amendment which:

- (1) is defamatory; or
- (2) is objectionable in language or nature; or
- (3) is outside the powers of the Board; or
- (4) is not relevant to the item of business on the Agenda and has not been admitted as urgent business; or
- (5) purports to be an amendment but is not:

must not be accepted by the Chairperson.

41. MOVING A MOTION

The procedure for any motion is:

- (1) The mover must state the motion without speaking to it;
- (2) Unless the motion is a formal motion, it must be seconded by a Member other than the mover;
- (3) If a motion is not seconded and is not a formal motion, the motion will lapse for want of a seconder;
- (4) If the motion is seconded, the Chairperson must ask : "Is the motion opposed";
- (5) If no Member indicates opposition, the motion must be declared to be carried without being voted on and will be treated as being passed unanimously;
- (6) If a Member indicates opposition, then the Chairperson must request:
 - (a) the mover to address the Board on the motion; and

- (b) the seconder to address the Board on the motion (who may, without speaking on the motion, reserve his or her address until later in debate); and
- (c) any Member opposed to debate the motion; and
- (d) any other Member for and against the motion to debate in turn.

42. RIGHT OF REPLY

- (1) The mover of an original motion which has not been amended may once debate has been exhausted, have a right of reply to matters raised during debate.
- (2) After the right of reply has been taken, the motion must be immediately put to the vote without any further discussion or debate.

43. NO RIGHT OF REPLY FOR AMENDMENTS

No right of reply is available where an amendment is before the Board.

44. MOVING AN AMENDMENT

A motion having been moved and seconded may be amended by leaving out, inserting or adding words which must be relevant to the original motion and framed so as to complement it as an intelligible and consistent whole.

45. WHO MAY PROPOSE AN AMENDMENT

An amendment may be proposed or seconded by any Member, other than the mover or seconder of the original motion.

46. WHO MAY DEBATE AN AMENDMENT

A Member may address the meeting once on any amendment, whether or not they have spoken to the original motion but debate must be confined to the terms of the amendment.

47. HOW MANY AMENDMENTS MAY BE PROPOSED

Any number of amendments may be proposed to a motion but only one amendment may be accepted by the Chairperson at any one time. No second or subsequent amendment, whether to the original motion or an amendment of it, can be taken into consideration until the previous amendment has been dealt with.

48. AN AMENDMENT ONCE CARRIED

If the amended motion is carried, it then becomes the question before the Chair.

49. FORESHADOWING MOTIONS

At any time during debate, a Member may foreshadow a motion to inform the Board of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

50. WITHDRAWAL OF MOTIONS

Before any motion is put to the vote, it may be withdrawn with leave of the Board.

51. SEPARATION OF MOTIONS

Where a motion contains more than one part, a Member may request the Chairperson to put the motion to the vote in separate parts.

52. CHAIRPERSON MAY SEPARATE MOTIONS

The Chairperson may decide to put any motion to the vote in several parts.

53. MOTIONS IN WRITING

The Chairperson may require any motion to be submitted in writing.

54. DEBATE MUST BE RELEVANT TO THE MOTION

(1) Debate must always be relevant to the question before the Chair, and if not, the Chairperson may request the speaker to confine debate to the subject motion.

(2) If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chairperson may require the speaker to be seated and not speak further in respect of the matter then before the Chair.

55. SPEAKING TIMES

Unless a motion for an extension of time has been carried, the maximum speaking times will be:

(1) the mover of a motion – three minutes;

(2) the mover of a motion when exercising his or her right of reply – three minutes;

(3) any other Member – three minutes

DIVISION 3 – EXTENSION OF SPEAKING TIME

56. BY RESOLUTION OF THE BOARD

An extension of speaking time may be granted by resolution of the Board but only one extension is permitted for each speaker on any question.

57. WHEN AN EXTENSION CAN BE PROPOSED

A motion for an extension of speaking time must be proposed:

(1) immediately before the speaker commences debate;

(2) during the speaker's debate; or

- (3) immediately after the speaker has concluded debate.

58. NO EXTENSION AFTER NEXT SPEAKER COMMENCED

A motion for an extension of speaking time cannot be accepted by the Chairperson if another speaker has commenced his or her debate.

59. LENGTH OF EXTENSION

Any extension of speaking time must not exceed three minutes.

DIVISION 4 – POINTS OF ORDER

60. CHAIRPERSON TO DECIDE

The Chairperson will decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the point raised without entering into any discussion or comment.

61. CHAIRPERSON MAY ADJOURN TO CONSIDER

- (1) The Chairperson may adjourn the meeting to consider a point of order otherwise she or he must rule on it as soon as it is raised.
- (2) All other matters before the Board are to be suspended until the point of order is decided.

62. FINAL RULING ON A POINT OF ORDER

- (1) The decision of the Chairperson in respect to a point of order raised will not be open for discussion and will be final and conclusive unless the majority of Members present move a motion of dissent.
- (2) A motion of dissent on a point of order must contain the provision, rule, practice or precedent in substitution for the Chairperson's ruling.
- (3) A motion of dissent in relation to a point of order is not a motion of dissent in the Chairperson and the Chairperson must at all times remain in the Chairperson and he or she will maintain his or her right to a second vote.
- (4) A motion of dissent on a point of order will take precedence over all other business and if carried must be acted on instead of the ruling given by the Chairperson.

63. PROCEDURE FOR POINT OF ORDER

A member raising a point of order must:

- (1) state the point of order; and
- (2) the section, clause, paragraph or provision constituting the point of order.

64. VALID POINTS OF ORDER

A point of order may be raised in relation to:

- (1) a procedural matter;
- (2) a Member who is or appears to be out of order; or
- (3) any act of disorder.

65. CONTRADICTION OR OPINION

Rising to express a mere difference of opinion or to contradict a speaker will not be treated as a point of order.

66. ADJOURNMENT AND RESUMPTION OF MEETING

- (1) The Chairperson or the Board may adjourn any meeting until a time and place to be determined at the time of the adjournment.
- (2) For the purpose of stating the time to which the meeting is adjourned, that time may be indicated as at the adjournment or conclusion of another meeting or event.

67. FORMAL MOTIONS

- (1) Unless otherwise prohibited, a formal motion may be moved at any time and must be dealt with immediately by the Chairperson.
- (2) Formal motions are not required to be seconded.
- (3) The mover of a formal motion must not have moved, seconded or spoken to the question before the Chair or any amendment of it.
- (4) A formal motion cannot be moved by the Chairperson.
- (5) Unless otherwise provided, debate on a formal motion is not permitted and the mover does not have a right of reply.
- (6) Unless otherwise provided, a formal motion cannot be amended.

68. LAYING THE QUESTION ON THE TABLE

- (1) A motion may be moved "That the (question, letter, document, report etc.) lay on the table"-
- (2) The motion in sub-clause (1):
 - (a) is a formal motion which may be debated and, if carried, has the effect of adjourning any further debate on the matter currently before the Board until such time (if any) as the Board resolves to take the question from the table; and
 - (b) if carried in respect to an amendment, has the effect that both the original motion and the amendment will be adjourned; and
 - (c) prevents debate on the matter currently before the Board proceeding until a motion to take the question from the table is passed.

69. PROCEEDING TO THE NEXT BUSINESS

- (1) A motion may be moved “That the meeting proceed to the next business”-
- (2) The motion in sub-clause (1):
 - (a) is a formal motion which cannot be moved during the election of Chairperson; and
 - (b) if carried in respect to an original motion, requires the Chairperson to direct the meeting to the next item of business; and
 - (c) if carried in respect to a formal motion, disposes of the formal motion immediately and permits debate upon the original motion to proceed; and
 - (d) if carried in respect to an amendment, disposes of the amendment immediately and permits debate upon the original motion to proceed but no similar amendment may be moved at that meeting or any adjournment of it.

70. THE PREVIOUS QUESTION

- (1) A motion may be moved “That the question be NOT now put”:
- (2) The motion in sub-clause (1)
 - (a) is a formal motion which cannot be moved while there is an amendment before the Chair or during the election of a Chairperson; and
 - (b) if carried, prevents the original motion to which it relates being dealt with at that meeting or any adjournment of it; and
 - (c) if lost, requires that the original or substantive motion to which it relates be put to the vote immediately without any further debate or amendment.
- (3) The Chairperson has the discretion to reject a motion for the previous question if the matter is contentious by nature or has not been adequately debated.

71. THE CLOSURE

- (1) A motion “That the motion be now put”:
- (2) The motion in sub-clause (1):
 - (a) is a formal motion which if carried in respect to an original motion, requires that the original motion must be put to the vote immediately without any further debate, discussion or amendment; and
 - (b) if carried in respect to an amendment, requires that the amendment be put to the vote immediately without any further

debate or discussion and allows debate on the original motion to continue; and

- (c) if lost, allows debate to continue unaffected; and
- (3) The Chairperson has the discretion to reject such a motion for closure if the motion upon which it is proposed has not been sufficiently debated.

72. ADJOURNING THE DEBATE

- (1) A motion may be moved "That the motion and amendments now before the meeting be adjourned until....."-.
- (2) The motion in sub-clause (1):
 - (a) is a formal motion which cannot be moved while any person is speaking or during the election of a Chairperson; and
 - (b) may be debated but may only be amended in relation to the time, date and place of the proposed adjournment.

DIVISION 5 – NOTICE OF MOTION

73. MUST BE LISTED ON AGENDA

A notice of motion cannot be accepted by the Chairperson unless it has been listed on the agenda for the meeting at which it is proposed to be moved.

74. PROCEDURE

A Member may give notice of motion on any matter he or she wants discussed at a meeting by delivering a notice of motion outlining the subject and the motion proposed for discussion to the Chief Executive Officer.

75. REJECTION OF A VAGUE NOTICE

The Chief Executive Officer:

- (1) may reject any notice of motion that is too vague, but before rejecting it must give the Member delivering the notice an opportunity to amend it; and
- (2) must notify the relevant Member of any notice of motion which has been rejected and give the reasons for its rejection.

76. LISTING NOTICE ON AGENDA

Unless the notice specifies a particular meeting date, the Chief Executive Officer must list the notice of motion and if more than one, in the order they were received, on the next appropriate meeting agenda.

77. REGISTER OF NOTICES

The Chief Executive Officer must cause every notice of motion received to be sequentially numbered and maintained in a register.

78. MAY BE MOVED BY ANY MEMBER AND AMENDED

A notice of motion listed on a meeting agenda, may be moved by any Member present and, except where the notice of motion is to confirm a previous resolution of the Board, may be amended.

79. EXCEPT FOR CONFIRMATION OF PREVIOUS RESOLUTION

If a notice of motion to confirm a previous resolution of the Board cannot be carried in its original form, it is lost.

80. IF LOST

Unless the Board resolves to re-list at a future meeting a notice of motion which has been lost, a similar motion must not be put before the Board for at least three months from the date it was last lost.

DIVISION 6 – NOTICE OF AMENDMENT OR RESCISSION

81. PROCEDURE

A Member may propose a motion to amend or rescind a decision of the Board provided:

- (1) the previous motion has not been acted upon; and
- (2) a notice is delivered to the Chief Executive Officer outlining:
 - (a) the decision proposed to be amended or rescinded; and
 - (b) the meeting and date when the decision was made.

82. LISTING NOTICE ON AGENDA

Unless the notice specifies a particular meeting date, the Chief Executive Officer must list the notice of amendment or rescission, and if more than one, in the order they were received, on the next appropriate meeting agenda, together with a brief report outlining the criteria required for the motion to be amended or rescinded.

83. CRITERIA TO AMEND OR RESCIND A MOTION

For a decision of the Board to be amended or rescinded, the motion for amendment or rescission must be carried by a majority of the votes cast.

84. IF LOST

Unless the Board resolves to re-list at a future meeting a notice to amend or rescind which has been lost, a similar motion must not be put before the Board for at least three months from the date it was last put.

85. IF NOT MOVED

If a notice of amendment or rescission is not moved at the meeting for which it is listed, it will lapse.

86. MAY BE MOVED BY ANY MEMBER

A notice of amendment or rescission listed on a meeting agenda may be moved by any Member present but cannot be amended.

87. WHEN NOT REQUIRED

A notice of amendment or rescission is not required where the Board wishes to change a previous decision relating to policy of the Board.

88. REGISTER OF NOTICES

The Chief Executive Officer must cause every notice of amendment or rescission received to be sequentially numbered and to be maintained in a register.

89. URGENT AND OTHER BUSINESS

Business which has not been listed on the Agenda may only be raised as urgent or other business by resolution agreed by the Board.

DIVISION 7 – PUBLIC PARTICIPATION

90. PETITIONS AND JOINT LETTERS

A petition or joint letter presented to the Board must lay on the table until the next ordinary meeting of the Board and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Board agrees to deal with it earlier.

91. SIGNING PETITIONS

Any person who fraudulently signs a petition or joint letter which is presented to the Board is guilty of an offence.

Penalty: (10) penalty units

92. MEMBER PRESENTING PETITION – OBLIGATIONS

Any Member presenting a petition or joint letter will be responsible for ensuring that:

- (1) he or she is familiar with the contents and purpose of the petition or joint letter; and
- (2) the petition or joint letter is not derogatory or defamatory.

DIVISION 8 – ADDITIONAL DUTIES OF CHAIRPERSON

93. THE CHAIRPERSON'S DUTIES AND DISCRETIONS

In addition to other duties and discretions provided in this Local Law, the Chairperson:

- (1) must not accept any motion, question or statement which appears to the Chairperson to be derogatory, defamatory or embarrassing to any Member of the Board, member of staff, or member of the public;
- (2) must call to order any person who is disruptive or unruly during any meeting.

PART 8 – COMMON SEAL

94. THE CORPORATION'S COMMON SEAL

- (1) The Chief Executive Officer must ensure the security of the Corporation's common seal at all times.
- (2) The Corporation's common seal may only be used on the authority of the Board given either generally or specifically and every document to which the seal is affixed must be signed by two Members and the Chief Executive Officer.
- (3) Any person who uses the Corporation's common seal without authority is guilty of an offence.

Penalty: (10) penalty units

- (4) Any person who uses any replica of the Corporation's seal without authority is guilty of an offence.

Penalty: (10) penalty units

PART 9 – CONDUCT IN LIBRARIES

95. MEMBERSHIP

- (1) The Board may establish conditions of membership for any library.
- (2) A person who is a member of the library must comply with any conditions of membership which have been established under sub-clause (1) and which are applicable to him or her.

96. FEES AND CHANGES

- (1) The Board may set fees or charges in connection with the use of any library.
- (2) A person must pay any fee or charge set under sub-clause (1) which is payable by him or her.

97. CONDUCT GENERALLY

- (1) A person who is in a library must:
 - (a) open for inspection at the request of a member of the Corporation's staff any bag, briefcase, container or other receptacle in his or her possession;
 - (b) leave the library and not re-enter it upon having been directed to leave and not re-enter by:
 - (i) the Chief Executive Officer or another member of the Corporation's staff; or
 - (ii) a member of the Victoria Police;
 - (c) not commit any nuisance in the library;
 - (d) not interfere with another person's use or enjoyment of the library;
 - (e) not act in a manner which endangers any other person in the library;
 - (f) not behave in an indecent, offensive, insulting or riotous manner in the library;
 - (g) not use indecent, insulting, offensive or abusive language in the library;
 - (h) not destroy, damage, deface or otherwise interfere with the library or any object located within the library which is owned by or under the control of the Corporation;
 - (i) not remove any object from the library unless it has been borrowed or its removal has been otherwise authorised by the Corporation;

- (j) not act in a manner contrary to any restriction or prohibition contained in the inscription on a sign in the library;
 - (k) not leave any pamphlet, poster or handbill in the library without the consent of a member of the Corporation's staff;
 - (l) smoke inside the library;
 - (m) not sell or offer for sale any goods or services in the library without the authority of a member of the Corporation's staff;
 - (n) not bring into the library any substance, liquid or powder which may:
 - (i) be dangerous or injurious to health;
 - (ii) have the potential to foul, pollute or soil any part of the library; or
 - (iii) cause discomfort to any personwithout the authority of a member of the Corporation's staff; or
 - (o) not bring any animal, or allow any animal under his or her control to remain, in the library without the consent of a member of the Corporation's staff unless that animal is an assistance dog.
- (2) A person must not smoke within 10 metres of a library.

98. RIGHT TO REFUSE ENTRY

The Chief Executive Officer or any member of the Corporation's staff may refuse any person entry to a library if the person is:

- (1) or appears to be in an intoxicated condition or under the influence of any drug;
- (2) accompanied by an animal (except if that animal is a guide dog being used by a visually impaired person or a hearing dog being used by a hearing impaired person);
- (3) carrying a firearm or an offensive weapon;
- (4) not decently attired;
- (5) under the age of 11 years and not in the apparent care of a reasonable person; and
- (6) in the opinion of a member of the Corporation's staff likely to:
 - (a) behave in a disorderly manner while in the library;
 - (b) offend against decency while in the library, whether by reason of the person's appearance or behaviour;
 - (c) endanger any other person or any property in the library; or

(d) destroy, damage, deface or interfere with the library.

PART 10 – ENFORCEMENT AND PENALTIES

99. OFFENCES

- (1) Where any provision in Part 9 of this Local Law requires that something may not be done at all, any person who does that act is guilty of an offence and liable to a penalty not exceeding 20 penalty units.
- (2) Where any provision in Part 9 of this Local Law requires that something must be done, any person who fails to do that act is guilty of an offence and liable to a penalty not exceeding 20 penalty units.

100. INFRINGEMENT NOTICES

- (1) An Authorised Officer may, as an alternative to prosecution, serve an infringement notice on a person whom the Authorised Officer believes has committed an offence against Part 8 or Part 9 of this Local Law, requiring the person to pay the penalty for that infringement within 28 days of the issue of the infringement notice.
- (2) A fixed penalty of 2 penalty units will apply in respect of each infringement notice.
- (3) In the event of the failure of a person served with an infringement notice to pay the amount specified within 28 days of the issue of the notice or such further time as the Board or the Authorised Officer may permit, the Board or the Authorised Officer may pursue the matter by prosecuting for an offence or by taking any steps which may be available for enforcing penalties under the *Infringements Act 2006*.
- (4) Any person served with an infringement notice is entitled to disregard the notice and defend a prosecution in Court

Resolution for the making of this Local Law was agreed to by the Board on the
24th day of November, 2016

THE COMMON SEAL

Of the **Goulburn Valley Regional Library**

Corporation was affixed

In the presence of



Member

G. Cleveland

Member

[Signature]

Chief Executive Officer

[Signature]

This 24th day of November 2016

Notices of this proposal to make and of the making of this Local Law were included in the Victorian Government Gazette dated the 22 Sept 2016 and the 22 Dec 2016 respectively.

Public notice of the proposal to make and confirmation of the making of this Local Law were inserted in the

Shepparton News on 22 July 2016

and 2 Dec 2016 respectively.

A copy of this Local Law was sent to the Minister for Local Government on 23 December 2016