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The Assistant Commissioner
Cost Recovery Inquiry
Productivity Commission
Level 28
35 Collins Street
Melbourne VIC 3000



Dear Sir/ Madam

Thank you for providing a copy of your Draft Report on Cost Recovery. The Report contains a number of references to the National Library and I would like to correct some of the statements made therein.

Page 83,183 - *The National Library Act 1960 does not specifically preclude or empower it to charge service fees.*

Section 6 of the *National Library Act 1960* (the NLA Act) provides that:

"The functions of the Library are, on behalf of the Commonwealth:

- ...
- (b) to make Library material in the national collection available to such persons and institutions, and in such manner and subject to such conditions, as the Council determines with a view to the most advantageous use of that collections in the national interest;
- (c) to make available such other services in relation to library matters and library material (including bibliographical services) as the Council thinks fit, and in particular, services for the purposes of:
 - (i) the library of Parliament
 - (ii) the authorities of the Commonwealth
 - (iii) the Territories
 - (iv) the Agencies (within the meaning of the Public Service Act 1999) and
- (d) to cooperate in library matters (including the advancement of library science) with authorities and persons, whether in Australia or elsewhere, concerned with library matters."


Section 7 (1) of the NLA Act gives the Library the "power to do all things necessary or convenient to be done for or in connection with the performance of its functions."

Our legal advice is that in view of the discretionary elements of the provisions above, and the lack of any legal compulsion to obtain the services, we can charge a reasonable amount for services if it is decided, having regard to priorities and financial resources, that it is not feasible or convenient to do otherwise.

Page 87 – Most information agencies have undertaken, or are currently undertaking, reviews of their cost recovery policies. Some reviews have been internal (such as the ABS) while others have been external (NLA, BoM).

All of the NLA reviews have been internal. As part of these we may have engaged some outside assistance, for instance on costing methodology, or undertaken some outside consultation.

I thank you for the opportunity to participate in the recent workshop on cost recovery guidelines and wish you well in the completion of the review.



G Linehan
Assistant Director-General
Corporate Services Division

30 May 2001