

CHAPTER 71

NATIONAL LIBRARY SERVICE

AN ACT TO ESTABLISH A NATIONAL LIBRARY SERVICE AND FOR MATTERS CONSEQUENTIAL THEREON AND INCIDENTAL THERETO 4 of 1979

[1st October 1979]

1. This Act may be cited as the National Library Service Act.

Short title

2. In this Act unless the context otherwise requires-

Interpretation

"Board" means the Board established under section 5;

"Minister" means the Minister of Youth and Cultural Affairs or other Minister from time to time charged with cultural affairs;

"National Library Service" means the National Library Service established under section 3.

3. The Minister, after consultation with the Board, may establish such library facilities, to be called the National Library Service, as in his opinion may be required in order to further the provision of an efficient library service throughout Solomon Islands.

Establishment of a
National Library Service

4. Subject to the provisions of this Act and to such instructions or directions as he may receive from time to time from the Minister, the Permanent Secretary to the Minister is charged with the administration of the National Library Service.

Administration of the
National Library Service

5.-(1) For the purposes of this Act there is hereby established a National Library Service Advisory Board.

Establishment of a
National Library Service
Advisory Board

(2) The Board shall consist of a Chairman and not more than six other members appointed by the Minister, together with such other members as may be co-opted by the Board under subsection (3).

(3) The Board may, with the approval of the Minister, co-opt as members not more than three persons with such expert knowledge or experience as may assist the Board

in the discharge of its functions, and shall notify the Minister in writing of the name of each person so co-opted and the period for which he has been co-opted.

(4) The period of office of a member of the Board shall be-

(a) in the case of the Chairman or any member appointed under subsection (2), two years from the date of his appointment;

(b) in the case of a member co-opted under the provisions of subsection (3), the period, not being a period in excess of one year, for which he has been co-opted.

(5) The Chairman and any member of the Board may resign from the Board at any time by letter addressed to the Minister; and the Minister may at any time revoke any nomination which he has made.

(6) Any member of the Board who has not, on the 31st December in any year, attended at least one-third of the meetings of the Board during the preceding twelve months or during his tenure of office in such months, shall be considered to have vacated his seat on the Board, unless he has been absent owing to ill-health or with leave of the Minister.

(7) The Secretary to the Board shall be an officer of the National Library Service assigned to such duty by the Permanent Secretary to the Minister.

6.-(1) The Board shall meet at such times as may be necessary or expedient for the transaction of its business, not being less than three times in each year.

Meetings of the Board

(2) The Chairman may at any time summon a meeting of the Board upon giving fourteen days' notice thereof to all members.

(3) The Minister or any three members of the Board may require the Chairman to summon a meeting; any such requisition shall state the object for which the meeting is required to be summoned.

(4) The Board shall at its first meeting after its constitution elect an Executive Committee of four members for the expeditious despatch of such business as may be assigned to it by the Board. The Committee's actions shall, as far as is practicable, be subject to review by the Board, and when duly approved, confirmed at the next meeting of the Board.

(5) The Chairman and Secretary to the Board shall be *ex officio* members of the Executive Committee.

(6) The Board may at its discretion appoint such other committees as may be necessary to conduct any particular aspects of its work or to make recommendations thereon.

(7) The quorum of the Board at any meeting shall be four.

(8) The decisions of the Board shall be by the majority of votes; in any case in which the voting is equal the Chairman shall have a second or casting vote.

(9) Subject to the provisions of this Act, the Board may adopt such rules as it may determine with respect to the proceedings at its meetings.

7.-(1) The functions of the Board shall be-

Functions of the Board

(a) to advise the Minister on matters concerning the operation and development of the National Library Service;

(b) to make recommendations to the Minister on matters of policy regarding the National Library Service and any related matters referred to it by the Minister; and

(c) to advise the Minister on matters concerning the National Library Service Fund established by section 9.

(2) The Board may, for the purposes of the above functions with the approval of the Minister enter into mutual arrangements with authorities or organisations within or without Solomon Islands concerned with the provision of library or bibliographical services.

8.-(1) It shall be the duty of the Minister acting in consultation with the Board, and within the limit of the means available to him, to provide a comprehensive and efficient library service for all persons desiring to make use thereof, and for that purpose to provide and maintain such buildings and equipment and for such other things as may be requisite.

General duty of Minister

(2) In fulfilling his duty under subsection (1) the Minister shall in particular have regard to the desirability-

(a) of securing that facilities are available for the borrowing of, or reference to, books and other materials sufficient in number, range and quality to meet the

general requirements of both adults and children by-

- (i) the keeping of adequate stocks;
- (ii) making appropriate arrangements with libraries other than those administered by the National Library Service; and
- (iii) such other means as may be appropriate;

(b) of offering to all members of the community, irrespective of race, politics, or religious belief, according to their needs and circumstances, the benefits accorded by full access to books and graphic records;

(c) of accepting the need to bring children and young people into contact with the resources of the library service, and securing the provision of a wide choice of books and other materials to meet their particular needs;

(d) of providing a reference service with particular relevance to commerce, science, and technology;

(e) of undertaking the publication of a national bibliography, book lists and special catalogues.

9.-(1) There is hereby established a fund, to be termed the National Library Service Fund, the administration of which is vested in the Minister, and which shall be used by the Minister in the performance of his functions under this Act.

Establishment of a
National Library Service
Fund

(2) The Fund shall consist of-

(a) such moneys as may be appropriated by law for the purpose of the National Library Service;

(b) any moneys which may accrue to it by virtue of any regulations made under the provisions of section 10 or by reason of any charge reasonably made for services performed by the National Library Service;

(c) gifts, grants and bequests derived from any public or private source:

Provided that the Minister may decline to accept any gift, grant or bequest which is made subject to conditions which, in the opinion of the Minister, are inconsistent with the provisions of this Act or the general spirit in which it is administered.

10.-(1) The Minister may make regulations either generally or in relation to any particular library facilities-

(a) providing for the payment out of the National Library Service Fund of fees and allowances to members of the Board;

(b) for the control and management of any library administered by the National Library Service and the use of its facilities including the payment of charges and fees in respect thereof;

(c) the imposition and levying of fines where articles borrowed from any library administered by the National Library Service have not been returned within such time as may be prescribed, or have been lost or damaged;

(d) the payment of deposits as security for the return, in good condition, of articles borrowed from any library administered by the National Library Service and the circumstances in which such deposits may be forfeited;

(e) the establishment, functions and duties of library committees;

(f) generally for the better carrying out of the provisions of this Act.

(2) Any fee, charge or fine made or imposed under the provisions of regulations made under subsection (1) may be recovered by set-off against any moneys held as deposit as security for articles borrowed from a library or may be recovered by proceedings brought in any court of competent jurisdiction; and, in any such proceedings, a certificate purporting to be signed by the Permanent Secretary to the Minister or any public officer authorised by the Minister in that behalf shall be prima facie proof of the amount of money owing as of a fee, charge or fine made or imposed as aforesaid and of the identity of the debtor.

CHAPTER 71

NATIONAL LIBRARY SERVICE

Subsidiary Legislation

THE PUBLIC LIBRARIES SERVICE REGULATIONS

LN 35/1980

(Section 10(1))

[4th July 1980]

1. These Regulations may be cited as the Public Libraries Service Regulations.

Citation

2. In these Regulations, unless the context otherwise requires-

Interpretation

"book" includes any library material in a library;

"library" means any library forming part of the National Library Service;

"reader" means person who holds an unexpired reader's ticket issued as these regulations demand;

"Library Authority" means the body responsible for maintaining a Library Service and includes the Provincial Assemblies;

"ticket" means a reader's ticket issued upon enrolment.

3.-(1) Subject to the completion and signing of the appropriate form a person may be enrolled as a member of the library and tickets may be issued to him, free of any charge.

Issue and cancellation of tickets

(2) Tickets may be issued to the following persons to enable them to borrow books for home reading-

(a) any person above the age of fifteen years who can show adequate proof that he is a resident of Solomon Islands;

(b) any person under the age of fifteen years who is resident or attends a school in Solomon Islands. The application made by such person shall be signed by his parent or guardian or the principal of the school or his authorised representative;

(c) persons visiting Solomon Islands and having a fixed address issued with tickets upon the discretion of the Librarian.

(3) On ceasing to be members, readers shall return their tickets to the Librarian for cancellation.

(4) To satisfy himself as to the identity and place of residence of a person under the age of twelve years the Librarian may require his parent or guardian to produce

evidence of his identity.

4.-(1) A ticket may be used for each book borrowed from the library, or at any branch thereof, or any mobile library connected therewith.

Borrowing of books

(2) Each registered member shall be entitled to borrow a set number of books as determined by the Library Authority.

(3) The loss of a ticket shall be reported immediately and may be replaced one week after the date of notification of the loss.

5.-(1) All tickets shall be valid for a period of two years from the date of issue unless previously surrendered or cancelled.

Period of validity of tickets

(2) At the end of every two years from the date of enrolment, every reader shall be required to re-enrol as a member, subject to regulation 3(2)(c).

6.-(1) Tickets shall not be transferable and any change of address shall be notified immediately to the Librarian.

Tickets not transferable

(2) A ticket shall be produced and left at the library whenever a book is borrowed.

7. Readers or persons recommending readers under the age of fifteen years shall be held responsible for any books which may be borrowed on their tickets and may be required to pay compensation for the loss or damage of such books at such rate as may be determined by the Librarian, having regard to the replacement or other costs of the books.

Responsibility for readers under fifteen years

8.-(1) The time allowed for retaining a book borrowed from a library as an ordinary member, shall be two weeks or fourteen days.

Retention of books

(2) The time allowed for retaining a book borrowed as a Postal Loan member shall be five weeks or thirty-five days, including the days of issue and return.

(3) The time allowed for retaining a book borrowed at a Book. Box Station shall be determined by the frequency with which the visits to the station are made.

(4) The time allowed for bulk book stock loans to branch libraries shall be determined by arrangement between the Librarian and the branches, depending on size of population and their need.

(5) The time allowed for loans on any other type of service shall be determined by the Librarian, and shall be consistent with the foregoing loan periods. Provided that where a book is not required by another reader, the time may be extended for a further equivalent period upon application either personally or in writing.

9.-(1) A reader retaining a book beyond the loan period without extension being granted, shall pay such fine as may be determined by the Library Authority for each day or week thereafter until the book is returned, so long as the total fine does not exceed 50 cents per book. The Library Authority may in any particular case, waive the payment of, or refund, such fine.

Fines

(2) Any liabilities incurred by a reader in the over-retention of books shall be discharged by him before any other book may be issued to him.

10.-(1) Readers may reserve books for home reading.

Reserving books

(2) The number of books that can be reserved for future loans and the number of books that may be borrowed at a time shall be determined by the Librarian.

11. Books which are not obtainable elsewhere may, at the discretion of the Librarian, be borrowed from another library, for a period of up to one month, subject to immediate recall if required by the library.

Books from another library

12. All reference books deposited in the Reference Section of the library shall not, except with the special agreement of the Librarian, be removed from the library.

Reference section

13. Photocopies or microfilm copies of books in the library may be made and supplied, subject to copyright laws and payment of such fees as may from time to time, be prescribed by the Librarian.

Copies of books

14. The Librarian shall have the general charge of the library and shall be responsible for the safe custody of the books and other property therein.

Librarian's responsibility

15. The library shall be opened on such days and at such hours as the Library Authority may from time to time determine.

Opening times

16. The Library Authority may at its discretion permit any part of the library building to be used by such persons or organisation and subject to such conditions as may be thought fit and on such conditions as may from time to time be determined by the Library Authority.

Use of library premises
for special purposes

17. The Library Authority may, at its discretion waive any conditions depending on circumstances of any particular case.

18.-(1) A reader, if so requested by any officer of the library shall leave cases, baskets, satchels, bags and similar articles belonging to him with the Librarian, and no person shall bring into the library any article which in the opinion of the Librarian is prejudicial to the library services or to the convenience of other readers.

Reader's personal
belongings

(2) Such articles as are left with the Librarian shall be entirely at the owner's risk and no responsibility shall be accepted by the Librarian or by the Library Authority.

19. No person shall-

Prohibition of damage,
bad behaviour etc

(a) damage or destroy any book, fitting, furniture, vehicle or any article belonging to the library;

(b) engage in offensive behaviour in any part of any library building to the annoyance or disturbance of any other person in the library;

(c) partake of refreshment in any library building, except at a place designated for this purpose;

(d) bring any animal into the library.

20. The Librarian shall have the power to withhold any book from any person who neglects or refuses to comply with any of the provisions of these Regulations, and to refuse to allow such person to borrow any book from the library or be enrolled as a member of the library.

Withholding of books

21. Any person who behaves in a disorderly or improper manner or contravenes any of the provisions of these Regulations may be ordered out of the library and may subsequently be refused admission by the Librarian, or an officer of the library or a police officer assisting the Librarian or acting under the instructions of the Librarian.

Penalty for improper
behaviour