

# REPRINT

## **NATIONAL LIBRARY SERVICE ACT (CAP. 71)**

**As in force at: 1 March 1996**

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**AN ACT TO ESTABLISH A NATIONAL LIBRARY SERVICE AND FOR MATTERS CONSEQUENTIAL THEREON AND INCIDENTAL THERETO**

## NATIONAL LIBRARY SERVICE ACT (CAP. 71)

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# NATIONAL LIBRARY SERVICE ACT (Cap. 71)

As in force at: 1 March 1996

## 1 Short title

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

## 2 Interpretation

In this Act unless the context otherwise requires:

“**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 Establishment of a National Library Service

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.

## 4 Administration of the National Library Service

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.

## 5 Establishment of a National Library Service Advisory Board

- (1) For the purposes of this Act there is hereby established 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 Meetings of the Board**

- (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.
- (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 Functions of the Board**

- (1) The functions of the Board shall be:
  - (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 General duty of Minister**

- (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.
- (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 Establishment of a National Library Service Fund**

- (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.
- (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 Regulations**

- (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

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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.

## ENDNOTES

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### KEY

<b>amd = amended</b>	<b>Pt = Part</b>
<b>Ch = Chapter</b>	<b>rem = remainder</b>
<b>Div = Division</b>	<b>renum = renumbered</b>
<b>exp = expires/expired</b>	<b>rep = repealed</b>
<b>GN = Gazette Notice</b>	<b>Sch = Schedule</b>
<b>hdg = heading</b>	<b>Sdiv = Subdivision</b>
<b>ins = inserted</b>	<b>SIG = Solomon Islands Gazette</b>
<b>It = long title</b>	<b>st = short title</b>
<b>LN = Legal Notice</b>	<b>sub = substituted</b>
<b>nc = not commenced</b>	

### NOTE

This Reprint comprises the Act and amendments as in force on 1 March 1996 and published as Chapter 71 of the Revised Edition of the Laws of Solomon Islands.

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### LIST OF LEGISLATION

***National Library Service Act (Cap. 71)***

*Constituent legislation:* 4 of 1979 (Commenced 1 October 1979)

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### LIST OF AMENDMENTS