



BELIZE

**NATIONAL LIBRARY SERVICE ACT
CHAPTER 319**

REVISED EDITION 2000
SHOWING THE LAW AS AT 31ST DECEMBER, 2000

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

This edition contains a consolidation of the following laws-	Page
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Amendments in force as at 31st December, 2000.	



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CHAPTER 319

NATIONAL LIBRARY SERVICE

ARRANGEMENT OF SECTIONS

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CHAPTER 319

NATIONAL LIBRARY SERVICE

CAP. 252,
R. E. 1980-1990.
11 of 1960.
38 of 1963.
40 of 1963.
20 of 1966.
2 of 1969.
20 of 1985.
22 of 1987.

[2nd December, 1960] Commencement.
S. I. 51 of 1960.

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

Short title.
20 of 1966.

2. In this Act, unless the context otherwise requires-

Interpretation.

“Board” means the National Library Board established under section 4;

“books” include all pamphlets, periodicals, maps, plans and all other printed matter and articles available in the Library for public use;

“Library” means the central library and headquarters of the Service situate in Belize City and all service points established in accordance with this Act;

“Librarian means the librarian appointed in accordance with section 11;

“Service” or “Library Service” means the National Library Service.

3. There shall be in and for Belize a Library Service known as the National Library Service, for the purpose of maintaining and extending the existing Library Service throughout Belize, and for sponsoring such activities as are generally conducted by libraries.

Establishment of
Library Service.

Establishment of
Library Board.
20 of 1966.

4.-(1) For the purpose of managing, maintaining and extending the Service there shall be established a Board known as the National Library Board which shall be a body corporate with perpetual succession and a common seal, and power to purchase, hold, acquire and dispose of in any manner whatever any property whether real or personal for the purposes of this Act.

(2) The common seal shall be in such form as the Board may approve, and until a seal is obtained, acts of the Board which require the affixing of the seal to any documents shall be authenticated by the signatures of the Chairman and Secretary of the Board.

(3) The seal shall not be affixed to any document except by authority of a resolution of the Board, and in the presence of the Chairman and the Secretary of the Board. The Chairman and the Secretary shall sign every document to which the seal is so affixed in their presence.

(4) The Board may sue and be sued, prosecute and be prosecuted, in its corporate name in any court in Belize, and service on the Board of all legal processes and notices shall be effected by service on the Secretary of the Board.

(5) All legal process and notices issued by the Board shall be signed by the Secretary on behalf of the Board.

Membership of
Board.
38 of 1963.

5.-(1) The Board shall consist of not more than nine members appointed by the Minister and shall normally be persons representative of educational and cultural bodies or persons interested in the improvement of the library service.

(2) Appointments of members of the Board shall be made in each year at such time as the Minister may determine.

(3) Every member of the Board shall vacate his office on the appointment of another Board but any member may be reappointed for further service on the Board.

(4) Subject to subsection (2), members of the Board shall hold office at the pleasure of the Minister.

(5) The Minister, on the recommendation of the Board, may revoke the appointment of any member thereof who is absent from three consecutive meetings of the Board without leave of the Board or without giving a reasonable excuse of his absence.

6.-(1) The Board shall elect a Chairman and Deputy-Chairman.

Appointment of
Chairman.

(2) In the absence of the Chairman, the Deputy-Chairman shall act as Chairman of the Board.

(3) In the absence of the Chairman and the Deputy-Chairman from any meeting of the Board, the Board shall elect from among its members present an acting Chairman for the purposes of that meeting.

7.-(1) Four members of the Board shall constitute a quorum for the transaction of business, or for voting on papers circulated to members.

Quorum.

(2) Subject to the existence of a quorum, the powers of the Board shall not be affected by any vacancy in the membership thereof.

8.-(1) The Board shall meet at such time as may be expedient or necessary for the transaction of business.

Meeting.

(2) Decisions of the Board may be taken by a majority of votes or in cases in which the Chairman may so direct, by the recording of the opinion of members on papers circulated to them.

(3) The Chairman may direct that papers shall not be circulated to any member who is absent from Belize or is in the opinion of the Chairman so ill that he is incapacitated from voting on such papers.

(4) The Chairman may at any time summon a meeting of the Board, and he shall summon a meeting of the Board at the request of any three members of the Board, who shall state in writing the purpose for which they require the meeting to be convened.

(5) Where the voting on any matter is equal, the Chairman, the Deputy-Chairman or any member acting as Chairman shall have a casting vote.

Librarian.

9.-(1) The Librarian, or in his absence the next senior member of the staff of the Library, shall be Secretary to the Board.

(2) The Librarian shall-

- (a) attend meetings of the Board and take minutes of such meetings;
- (b) have the right to speak at meetings of the Board, but shall have no vote;
- (c) perform such duties as the Board may lawfully assign to him, and superintend the staff in the performance of their duties;
- (d) be the principal administrative officer of the Service and shall have the general charge of all service points, and shall be responsible for the safe keeping of all funds, books and other property of the Library, and for the efficient running of the Library Service.

Staff.

10.-(1) The Librarian and senior staff of the Library Service shall be full-time officers, and shall be appointed in the manner prescribed in section 11.

(2) Such junior staff as may be requisite shall be employed by the Board, on the recommendation of the Librarian, upon such conditions as the Board may think fit.

(3) Junior staff shall be dismissed or suspended from duty by the Board on the recommendation of the Librarian.

11.-(1) The Librarian shall be appointed by the Governor-General, upon the recommendations of the Public Services Commission. Such other senior and junior staff as may be necessary for carrying on the services shall be appointed by the Board, after consultation with the Librarian. Appointment of librarian and staff.

(2) The posts of Librarian and other senior staff of the Service shall be included on the pensionable establishment of the Public Services Commission of Belize and all officers filling these posts shall in all respects be deemed to be officers in the service of the Crown. 2 of 1969.

(3) The power to declare what posts shall be regarded as senior staff for the purposes of this section shall be vested in and exercisable by the Governor-General. 2 of 1969.

12. The Board shall have the following specific powers and duties- Specific powers of Board.

(a) to determine the policy of the Service and what activities shall be sponsored by the Service;

(b) to establish and maintain a free public library service in Belize City, and at appropriate service points throughout Belize; 20 of 1966.

(c) to request annually from the Government of Belize appropriate amounts from the Consolidated Revenue Fund to carry out its duties under this Act; 20 of 1966.

(d) to appoint suitable persons to fill senior posts in the Library Service in accordance with the provisions of section 12 of this Act;

- (e) to delegate any of its duties to committees of the Board, and to include as members of such committees persons who are not members of the Board, but the decisions of such committees shall be of no effect unless approved by the Board;
- (f) to incur such expenditure within the limits of its funds as may be considered necessary and expedient for the efficient performance of the duties imposed by this Act;
- 40 of 1963. (g) to perform such other duties as the Minister may, at the request of the Board, confer upon the Board.

By-laws.
40 of 1963.

13.-(1) The Board shall, subject to the approval of the Minister, have power to make by-laws for the following purposes-

- (a) for specifying the type and health of persons who may make use of the Service;
- (b) for the exclusion of undesirable users from the Service;
- (c) for the proper use of the Service;
- (d) for maintaining good order and discipline in the Library;
- (e) for protecting the property of the Board from misuse;
- (f) for regulating the summoning of meetings and the procedure to be followed at meetings of the Board;
- (g) for the better carrying out of the purposes and provisions of this Act.

(2) Any person who commits an offence against any by-laws made under this section commits an offence and is liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding fourteen days.

(3) All fines imposed and collected under this section shall be paid by the Accountant General to the Librarian who shall apply them towards the income of the Service.

14. The Board may in any by-laws made under this section specify a fee to be paid to the Librarian for the late return of any book borrowed from the Service, and for the loss or damage of any such book. Such a fee shall be recoverable from the borrower as a civil debt, and may be sued for in the name of the Librarian on behalf of the Board. Late fee.

15.-(1) The Board shall establish and maintain Library Service points in such towns, villages and other places in Belize as the interests of the Service may from time to time require. In establishing and maintaining any service point, the Board shall seek the co-operation and assistance of local authorities and other public bodies within the area to be served by the service point. Service points.

(2) The responsibility for maintaining all service points shall be vested in the Board whether or not they receive any assistance from a local authority or other public body.

(3) The Board may-

- (a) recognise and accept the help and assistance of any existing advisory library committee;
- (b) appoint an advisory library committee to advise on the maintenance and management of any particular service point; and may determine the number and conditions of appointment to such committee.

Rules for service points.

16.-(1) The Board may make rules-

- (a) regulating the procedure to be observed in connection with the borrowing of books from any service point or points;
- (b) regulating the use of the Library Service provided at any particular service point or points, including the days and hours during which such service points shall be open to the public.

(2) Rules made under this section shall, as far as is practicable, be the same for all service points, and may provide for the suspension of any person from the use of the facilities of the Service, who has committed a breach of such rules.

Finance.

17.-(1) The expense of carrying out the provisions of this Act shall be defrayed out of-

- (a) such moneys as shall be appropriated annually for the purposes by the National Assembly out of the Consolidated Revenue Fund;
- (b) fines and fees imposed and recovered under any by-law made under this Act;
- (c) subventions and donations or bequests of moneys given to the Library Service.

(2) The Board may receive gifts, grants or bequests of any property whatever, and may either retain them for the use of the Library or dispose of them to the best advantage. Any moneys realised on the disposal of such property shall be allocated to such items of expenditure as the Board may determine.

(3) The Board shall, before the end of November in each year, submit to the Minister an estimate of its revenue and expenditure, necessary for carrying out its duties under this Act, for the period of one year commencing on 1st April next ensuing. The Minister may approve the whole or any part of such expenditure subject to such conditions as he may deem fit. 40 of 1963.
20 of 1985.

(4) As soon as possible after the receipt of such estimates by the Minister, they shall be laid on the table of the National Assembly.

(5) The Minister may, at any time when a matter appears to be of sufficient urgency, permit the Board to incur any lawful expenditure not provided for in the approved estimates, and shall as soon as possible thereafter inform the National Assembly, of the approval of such additional expenditure.

(6) In this section, "lawful expenditure" means expenditure incurred in the exercise of any of the powers or performance of any of the duties conferred or imposed on the Board by any existing or future legislation.

(7) The Minister may make regulations prescribing the manner in which the accounts of the Board are to be kept and disbursements made and providing for the audit of the accounts of the Board by the Auditor-General.

(8) The Board shall, on or before 30th April in each year, submit to the Auditor-General a statement of the accounts for the twelve months ending on the preceding 31st March. Such statement shall, after it has been audited, be submitted for the information of the Minister and of the National Assembly. 20 of 1985.

18. The use of the Library Service shall be free to the public, but subject to the provisions of any rules or by-laws applicable thereto. Free service.

19.-(1) The Board may permit any service point or other premises under its control to be used for such purpose as it may think fit and upon such conditions as it may think necessary, with or without charging a fee for the use thereof. Use of service points.

(2) The use of any premises as permitted by the Board under subsection (1) shall not interfere with the normal use of the service point.

Exemption from taxation.

20. All property vested in the Board whether real or personal shall be exempted from taxation.

Free postage, telephone and printing facilities.

21. The Service shall be allowed free inland postage facilities throughout Belize, and shall be regarded as a Government department with respect to any printing done for the Library by the Government Printery.

Board to receive local publication intended for public distribution.

22. The Board may receive and shall be entitled to demand free of charge two copies of any book, pamphlet or report printed in Belize and intended for public distribution. Any person, who on demand fails to comply with this section commits an offence and is liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding fourteen days.

Plot in North Front Street.

23. The plot of land situate on North Front Street in Belize City and marked as Lot No. 924 on the official Plan of Belize City, conveyed by Robert Sydney Turton to Sir Alan Cuthbert Maxwell Burns, former Governor of Belize and to Charles Wilton Wood Greenidge, former Chief Justice of Belize, as Trustees, for the use of a public library, by deed dated 25th day of June 1935, and recorded in the Registry of Deeds Book No. 32 of Folios 548-9 together with all buildings erected thereon shall be and the same are hereby vested in the Board for the purposes of this Act subject to the reversionary interest of the said Robert Sydney Turton, his heirs and assigns reserved by the said Deed.