



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

PUBLIC LIBRARIES ACT

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to June 28, 2019. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the King's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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PUBLIC LIBRARIES ACT

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PUBLIC LIBRARIES ACT

CHAPTER P-31.1

INTERPRETATION

1. Definitions

In this Act

- (a) “**bookmobile**” means a vehicle equipped to deliver library services to persons who do not have easy access to a community library;
- (b) “**community library**” means a public library providing services to a particular community;
- (c) “**district library**” means a public library providing services to a number of communities;
- (d) “**library**” means
 - (i) a collection of print and non-print materials of informational, educational, cultural, artistic or recreational value, for circulation or reference,
 - (ii) the physical premises in which such materials are kept, including branch libraries, mobile units and reading rooms;
- (e) “**Minister**” means the Minister of Education and Lifelong Learning;
- (f) “**public library**” means a library providing library services to the public;
- (g) “**Service**” means the Provincial Library Service established by section 2. *1992, c.56, s.1; 1993, c.29, s.4; 1995, c.8, s.1; 2000, c.5, s.3; 2009, c.73, s.2; 2010, c.31, s.3; 2015, c.28, s.3; 2019, c.1, s.3.*

ADMINISTRATION

2. Establishment of Provincial Library Service

There is established in the province an organization to be known as the Provincial Library Service which shall, subject to any directions given by the Minister, enhance and support public library services and, in particular,

- (a) purchase books and other materials for public libraries;
- (b) supervise libraries supported under this Act and cooperate with community authorities in the management and development of library services;
- (c) operate a centralized cataloguing service to public libraries and schools;
- (d) operate bookmobiles;

- (e) cooperate with any cultural or educational organization, education authority library association, library board or librarian in matters pertaining to the organization, maintenance or administration of a public library;
- (f) coordinate and facilitate inter-library cooperation with the National Library of Canada and the library agencies of other provinces;
- (g) perform such other functions as the Minister may direct. *1992, c.56, s.2; 2016, c.6, s.127.*

3. Minister

The Minister has the general supervision and administration of the Service and of libraries and library services provided under this Act. *1992, c.56, s.3.*

4. Staff

The Minister may, subject to the *Civil Service Act* R.S.P.E.I. 1988, Cap. C-8, appoint

- (a) a Provincial Librarian;
- (b) such other staff as the Minister considers necessary for the administration of the Service. *1992, c.56, s.4.*

5. Provincial Librarian

Subject to the directions of the Minister, the Provincial Librarian shall have general charge of the Service and direct the work of the staff. *1992, c.56, s.5.*

6. Annual report

The Minister shall in each year prepare an annual report on the activities of the Service and shall cause a copy of the report to be laid before the Legislative Assembly if then in session, or if not, within fifteen days of the beginning of the next session. *1992, c.56, s.6.*

COMMUNITY AND DISTRICT LIBRARIES

7. Community libraries

- (1) The Minister may enter into an agreement with a community under which
 - (a) the Minister agrees to provide books, periodicals, records, films, materials and staff for a public library in the community; and
 - (b) the community agrees to provide and maintain adequate premises for use as a public library in the community,

or under which the responsibilities set out in clauses (a) and (b) are otherwise shared.

Library board

- (2) Where an agreement has been made under subsection (1), the community shall appoint a library board of not less than three members which shall operate and maintain the library premises and cooperate with the Minister in the development of library services in the community.

Agreement with individuals representing community

- (3) Where it is proposed that a public library be located in a community which is not an incorporated municipality, the Minister may enter into an agreement under subsection (1)

with a group of persons representing the community and that group shall constitute the library board for the purposes of subsection (2). *1992, c.56, s.7.*

8. District libraries

- (1) The Minister may enter into an agreement with a group of communities in a district under which
- (a) the Minister agrees to provide books, periodicals, records, films, materials and staff for a public library in the district; and
 - (b) the communities agree to provide and maintain adequate premises for use as a public library in the district,

or under which the responsibilities set out in clauses (a) and (b) are otherwise shared.

District library board

- (2) Where an agreement has been made under subsection (1), the communities shall appoint a district library board which shall operate and maintain the library premises and cooperate with the Minister in the development of library services in the district.

Composition

- (3) A district library board shall consist of one member appointed by each community that is signatory to the agreement and such additional members as the parties to the agreement may specify. *1992, c.56, s.8.*

9. Powers of community and district boards

A community or district board may

- (a) acquire, erect, rent, lease and maintain the necessary lands and buildings for the operation of the library;
- (b) sell, exchange, lease or otherwise dispose of any of its lands or buildings not required for the operation of the library;
- (c) acquire all equipment that may be required for the operation of the library;
- (d) promote the use of library materials;
- (e) establish and maintain a capital fund to be used for the acquisition or leasing of buildings and equipment;
- (f) acquire, circulate and maintain books, periodicals, records, films and other articles and objects of informational, educational, cultural, artistic or recreational value. *1992, c.56, s.9.*

10. Withdrawal of library services

Where a community fails to maintain and operate the library in accordance with an agreement or fails to appoint a community or district library board, the Minister may withdraw library services. *1992, c.56, s.10.*

GENERAL

11. Penalty for overdue books

The Provincial Librarian may impose a penalty on the user of any public library or bookmobile for failure to return a book or other library material when due. *1992, c.56, s.11.*

12. Offence

Any person who

- (a) without the consent of the library, retains; or
- (b) mutilates or destroys,

books or other library materials or property is guilty of an offence and liable on summary conviction to a fine not exceeding \$50 or the replacement cost of the books, materials or property, whichever is greater. *1992, c.56, s.12.*

13. Regulations

The Lieutenant Governor in Council may make regulations. *1992, c.56, s.13.*