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**THE PUBLIC LIBRARY LAW (CAP. 17)**

**(1998 Revision)**

Consolidated with Law 8 of 1978.

Revised under the authority of the Law Revision Law (19 of 1975).

Originally enacted-

Cap. 17-1st January, 1964.  
Law 8 of 1978-15th June, 1978.

Consolidated and revised this 6th day of January, 1998.



**PUBLIC LIBRARY LAW**

**(1998 Revision)**

**ARRANGEMENT OF SECTIONS**

1. Short title
2. Definitions
3. Income of Library
4. Committee of Management
5. Chairman of Committee
6. Incorporation of Committee
7. Committee to have control and management of Library funds and property
8. Committee to pay all outgoing expenses, etc.
9. Future property vested in Committee
10. Exemption from taxation
11. Funds to be under the Governor's supervision
12. Appointment of librarian, officers and servants
13. Librarian to be Secretary to Committee
14. Free reading room
15. Part of Library may be used for meetings, etc.
16. Life members
17. Rights and liabilities of members
18. Powers of Committee with respect to persons suffering from communicable disease
19. Sub-committees
20. Regulations
21. Penalty on member not returning books, etc.
22. Wilful damage to property
23. Persons suffering from communicable disease
24. Offences in Library premises
25. Grant from general revenue
26. Audit of accounts
27. Procedure for recovery of fines and penalties
28. Appropriation of fines and penalties



**PUBLIC LIBRARY LAW**

**(1998 Revision)**

1. This Law may be cited as the Public Library Law (1998 Revision). Short title
  
2. In this Law- Definitions

“Committee” means the Committee of Management of the Library;

“Library” means the public library established by this Law and includes any other library established in connection therewith; and

“member” means any person whose name is entered in the register of members of the Library.
  
3. The expenses of the Library are defrayed out of- Income of Library
  - (a) moneys granted for the purpose by the Carnegie Corporation;
  - (b) such moneys as may, from time to time, be appropriated to the Library by the Legislative Assembly out of the general revenue of the Islands;
  - (c) subscriptions received from the general public for the use of books, magazines, newspapers and periodicals kept in the Library;
  - (d) penalties and fines imposed and recovered in respect of offences committed against this Law or any regulations made hereunder;
  - (e) public donations; and
  - (f) such other moneys as may, from time to time, be vested in the Committee and appropriated by it to the maintenance of the Library.
  
4. The Library is managed and controlled by a Committee of Management which consists of not less than three and not more than five persons appointed once in every year, or at any time to fill a vacancy, by the Governor. Committee of Management
  
5. (1) The Governor shall appoint the Chairman of the Committee and may appoint himself to be Chairman. Chairman of Committee

(2) In the event of the death or absence from a meeting of the Chairman, the Committee shall elect one of its number to act as Chairman during his absence.

Incorporation of Committee	<p>6. (1) The Committee is a body corporate by the name of “The Committee of Management of the Public Library of the Cayman Islands”, and by that name has perpetual succession, and, subject to section 11, may hold, acquire and dispose of in any manner whatsoever any property, real or personal, for the purposes of this Law.</p> <p>(2) The Committee may sue and be sued, prosecute and be prosecuted, in its corporate name in any Court in the Islands, and has a common seal approved and if necessary alterable from time to time by the Committee which seal is officially and judicially noticed.</p>
Committee to have control and management of Library funds and property	<p>7. Subject to section 11, the Committee has absolute management and control of the Library and its funds, and may apply any part of such funds to the purchase of such books, magazines, periodicals, newspapers, prints, pamphlets, manuscripts, reports, pictures, maps, engravings, works of art and science, scientific, philosophical and other instruments, specimens of natural history, science, art, agriculture, mining, industry, and all other articles, furniture and effects, as they may consider requisite for the purposes of the Library, and may also sell or otherwise dispose of any article purchased or acquired by the Library; and all moneys arising from any such sale or other disposal are deemed to be part of the funds of the Library and applied accordingly.</p>
Committee to pay all outgoing expenses, etc.	<p>8. The Committee, out of the funds of the Library pays all rents, rates, insurance premiums against loss by fire, hurricane or otherwise on all books, buildings and their contents, salaries and wages, costs of additions, repairs and other outgoings and expenses payable in respect of the management of the Library, and the expenses incidental to all sales under section 7.</p>
Future property vested in Committee	<p>9. All property presented to, or purchased or acquired for, the Library, is vested in the Committee.</p>
Exemption from taxation	<p>10. Property vested in the Committee is exempt from taxation.</p>
Funds to be under the Governor’s supervision	<p>11. The administration of the funds of the Committee are under the supervision of the Governor and accordingly-</p> <ul style="list-style-type: none"><li>(a) in the exercise of its powers under section 7, the Committee shall observe any general or special directions given to it by the Governor in that behalf; and</li><li>(b) the Committee may not acquire or dispose of any real property without the previous consent of the Legislative Assembly.</li></ul>
Appointment of librarian, officers and servants	<p>12. The Committee, subject to the prior approval of the Governor, may appoint upon such terms as it thinks fit, a librarian and such other officers and servants as</p>

it may consider requisite for the purpose of managing and carrying on the Library; and may fix the salaries and wages to be paid to them and may, at any time, remove any such librarian, officers or servants.

13. The librarian is the Secretary of the Committee and all legal proceedings may be instituted and conducted by or against the librarian on behalf of the Committee.

Librarian to be Secretary to Committee

14. The Committee shall, subject to such regulations as it may think fit to make, provide and set apart some portion of the Library for use as a free reading room, to which the general public has free access to use the books, magazines, periodicals and newspapers of the Library.

Free reading room

15. The Committee may permit any part of any premises in which the Library may for the time being be located to be used, either gratuitously or otherwise, for lectures, meetings or otherwise, if the use of the premises as and for the purposes of a Library is not thereby interfered with.

Part of Library may be used for meetings, etc.

16. Any person making a donation to the Library, either in money, books or other publications, works of art or science, or any other articles, of such value as may be prescribed, may, by resolution of the Committee, be elected a life member, and shall thenceforth be entitled to all the privileges of an annual member without any further payment.

Life members

17. A member is entitled to borrow from the Library such number of books, periodicals and magazines and to keep the same for such period as may, from time to time, be prescribed, and is responsible for the proper care of such books, periodicals or magazines and for their due return to the Library.

Rights and liabilities of members

18. The Committee has the power to refuse to admit to membership, and after admission has the power to cancel the membership of, any person whom it may have reason to suspect is suffering from any communicable disease, or who may be residing in the same house with any person suffering or suspected to be suffering from any such disease; and to return any subscription paid by such person or proportionate part thereof computed for the unexpired portion of the term for which the subscription was paid, and such person shall immediately cease to be a member and to enjoy the rights and privileges of a member, and must forthwith return all books, periodicals and magazines which may be in his possession.

Powers of Committee with respect to persons suffering from communicable disease

19. The Committee has power to appoint one or more sub-committees, consisting of such one or more members as it thinks fit, for the purpose of considering and reporting upon such questions and matters as may be referred to

Sub-committees

it, and the Committee may grant to any such sub-committee the power to do any of the acts relating to the management of the Library which the Committee itself might lawfully do.

Regulations

20. (1) The Committee may make regulations for the management of the Library, to provide for-

- (a) the different classes into which members are to be subdivided, and the rates of subscription to be paid by each;
- (b) the value of the donation to be required as a qualification for election as a life member;
- (c) the conditions under which, and the days and hours during which, members and the general public may be admitted to the Library, or to any particular part thereof;
- (d) the method to be employed in obtaining books and other articles from the Library, and the mode in which such books and other articles may be issued to members;
- (e) the duties of the librarian and the officers and servants of the Library, and the terms and conditions upon which they are to be appointed, and upon which they may be granted leave;
- (f) the proper use of the free reading room by the general public, and the method of issuing books, periodicals, magazines and newspapers to persons using the free reading room;
- (g) the manner in which the rooms, entrances, passages, staircases and outbuildings of the Library may be used;
- (h) the charges to be made and the conditions to be observed for the use of any part of the Library for the purpose of lectures, meetings or otherwise;
- (i) the exclusion or removal from any part of the Library of any person whom the Committee may consider undesirable on sanitary or other grounds, who may have committed a breach of the regulations or otherwise misconducted himself in the Library; and
- (j) any other matter or thing which the Committee may consider necessary for the good management and control of the Library and the securing of its peaceful use by members and other persons lawfully resorting thereto.

(2) The Committee may, by regulations, prescribe fines, not exceeding twenty dollars in each case, to be imposed for breaches of such regulations.

(3) All regulations made by the Committee under the powers conferred by subsection (1) shall be submitted for the approval of the Governor and, when



approved, gazetted and thereupon have the same force and effect as if they formed part of this Law.

21. If any member fails, neglects or refuses to return any book or other article belonging to the Library within such period as may have been prescribed, it is lawful for the librarian to deliver to such member a written notice requiring him to return such book or other article within seven days from the date of such notice, and to pay any fine which he may have incurred in respect of such failure, neglect or refusal. If any member fails to comply with such notice within the time therein specified, he is liable to a fine of twenty dollars in addition to the value of the book or other article and to the amount of the fine incurred.

Penalty on member not returning books, etc.

22. The librarian or any other person authorised by the Committee may take summary proceedings against any person who wilfully damages or destroys any book or other article belonging to the Library; and such person is liable to a fine of twenty dollars in addition to the value of the book or other article so damaged or destroyed.

Wilful damage to property

23. (1) Any person, knowing that he is suffering from a communicable disease, may not take or use any book or other article, or permit or cause any book or other article to be taken for his use, or for the use of any person in his house, from the Library.

Persons suffering from communicable diseases

(2) No person may permit any book or other article which has been taken from the Library and is under his control to be used by any person who he knows or suspects to be suffering from any communicable disease.

(3) No person may return to the Library any book or other article which he knows to have been exposed to infection from any communicable disease, or permit any such book or other article which is under his control to be so returned: but shall give notice to the librarian and to the Government Medical Officer that such book or other article has been so exposed to infection, and the Chief Medical Officer is to cause the book or other article to be disinfected to his satisfaction and returned to the Library, or, if it cannot be satisfactorily disinfected, to be destroyed.

(4) Whoever contravenes this section is liable to a fine of twenty dollars.

24. Whoever, in any part of the Library-

Offences in Library premises

- (a) behaves in a disorderly manner;
- (b) uses violent, abusive or obscene language;
- (c) bets or gambles;

*Public Library Law (1998 Revision)*

- (d) spits or smokes; or
- (e) after proper warning, persists in remaining in the Library or reading room beyond the hour fixed for the closing thereof,

is liable to a fine of twenty dollars.

Grant from general revenue

25. There shall be paid out of general revenue of the Islands towards the maintenance of the Library such moneys as may, from time to time, be appropriated to the Library by the Legislative Assembly. Such moneys are payable on the warrant of the Governor.

Audit of accounts

26. The accounts of the Library are audited by the Government Auditor, and a yearly statement of account, in such form as he may direct, shall be laid before the Legislative Assembly.

Procedure for recovery of fines and penalties

27. All fines imposed by this Law and by regulations made hereunder are recoverable on summary conviction and proceedings may be instituted and conducted by the librarian or by any person authorised by the Committee, either generally or for any particular proceedings.

Appropriation of fines and penalties

28. All penalties and fines received by the court under this Law shall be paid to the Committee.

Publication in consolidated and revised form authorised by the Governor in Council this 6th day of January, 1998.

Carmena H. Parsons  
Clerk of Executive Council