

The Public Libraries Regulations, 1996

being

Chapter P-39.2 Reg 1 (effective December 31, 1996) as amended by Saskatchewan Regulations 109/97, 25/98, 4/2000, 96/2000 and 79/2003.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER P-39.2 REG 1
The Public Libraries Act, 1996

PRELIMINARY

Title

1 These regulations may be cited as *The Public Libraries Regulations, 1996*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Public Libraries Act, 1996*;
- (b) “**fiscal year**” means the period commencing on April 1 in one year and ending on March 31 in the following year;
- (c) “**resource sharing**” means any activity that supports the sharing of library resources between or among libraries and their patrons.

3 Apr 98 SR 25/98 s2.

Basic library services

3 For the purposes of clause 2(a) of the Act, the following library services are basic library services:

- (a) the provision of a level of service determined locally at the community level, including:
 - (i) providing individuals with access to library resources through home access, publicly accessible computers, local branch libraries, area resource libraries and regional resource centres;
 - (ii) providing that a minimum base level of service is available provincially to ensure access to public libraries’ resources and catalogued collections;
 - (iii) providing public access to local and union catalogues through the province-wide library electronic network;
 - (iv) participating in the development of electronic information access as a method of delivering reference and information services;
 - (v) making materials available to the public through direct lending, reciprocal borrowing, interlibrary loans and various types of home delivery;
 - (vi) providing appropriately qualified and trained staff to assist the public to use library resources and services; and
 - (vii) developing a Saskatchewan universal public library card to link the individual to the system;

- (b) the development of library collections according to the needs and interests of communities, including:
 - (i) the designing, by each library system, of a process and method for evaluating and assessing local needs on an ongoing basis;
 - (ii) the organizing, cataloguing and classifying of those collections; and
 - (iii) maintaining catalogues of information resources and making them accessible to all Saskatchewan residents; and
- (c) the development of programs that meet local needs for cultural, economic, educational and recreational information organized around the themes of:
 - (i) promoting and raising the awareness of library resources;
 - (ii) increasing information competencies;
 - (iii) exploring and discovering new ideas; and
 - (iv) advocating library values.

13 Dec 96 cP-39.2 Reg 1 s3.

3.1 Repealed. 25 Jly 2003 SR 79/2003 s3.

REGIONAL LIBRARY AGREEMENTS

Prescribed percentage

4 The percentage prescribed for the purposes of subsection 29(2) of the Act is 25%.

1 Dec 2000 SR 96/2000 s3.

5 Repealed. 1 Dec 2000 SR 96/2000 s4.

Copy to be provided to Provincial Librarian

6 A copy of every regional library agreement, and any other agreement made by a regional library board to provide library services, is to be forwarded to the Provincial Librarian before the day on which the agreement comes into effect.

13 Dec 96 cP-39.2 Reg 1 s6.

7 to 12 Repealed. 1 Dec 2000 SR 96/2000 s6.

DISSOLUTION OF REGIONAL LIBRARY BOARD

Powers of minister on dissolution

13(1) Where a regional library board intends to dissolve, the board shall provide notice of that intent to the minister.

(2) Where the minister receives a notice of intent to dissolve, the minister shall appoint a committee of three persons, one of whom is to be the Provincial Librarian, to make recommendations to the minister respecting:

- (a) the division or transfer of assets and the settlement of outstanding claims and liabilities;

- (b) changes to the boundaries of the regional libraries adjoining the regional library that intends to dissolve;
- (c) the division of assets between the municipalities participating in the regional library or the transfer of the assets to one or more regional libraries that are to provide library services to the municipalities that receive library services from the regional library board that intends to dissolve; and
- (d) the date on which the dissolution should be effective.

13 Dec 96 cP-39.2 Reg 1 s13.

Committee report

14(1) The committee appointed pursuant to section 13 shall meet within 30 days of being appointed and shall prepare a report for the minister containing its recommendations respecting the matters mentioned in section 13 and any other matters that the committee considers relevant.

(2) The minister shall consider the report and may make any order respecting the recommendations that the minister considers appropriate.

13 Dec 96 cP-39.2 Reg 1 s14.

LOCAL LIBRARY BOARDS

Appointments

15(1) Local library board members are to be appointed for one-year terms by the municipal councils, and appointments are effective on the date they are made.

(2) In each year a local library board shall appoint from its members a chairperson and any other officers it considers necessary to carry out its business.

(3) The staff member in charge of the branch library shall act as secretary to the local library board and to the committees of that board, but is not entitled to vote.

13 Dec 96 cP-39.2 Reg 1 s15.

Annual meeting and report

16(1) The local library board shall hold an annual meeting before the annual meeting of the regional library board and may hold any other meetings that may be necessary to conduct the business of the board at any time.

(2) The local library board shall present its annual report to the relevant municipal councils and the regional library by March 31 in each year.

13 Dec 96 cP-39.2 Reg 1 s16.

Consultation between regional and local library boards

17(1) Except in the case of the appointment of a regional library director, the powers of the regional library board set out in section 38 of the Act are to be carried out in consultation with the local library board.

(2) A regional library board may delegate those powers to the local library board and, where those powers are delegated, the local library board shall carry them out in consultation with the regional library director.

(3) A local library board shall prepare an annual budget of necessary local expenditures and present it to the council or councils concerned by March 1 in each year.

(4) A local library board shall supply minutes of all its meetings to the regional library board.

13 Dec 96 cP-39.2 Reg 1 s17.

NORTHERN COMMUNITY PUBLIC LIBRARIES

Petition by electors to establish northern community public library

18(1) In this section, “**electors**” means electors within the meaning of *The Local Government Election Act*.

(2) The electors of a northern municipality may petition the minister respecting the establishment of a northern community public library.

(3) The petition is to be in the form required by the minister and is to contain:

(a) the signatures of at least 10% of the electors of that northern municipality; and

(b) the name and address of a person residing within the proposed northern municipality who will undertake on behalf of the petitioners all further communications with the minister respecting the petition.

(4) The minister, where he or she considers it appropriate, may approve the establishment of a northern community public library after considering the petition.

(5) The establishment of the library is not effective until the council of the northern municipality passes a bylaw of support.

13 Dec 96 cP-39.2 Reg 1 s18.

Petition by council to establish northern community public library

19(1) The council of one or more northern municipalities may petition the minister respecting the establishment of a northern community public library.

(2) The petition is to be in the form required by the minister.

(3) The minister, where he or she considers it appropriate, may approve the establishment of a northern community public library after considering the petition.

13 Dec 96 cP-39.2 Reg 1 s19.

Annual meetings

20 A northern community public library board shall hold an annual meeting of the northern community public library board not later than February 28 in each year.

13 Dec 96 cP-39.2 Reg 1 s20.

Secretary to board

21 The staff member of the northern community public library board in charge of a northern community public library shall act as secretary to the northern community public library board and to committees of that board, but is not entitled to vote.

13 Dec 96 cP-39.2 Reg 1 s21.

GOVERNMENT GRANTS

Payment of grants

21.1(1) For the purposes of section 64 of the Act, in each fiscal year, the minister may make a grant in accordance with section 21.5, 21.6 or 21.7, as the case may be, to a municipal library board, a regional library board or the northern library system board, where the municipal library board, regional library board or northern library system board, as the case may be:

- (a) applies for a grant pursuant to section 21.2; and
 - (b) meets the eligibility criteria set out in section 21.3.
- (2) The minister may make a grant payment pursuant to these regulations in the manner and at the time determined by the minister.
- (3) Notwithstanding any other provision of these regulations:
- (a) the total amount of grants made pursuant to sections 21.5 to 21.7 in any fiscal year is not to exceed the total moneys appropriated by the Legislature in that fiscal year for providing financial assistance to municipal library boards, regional library boards and the northern library system board; and
 - (b) based on the appropriation by the Legislature mentioned in clause (a), the minister shall determine the total moneys to be set aside in any fiscal year for grants:
 - (i) to municipal library boards pursuant to section 21.5;
 - (ii) to regional library boards pursuant to section 21.6; and
 - (iii) to the northern library system board pursuant to section 21.7.

3 Apr 98 SR 25/98 s5; 1 Dec 2000 SR 96/2000 s7; 25 Jly 2003 SR 79/2003 s4.

Application

21.2 In each fiscal year, a municipal library board, a regional library board or the northern library system board may apply for a grant pursuant to section 21.5, 21.6 or 21.7, as the case may be, by submitting to the minister, within the period set by the minister:

- (a) an application, in a form acceptable to the minister, that is completed in all respects, including the signing of any declarations the minister may require; and
- (b) any other information that the minister may reasonably require.

3 Apr 98 SR 25/98 s5; 1 Dec 2000 SR 96/2000 s8.

Eligibility

21.3 To apply for a grant from the minister pursuant to section 21.5, 21.6 or 21.7, the municipal library board, regional library board or northern library system board, as the case may be, must participate in:

- (a) the Saskatchewan union catalogue;
- (b) reciprocal borrowing within Saskatchewan; and
- (c) Saskatchewan's interlibrary loan system.

3 Apr 98 SR 25/98 s5; 1 Dec 2000 SR 96/2000 s9.

Use of grant

21.4 Unless otherwise provided in these regulations, any grant received by a municipal library board, a regional library board or the northern library system board pursuant to section 21.5, 21.6 or 21.7 must be used to support resource sharing.

3 Apr 98 SR 25/98 s5; 1 Dec 2000 SR 96/2000 s10.

Municipal libraries

21.5(1) In this section, "**municipal library**" means the Regina municipal library or the Saskatoon municipal library.

(2) Subject to sections 21.2 and 21.3, in each fiscal year, the minister shall make a grant to a municipal library in accordance with the library service agreement between the Province of Saskatchewan and the board of the municipal library.

3 Apr 98 SR 25/98 s5.

Regional libraries

21.6(1) In this section:

(a) **“paid regional library open hours”** means the hours that a regional library, including all branches and bookmobiles:

- (i) is open to the public; and
- (ii) is staffed by paid library staff;

(b) **“population of the region”** means the population:

- (i) that is within the boundaries of the regional library, as those boundaries exist at July 1 of the preceding year; and
- (ii) that, unless otherwise determined by the minister, is determined by the most recent census taken pursuant to the *Statistics Act* (Canada), as amended from time to time.

(2) Subject to sections 21.2 and 21.3 and subsection (6), in each fiscal year, the minister shall make a grant to a regional library in an amount based on the regional library's proportionate share, calculated in accordance with subsection (3), of the total moneys set aside by the minister in that fiscal year for grants pursuant to this section.

(3) A regional library's proportionate share is to be based on the aggregate number of points the regional library achieves for the following three components in relation to all regional libraries that apply for a grant in that year pursuant to this section:

(a) the library headquarters component, being the sum of:

- (i) 300,000 points; and
- (ii) 2.25 points per capita based on the population of the region for the preceding calendar year;

(b) the library open hours component, being the product of:

- (i) two points; and
- (ii) the total number of paid regional library open hours for the preceding calendar year;

(c) the library materials expenditure component, being one-half point per dollar expended by the regional library on library materials in the preceding calendar year, to a maximum of 1.5 points per capita based on the population of the region for the preceding calendar year.

(4) For the purposes of calculating points pursuant to subsection (3), the regional library shall submit as part of its application to the minister:

(a) a statutory declaration by the chairperson of the regional library board, verifying the total number of paid regional library open hours for the preceding year;

- (b) the audited financial statement of the regional library for the preceding year, verifying the total amount expended by the regional library on library materials in that year; and
- (c) where claimed on behalf of a local library board and not covered by clause (a) or (b), a statutory declaration by the chairperson of the local library board verifying expenditures by the local library, or by a municipality for the benefit of the local library, in the preceding year with respect to all or any of the following:
 - (i) library materials catalogued and available for interlibrary loans to any public library in Saskatchewan;
 - (ii) hours that the local library was open to the public and staffed by paid library staff.
- (5) A regional library shall use the library headquarters component of its grant to support the provision and co-ordination of the regional library's headquarters operations.
- (6) **Repealed.** 1 Dec 2000 SR 96/2000 s11.

3 Apr 98 SR 25/98 s5; 1 Dec 2000 SR 96/2000 s11.

Northern library system

- 21.7(1) Subject to sections 21.2 and 21.3, in each fiscal year, the minister shall make a grant to the northern library system in an amount determined by the minister.
- (2) The northern library system board shall use the grant received pursuant to subsection (1) to support:
 - (a) resource sharing in accordance with section 21.4;
 - (b) the provision and co-ordination of all library services to people living within the boundaries of the northern library system; and
 - (c) the allocation of funds to northern community public library boards for the purpose of providing public library services.

3 Apr 98 SR 25/98 s5; 1 Dec 2000 SR 96/2000 s12.

- 21.8 **Repealed.** 1 Dec 2000 SR 96/2000 s13.

Special project grants

21.9 Notwithstanding any other grant made by the minister pursuant to these regulations, the minister may make grants to any person, agency, organization, association, institution, board or public library within or outside Saskatchewan for special projects for the purpose of:

- (a) assisting in the establishment of any public library; or
- (b) contributing towards the maintenance of public library services.

3 Apr 98 SR 25/98 s5; 1 Dec 2000 SR 96/2000 s14.

MISCELLANEOUS

Boards may set charges

22 For the purposes of clause 6(3)(b) of the Act, the following are services for which municipal library boards, regional library boards, the northern library system board and northern community public library boards may charge a fee:

- (a) the lending of original paintings, drawings, prints and reproductions;
- (b) copying;
- (c) **Repealed.** 3 Apr 98 SR 25/98 s6.
- (d) **Repealed.** 3 Apr 98 SR 25/98 s6.
- (e) lending audio-visual equipment or other library equipment to patrons;
- (f) enhanced research by library staff and related costs.

13 Dec 96 cP-39.2 Reg 1 s22; 3 Apr 98 SR 25/98 s6.

23 Repealed. 1 Dec 2000 SR 96/2000 s15.

Convening meetings

24(1) For the purposes of subsection 10(2) of the Act, the minister or the Provincial Librarian may convene meetings of all or any of the chairpersons of the boards of public libraries and library directors by providing 15 days notice of the time and date of the proposed meeting.

(2) Where a chairperson or library director receives notice of a meeting, that chairperson or library director, or his or her delegate, shall attend the meeting.

13 Dec 96 cP-39.2 Reg 1 s24.

Qualifications of Provincial Librarian

25 For the purposes of section 9 of the Act, the Provincial Librarian must have a degree in library or information science from a university accredited by the American Library Association.

13 Dec 96 cP-39.2 Reg 1 s25.

Aboriginal representation

26 Where a public library board, a municipal library board, or a regional library board enters into an agreement to facilitate the participation of Aboriginal peoples in the provincial public library system pursuant to section 66 of the Act, the agreement is to address the matter of representation of Aboriginal peoples on the board and executive committee.

13 Dec 96 cP-39.2 Reg 1 s26.

Policy statements

27(1) A municipal library board, a regional library board, the northern library system board and a northern community public library board shall submit a copy of any policy statements prepared pursuant to section 67 of the Act to the minister.

(2) Any amendments to a policy statement are to be submitted to the minister within one month of their approval by the board.

13 Dec 96 cP-39.2 Reg 1 s27.

Reports to be forwarded

28 Each municipal library board, each regional library board and the northern library system board shall provide a copy of the report and audited financial statement mentioned in section 74 of the Act to the Provincial Librarian by May 15 in each year.

13 Dec 96 cP-39.2 Reg 1 s28; 1 Dec 2000 SR 96/2000 s16.

Joint ventures

29 All joint venture agreements entered pursuant to section 80 of the Act are to include terms and conditions that address the following matters:

- (a) a statement of purpose for the joint venture;
- (b) the rights, duties and privileges of the parties to the agreement;
- (c) the financial responsibilities of parties to the agreement;
- (d) a facility design that ensures reasonable access to the facility by the public;
- (e) a process to resolve disputes;
- (f) a provision for periodic review of the agreement;
- (g) the method of dissolution on termination of the agreement;
- (h) a clarification of the role of the public library board respecting access to library services by all patrons;

- (i) the composition of the board of directors of any joint venture library, the method of appointing or electing the directors, and their terms of office;
- (j) the method by which the board of directors of a joint venture library shall:
 - (i) conduct its meetings and record its resolutions; and
 - (ii) develop policies respecting the operation of the joint venture library;
- (k) a commitment to provide, at a minimum, the basic library services set out in section 3.

13 Dec 96 cP-39.2 Reg 1 s29; 1 Dec 2000 SR 96/2000 s17.

REPEAL AND COMING INTO FORCE

R.R.S. c.P-39.1 Reg 1 repealed

30 Sections 3 to 13 and 21 to 23 of *The Public Libraries Regulations* are repealed.

13 Dec 96 cP-39.2 Reg 1 s30.

Appendix

Repealed. 1 Dec 2000 SR 96/2000 s18.

