



LAWS OF MALAYSIA

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Act 80

NATIONAL LIBRARY ACT 1972

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NATIONAL LIBRARY ACT 1972

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LAWS OF MALAYSIA**Act 80****NATIONAL LIBRARY ACT 1972**

An Act to provide for the establishment of the National Library and for matters connected therewith.

*[Peninsular Malaysia—1 September 1972,
P.U.(B) 348/1972]*

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

PART I**PRELIMINARY****Short title and application**

1. (1) This Act may be cited as the National Library Act 1972.
- (2) This Act shall apply only to Peninsular Malaysia.

Interpretation

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

“appointed date” means the date of coming into force of this Act;

“Board” means the Advisory Board established pursuant to section 5;

“Chairman” means the Chairman of the Advisory Board appointed under paragraph 5(2)(a);

“collection” means the library resources collected and maintained within the Library;

“Director General” means the Director General of the National Library appointed under subsection 4(1);

“Fund” means the National Library Fund established pursuant to subsection 7(1);

“Library” means the National Library established pursuant to section 3;

“Library building” means any building or premises forming part of or used by the Library and any building or premises leased or let temporarily or otherwise by the Federal Government or Government of a State for the purpose of the Library and includes any vehicle or vessel used in any mobile library, forming part of the Library;

“Library resources” means any form of written, printed or graphic matter on or in which information is written, recorded, stored, displayed or reproduced, including manuscripts, typescripts, books, newspapers, periodicals, pamphlets, maps, microforms, music sheets, photographs, cinematograph films, phonorecords, video and audio recordings and other recordings on paper, film or other materials and reproductions thereof;

“Minister” means the Minister charged with the responsibility for libraries.

PART II

ESTABLISHMENT AND MANAGEMENT OF NATIONAL LIBRARY

Establishment of National Library

3. There is established a National Library of Malaysia (hereinafter referred to as the “Library”) with the following purposes and objectives:

- (a) to make available for the use of present and future generations a national collection of library resources;

- (b) to facilitate nation-wide access to library resources available within the country and abroad; and
- (c) to provide leadership on matters pertaining to libraries.

Management and control of National Library by the Director General and powers of Director General

4. (1) The Library shall be managed and controlled by the Director General appointed by the Yang di-Pertuan Agong.

(2) The Director General shall have the following functions:

- (a) to advise the Minister on national policy on all matters pertaining to libraries and all other matters relating to libraries;
- (b) to advise and assist in the national planning and development of libraries;
- (c) to acquire and maintain a comprehensive national collection of library resources reflecting the intellectual, literary and cultural heritage of the nation as well as a representative national collection reflecting the accumulated knowledge and wisdom of mankind;
- (d) to establish within the Library—
 - (i) the National Depository for the storage and conservation of library resources received;
 - (ii) the National Bibliographic Centre for the maintenance of the national bibliographic network, the national bibliographic data base and the provision of national bibliographic and documentation services;
 - (iii) the National Centre for Malay manuscripts for the acquisition, documentation and use of Malay manuscripts;
- (e) to provide reference, information, referral, reprographic and lending services;

- (f) to provide facilities within the Library to enable it to function as—
- (i) the national focal point for the national information system;
 - (ii) the national centre for the lending and exchange of library resources in order to promote the national and universal availability of publications;
- (g) to promote and co-ordinate the development and use of the library resources of the nation;
- (h) to promote and facilitate the establishment of a nation-wide system of public libraries in keeping with national standards of provision;
- (i) to promote the establishment of a network of special libraries in keeping with national standards of provision;
- (j) to promote and facilitate national and international co-operation and resource sharing among libraries;
- (k) to undertake and facilitate research on matters concerning libraries;
- (l) to provide training in order to upgrade professionalism in library matters;
- (m) to promote and facilitate the inculcation of the reading habit;
- (n) to co-operate with the relevant agencies in order to promote and upgrade the use and development of Bahasa Malaysia;
- (o) to co-operate with professional and other bodies at national and international level for the development of libraries;
- (p) to lend, sell or otherwise dispose of library resources forming part of the Library;
- (q) to do such other things as may be deemed necessary to give effect to the objectives referred to in section 3.

(3) There shall be appointed from time to time such officers as may be necessary or considered expedient for the purpose of this Act.

PART III

ESTABLISHMENT OF ADVISORY BOARD

Establishment of Advisory Board

5. (1) The Minister shall establish an Advisory Board (hereinafter referred to as the “Board”) for the purpose of advising the Director General on the development of the Library.

(2) The Board shall consist of the following members:

(a) a Chairman who shall be appointed by the Minister;

(b) the Director General;

(c) a representative of the Ministry for the time being charged with the responsibility for the Library; and

(d) not less than four and not more than seven other members who shall be appointed by the Minister.

(3) The Director General may appoint any member of his staff to act as the Secretary of the Board who shall keep a proper record of all minutes of the Board’s meeting.

(4) The Chairman and every member of the Board appointed under paragraph (2)(d) shall, unless his appointment is sooner revoked, hold office for a period of three years but shall be eligible for reappointment.

(5) The Chairman and any member of the Board appointed under paragraph (2)(d) may resign from his office by giving a written notice to the Minister.

(5A) The Minister may, at any time, revoke the appointment of the Chairman or any member of the Board appointed under paragraph (2)(d).

(6) All members of the Board shall be deemed to be public servants within the meaning of the Penal Code [Act 574].

Meetings of the Board

6. (1) The Board shall hold meetings at least once a year at any time and place as the Chairman may determine.

(2) The Chairman and four members of the Board shall form a quorum.

(3) The Board may make its own rules governing the procedure of its meeting and other matters connected therewith.

PART IV

NATIONAL LIBRARY FUND

Establishment of National Library Fund

7. (1) For the purpose of library development, there is established and incorporated into the Second Schedule to the Financial Procedure Act 1957 [*Act 61*] the following fund, namely:

“National Library Fund”,

(hereinafter referred to as “the Fund”).

(2) The Fund shall be controlled and operated by the Director General in accordance with the provisions of this Part.

Moneys required to be paid into the Fund

8. (1) Notwithstanding the provisions of the Financial Procedure Act 1957 and the Development Funds Act 1966 [*Act 406*] there shall be paid from time to time into the Fund—

- (a) such sums as may be appropriated by Parliament from the Development Fund or otherwise for the purposes of library development;
- (b) moneys received by way of donation or bequest for the purposes of the Library;
- (c) interest received from the investment of moneys standing to the credit of the Fund;
- (d) any other moneys received by the Government in such circumstances as the Minister of Finance considers appropriate to be paid into the Fund:

Provided that any balance of moneys received by the Government for the purpose of the Library before the appointed date which

would have to be paid into the Fund under this subsection had the moneys been received on or after the appointed date, shall be accounted for in this Fund.

(2) Payments into the Fund of moneys referred to in paragraph (1)(a) shall be made in such sums and at such times as the Minister of Finance directs.

Application of moneys of the Fund

9. (1) Notwithstanding the provisions of the Development Funds Act 1966, moneys standing to the credit of the Fund may be applied by the Director General for the following purposes:

- (a) payment for the cost of site, construction of and extension to building, and equipment for the Library;
- (b) payment of consultation expenses for library development;
- (c) payment for the cost of library resources and services acquired for the purposes of library development;
- (d) any other payment for the purposes of library development.

(2) Moneys standing to the credit of the Fund may be invested in accordance with paragraph 8(3)(a) of the Financial Procedure Act 1957.

Estimate

10. Each year the Director General shall within such period as may be determined by the Treasury submit through the Minister to the Treasury a statement showing the estimated receipts and payments of the Fund in respect of the following year. In support of such statement the Director General shall submit details of the development programme which he proposes to undertake in that following year.

Accounts and audit

11. (1) The Director General shall cause proper accounts to be kept and maintained in respect of the Fund.

(2) The Director General shall as soon as the accounts have been audited submit to the Minister and the Minister of Finance the audited statements of accounts together with any observations thereon.

(3) The Minister shall cause the audited statements of accounts together with observations, if any, to be laid before both Houses of Parliament.

PART V

MISCELLANEOUS

Agreement respecting library services

12. The Director General may, on terms and conditions approved by the Minister, co-operate or enter into agreements with authorities or persons whether in Malaysia or elsewhere in respect of library matters.

Transfer of library resources

13. The Minister may direct that any library resources in the care or custody of any department or agency of the Federal Government or Government of a State be transferred from that department or agency to the Library:

Provided that no such library resources shall be transferred from a department or agency of Government of a State to the Library without the prior consent of the State Authority.

Regulations

14. The Minister may make regulations not inconsistent with the provisions of this Act for the proper discharge of the functions of the Director General and for the management and control of the Library and library buildings and, in particular, without prejudice to the generality of the foregoing, such regulations may provide for—

- (a) the general management and supervision of the Library;
- (b) the preservation of order and the prevention of nuisance in the library buildings and grounds;
- (c) the exclusion or removal from the Library or the Library buildings of persons found to have committed any offence under this Act or the regulations made thereunder;
- (d) the amount of fines that may be levied by the Director General for the damage, loss or late return of library resources borrowed and for the waiving or refund of such fines;
- (e) the fees to be charged by the Director General for the provision of information services or for the making and certifying of copies of any library resources and for the exemption from payment in whole or in part of such fees.

Annual report

15. (1) The Director General shall as soon as practicable at the end of each year prepare or cause to be prepared and transmit to the Minister an annual report dealing with the progress and activities of the Library.

(2) The Minister shall cause a copy of every such report to be laid before both Houses of Parliament.

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LIST OF AMENDMENT

Amending law	Short title	In force from
Act A667	National Library (Amendment) Act 1987	15-04-1987

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LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	Act A667	15-04-1987
3	Act A667	15-04-1987
4	Act A667	15-04-1987
5	Act A667	15-04-1987
5A	Act A667	15-04-1987
6	Act A667	15-04-1987
9	Act A667	15-04-1987
13	Act A667	15-04-1987
14	Act A667	15-04-1987
