



# LIBRARY LEGISLATION IN FLANDERS

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# 1 CULTURE, A FLEMISH COMPETENCY

In the federal state of Belgium, the different communities and regions have a large autonomy. Like Germany is made up of Länder and Switzerland has cantons, Belgium has constitutional components known as regions and communities.

Together, the Flemish Region and the Flemish Community have a Flemish Parliament and a Government of Flanders. Flanders, with Brussels as its capital, has its own legislative and executive powers including broad and exclusive domestic and international responsibilities which are equivalent to the federal level.

Cultural policy and its implementation are an exclusively Flemish competency. The Flemish authorities can issue laws to that effect, called Decrees, and can conclude international treaties independently.

## 2 LIBRARY LEGISLATION IN A HISTORICAL PERSPECTIVE

### 2.1 THE DESTRÉE LAW OF OCTOBER 17<sup>TH</sup> 1921 CONCERNING PUBLIC LIBRARIES

For decades, public libraries have been fulfilling a major social role in Flanders. Therefore, it seems obvious that these institutions receive public support. A first public incentive was given by the **Destrée law** in 1921, with the aim of subsidizing and coordinating community libraries, put together within a system of public libraries. Gradually, public libraries were given a broader meaning of provision of information, focusing, among other things, on target groups, knowledge sharing, lifelong learning, reading promotion, etc.

### 2.2 THE DECREE OF JUNE 19<sup>TH</sup> 1978 ON DUTCH LANGUAGE PUBLIC LIBRARIES

As the library’s social role was growing, the authorities acknowledged the need for a further professionalisation of the sector by creating a **new legal basis in the 1970s**. Obligations were imposed on municipalities and provinces regarding the organisation and funding of public libraries<sup>1</sup>. The result of this

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<sup>1</sup> Flemish Parliament Act on the Dutch-language Public Library Operations of June 19<sup>th</sup> 1978.







# 3 LIBRARY LEGISLATION TODAY

## 3.1 AUTONOMY FOR THE MUNICIPALITIES

In 2014, the newly elected Government of Flanders decided to strengthen the autonomy of the municipalities even further. Flemish municipalities became fully autonomous with respect to their public library. This meant that, since 2015, the municipalities in Flanders are no longer required by law to have a public library. The subsidies for public libraries were relocated to the Gemeentefonds, a public funding mechanism for municipalities, and therefore no longer earmarked to be spent on the local public library. Since 2018, the provinces are no longer involved in cultural policy. Their task to support public libraries was transferred to Flemish governmental level.

## 3.2 BILINGUAL AREA OF BRUSSELS--CAPITAL

The separate regulation for the bilingual area of Brussels-Capital is maintained. Municipalities in the bilingual area of Brussels-Capital that have a Dutch language public library are still subsidised if they comply with a number of prerequisites. They have to:

- Make a library policy plan (or the library policy must be included in a cultural policy plan);
- Appoint one or more librarian(s) in charge of the library;
- Focus on societal changes such as the digitalisation;
- Offer objective and multiform information, adapted to the needs of the target group and in a non-commercial environment;
- Offer an online catalogue;
- Make consultation and lending as easy as possible, in particular for target groups that are difficult to reach and for people with a lower income;
- Guarantee an optimal public service on customer-friendly opening hours;
- Spend at least 75% of the budget for printed materials on Dutch language publications;
- Provide policy relevant data to the Government of Flanders once a year.

If they comply with these prerequisites, municipalities in the bilingual area of Brussels-Capital can receive the following annual subsidies for their Dutch language public library:

- 56,000 euro for municipalities with less than 10,000 residents;
- 6.5 euro per resident for municipalities with more than 10,000 residents;
- Municipalities that participate in the Brussels Network of Public Libraries (BRUNO) get an additional subsidy of 0.17 euro per resident.

### 3.3 SPECIAL ORGANISATIONS

A number of special organisations are subsidised for executing specific tasks:

- 1) The organisation Cultuurconnect<sup>3</sup> has the mission to support municipalities in their digital challenges concerning their cultural policy, with the emphasis on public libraries and cultural- and community centres. Cultuurconnect has the following strategic goals:
  - a. Raise awareness for digital challenges in local cultural policy;
  - b. Organise experiments in cooperation with municipalities and local cultural professionals to find solutions for the digital challenges in local cultural policy;
  - c. Scaling up successful experiments to national services for the municipalities;
  - d. Managing national services in a consortium model with participating municipalities.
- 2) The organisation Luisterpunt<sup>4</sup> has the mission to offer a specific and adapted service for people with a reading disability. Luisterpunt has the following strategic goals:
  - a. To proactively approach the target group of the visually impaired or people with another reading disability;
  - b. To cooperate with stakeholders and strategic partners such as public libraries and Zorgbib in order to create a more extended service;
  - c. To offer a diverse and extended collection in different adapted reading materials, such as braille books, audio books and audio magazines.
  - d. To follow technological developments such as the development of the Daisy-technology.
- 3) The organisation Zorgbib<sup>5</sup> has the mission to offer a specific and adapted service to people with a long-term illness or people in retirement homes or hospitals. Zorgbib has the following strategic goals:
  - a. To proactively approach the target group of people with a long-term illness and people in a retirement home or hospital or a psychiatric centre.
  - b. To cooperate with strategic partners, such as the public libraries, Luisterpunt and retirement homes to realise a more extended service;
  - c. To offer a diverse collection in adapted reading materials;
  - d. To extend volunteerism through an active recruiting policy and the organization of a decent basic training.

### 3.4 LIBRARY SERVICES TO PRISONERS

In 2008 a regulation for library services to prisoners was established. The Decree of January 18<sup>th</sup> 2008 concerning stimulating measures for promoting the participation in culture, youth and sports stipulates that the Flemish Government can make agreements with municipalities, to extend the services of their public library to prisoners.

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<sup>3</sup> Cultuurconnect: <https://www.cultuurconnect.be/about-us>  
<sup>4</sup> Luisterpunt: <https://www.luisterpuntbibliotheek.be/nl/english>  
<sup>5</sup> Zorgbib: <https://www.zorgbib.be/>

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