

Translation from Finnish
Legally binding only in Finnish and Swedish
Ministry of Education and Culture, Finland

Public Libraries Act
(1492/2016)

Section 1
Scope of application

This Act lays down provisions on public libraries and their operations as well as on the promotion of these operations at the local, regional and national level. This Act also contains provisions on cooperation between libraries and on central government financing for public libraries.

Section 2
Objectives

- (1) The objectives of this Act are to promote:
 - 1) equal opportunities for everyone to access education and culture;
 - 2) availability and use of information;
 - 3) reading culture and versatile literacy skills;
 - 4) opportunities for lifelong learning and competence development;
 - 5) active citizenship, democracy and freedom of expression.
- (2) The implementation of these objectives is based on sense of community, pluralism and cultural diversity.

Section 3
Definitions

For the purposes of this Act:

- 1) *public library* refers to municipal library services intended for the use of all population groups;
- 2) *national development responsibility* refers to a duty assigned to one public library to help all public libraries develop their activities in a balanced and equitable way;
- 3) *regional development responsibility* refers to a duty assigned to a given public library to support the rest of the public libraries within its area of operation in their endeavours to improve their activities.

Section 4
Duties of state authorities

- (1) The Ministry of Education and Culture is responsible for the national library policy concerning public libraries and for the development of this policy.
- (2) In the capacity of the regional state administrative authority, the Regional State Administrative Agencies are responsible for:
 - 1) helping to implement the objectives of the national library policy on public libraries within their area of operation;

- 2) monitoring and evaluating the operations of the public libraries within their area of operation;
- 3) promoting the local, regional, national and international development projects of the public libraries; and
- 4) performing any other duties assigned to them by the Ministry of Education and Culture.

Section 5

Duties of local authorities

- (1) Local authorities, i.e. municipalities, are responsible for organising the operations of public libraries. They may organise the public library operations independently or in cooperation with other municipalities or in some other manner.
- (2) Local authorities shall consult the residents in decisions on key issues related to public libraries as part of their duty to enable residents to participate and exert influence as laid down in section 27 of the Local Government Act (356/1995).
- (3) Where necessary, local authorities shall cooperate with other authorities, actors in the library field and other corporations.

Section 6

Duties of public libraries

- (1) Public libraries are tasked with:
 - 1) providing access to materials, information and cultural contents;
 - 2) maintaining versatile and up-to-date collections;
 - 3) promoting reading and literature;
 - 4) providing information services, guidance and support in the acquisition and use of information and in versatile literacy skills;
 - 5) providing premises for learning, recreational activities, working, and civic activities;
 - 6) promoting social and cultural dialogue.
- (2) In addition to the duties referred to in subsection 1, a public library may be assigned a national development responsibility, a regional development responsibility or a special task.
- (3) To be able to perform the duties referred to in subsection 1 above, public libraries shall have adequate premises, modern equipment and sufficient and competent staff at their disposal.

Section 7

National development responsibility

- (1) To help public libraries develop their activities in a balanced and equitable way, the public library assigned with the national development responsibility shall provide shared services to all public libraries and promote cooperation between the public libraries. To provide shared services, the development responsibility shall be executed in cooperation with public libraries and other libraries.
- (2) The national development responsibility may, with the consent of the local authorities, be assigned to a public library which has versatile national and international expertise in library operations that is pertinent to the national development responsibility and also has adequate resources.

- (3) The national development responsibility may be revoked if the public library fundamentally fails to discharge it and does not undertake to rectify the situation regardless of requests to do so.
- (4) Provisions on the public library with the national development responsibility and its area of operation are issued by decree of the Ministry of Education and Culture.

Section 8

Regional development responsibility

- (1) The aim of a public library with a regional development responsibility is to create favourable conditions for the public libraries located within its area of operation to improve their activities. The purpose of the regional development responsibility is to support the development of the public libraries and the professional competence of library staff as well as to promote mutual cooperation between the public libraries within the area of operation.
- (2) A public library with a regional development responsibility shall cooperate with the other public libraries with the same responsibility, the public library with the national development responsibility and other libraries.
- (3) The regional development responsibility may, with the consent of the local authorities, be assigned to a public library which has versatile national and regional expertise in library operations that is pertinent to the regional development responsibility and also has adequate resources. Moreover, the regional structure and linguistic factors shall be taken into account when assigning a regional development responsibility.
- (4) The development responsibility may be revoked if the public library fundamentally fails to discharge it and does not undertake to rectify the situation regardless of requests to do so.
- (5) Provisions on the public libraries with a regional development responsibility and their areas of operation are issued by decree of the Ministry of Education and Culture.

Section 9

Special task

- (1) The Ministry of Education and Culture may, with the consent of the local authorities, assign a special task to a public library to supplement the duties referred to in section 6(1), provided that the library has adequate capacity to perform the task.
- (2) The Ministry of Education and Culture may revoke a special task assigned to a public library, if the public library fundamentally fails to discharge it and does not undertake to rectify the situation within a reasonable period of time determined by the Ministry of Education and Culture.

Section 10

Organising public library operations

- (1) Public libraries shall be available and accessible to all.
- (2) When organising public library operations in a bilingual municipality, the needs of both language groups shall be taken into consideration on equal grounds. In the municipalities

located in the Saami homeland, the needs of the Saami and Finnish speaking population groups shall be taken into consideration on equal grounds.

- (3) In addition to the provisions in subsections 1 and 2, the needs of local language groups shall be taken into consideration in the organisation of library operations.

Section 11

Cooperation

- (1) Public libraries operate and develop their operations in cooperation with other public libraries, the National Library of Finland, the National Repository Library, the Library for the Visually Impaired as well as other research libraries, libraries located at educational institutions and special libraries.
- (2) Public libraries may, for the purpose of performing the duties referred to in this Act, cooperate with authorities, actors in the library field, child daycare centres, schools and other educational institutions, and other corporations.

Section 12

Services provided free of charge and library charges

- (1) Using, borrowing and reserving public libraries' own materials as well as guidance and advice provided by the libraries are free of charge. Furthermore, interlibrary loans issued by public libraries with a national or regional development responsibility to other public libraries are free of charge.
- (2) Local authorities may impose a charge for the workload related to overdue loans, uncollected reserved materials and services other than those referred to in subsection 1. The charges shall be reasonable and shall not exceed the overall workload costs incurred by the municipality.
- (3) Provisions on the eligibility of such charges for direct enforcement action without a court decision are laid down in the Act on the enforcement of taxes and fees (706/2007).

Section 13

Obligations of library users

- (1) Users of public library services shall behave in an appropriate manner in libraries. The Public Order Act (612/2003) applies to persons who disrupt library operations and jeopardise public security in a library.
- (2) Library users shall handle the materials and other property of public libraries with care.

Section 14

Library rules

Local authorities may adopt rules for a public library for the purpose of promoting the internal order, security and attractiveness of the library. Library rules may contain regulations on the use of library premises and property, borrowing and reserving materials, returning loans, and loan periods, as well as on the suspension of borrowing rights, suspension of library use and charges.

Section 15

Suspension of borrowing rights and suspension of library use

- (1) The right of library users to borrow library materials is suspended if they fail to return borrowed materials within the period determined in the library rules referred to in section 14 or fail to pay the charges referred to in section 12(2) (*suspension of borrowing rights*). The suspension of borrowing rights expires immediately after the person has returned the overdue loans or made the outstanding payments.
- (2) Local authorities may impose a fixed-term, library-specific suspension of library use on a library user if the user has, in breach of the provisions in section 13, repeatedly and substantially disrupted the operations of the library or jeopardised its security or damaged library property. The maximum duration of the suspension of library use is 30 days.

Section 16

Evaluation

- (1) Local authorities shall evaluate the operations of public libraries. The purpose of the evaluation is to ensure that the objectives of this Act are achieved and to support the improvement of the operations of public libraries. The evaluation is used to monitor the execution of statutory duties and organisation of activities.
- (2) The decision on a national evaluation and on national participation in an international evaluation is made by the Ministry of Education and Culture, which is responsible for carrying out the evaluation together with the Regional State Administrative Agency. Local authorities are obliged to participate in the evaluation referred to in this section.
- (3) The key findings of the evaluations shall be published.

Section 17

Competence and leadership

- (1) Public libraries shall have a sufficient number of qualified staff trained in library and information services and other staff. Staff members in expert positions shall have a suitable higher education degree, unless otherwise required by the nature of the position.
- (2) The director of municipal library services shall have a suitable Master's degree, leadership skills and good familiarity with the duties and operations of libraries.

Section 18

Financing

- (1) The granting of central government transfers to local government for the operating costs of public libraries is governed by the Act on Central Government Transfers to Local Government for Basic Public Services (1704/2009).
- (2) Discretionary government transfers are granted to local authorities, within the scope of the appropriation included in the Budget, for carrying out the national development responsibility referred to in section 7, for carrying out the regional development responsibility referred to in section 8 and for carrying out the special task referred to in section 9, as well as for other activities referred to in this Act in accordance with the Act on the Financing of Education and Culture (1705/2009). For investment projects and development of premises, discretionary

government transfers are granted in compliance with the Act on Discretionary Government Transfers (688/2001). The Ministry of Education and Culture is the state aid authority that grants investment subsidies.

Section 19

Appeal

Those dissatisfied with a decision on a suspension of library use referred to in this Act may submit a claim for a revised decision to the local authority in accordance with the Local Government Act (410/2015).

Section 20

Entry into force

- (1) This Act enters into force on 1 January 2017. However, sections 7 and 8 of the Act enter into force on 1 January 2018.
- (2) This Act repeals the Library Act (904/1998). Section 4(2–5) of the repealed Act applies, however, until the end of the year 2017. Persons appointed to public offices or contractual employment relationships before the entry into force of this Act continue to be qualified to discharge their duties.