



THE STATUTES OF THE REPUBLIC OF SINGAPORE

NATIONAL LIBRARY BOARD ACT 1995

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT 1983

National Library Board Act 1995

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An Act to establish and incorporate the National Library Board, to transfer to it the National Library and for matters connected therewith.

[1 September 1995]

PART 1

PRELIMINARY

Short title

1. This Act is the National Library Board Act 1995.

Interpretation

2. In this Act, unless the context otherwise requires —
 - “Board” means the National Library Board established under section 3;
 - “Chairperson” means the Chairperson of the Board and includes any temporary Chairperson of the Board;
 - “chief executive officer” means the chief executive officer of the Board and includes any person acting in that capacity;
 - “Deputy Chairperson” means the Deputy Chairperson of the Board and includes any temporary Deputy Chairperson of the Board;
 - “Fund” means the National Library Board Endowment Fund established under section 34;
 - “library information service” means any information service provided and managed in conjunction with a library or library service;

“library materials” means —

- (a) any book, periodical, newspaper, pamphlet, musical score, map, chart, plan, picture, photograph or matter, in printed or electronic form;
- (b) any visual image (including a computer-generated image) or sound, or aggregate of visual images or sounds or both, or data —
 - (i) embodied in or recorded on a film (including a microfilm or a microfiche), negative, tape, disc, sound track or other device or thing, so as to be capable (with or without the aid of some other equipment) of being reproduced from it; or
 - (ii) transmitted by electronic means; and
- (c) any online material made available on a Singapore website;

“member” means a member of the Board;

“National Archives” means the National Archives of Singapore transferred by the Statutes (Miscellaneous Amendments) (No. 2) Act 2012 to the Board and administered in accordance with Part 2A;

“National Heritage Board” means the National Heritage Board established under section 3 of the National Heritage Board Act 1993;

“online material” means any writing, visual image, video, sound recording or data accessible to the public generally, through the Internet on a website;

“printed”, in relation to books or other materials, means produced by printing, lithography, duplication or any other like process, and “printer” has a corresponding meaning;

“public archives” means those public records that —

- (a) are more than 25 years old;
- (b) are specified by the Board as being of national or historical significance; and

(c) have been transferred to the Board or to any other place that the Board may determine;

“public office” means any department, office, institution, agency, commission, board, local authority or statutory body or any other office of the Government or branch or subdivision thereof, and any other body that the President may, by notification in the *Gazette*, declare to be a public office;

“public records” means papers, documents, records, registers, printed materials, books, maps, plans, drawings, photographs, microforms, videotapes, films, machine-readable and electronic records, sound recordings and other forms of records of any kind, that are produced or received by any public office in the transaction of official business, or by any officer in the course of his or her official duties, and includes public archives;

“publicly funded libraries” means all libraries owned by the Government or any statutory body and such other libraries which are, directly or indirectly, funded by the Government (whether fully or partially) as the Board may determine;

“published in Singapore”, in relation to library materials other than online material, means produced and released in Singapore for sale or public distribution;

“publisher” means any person who arranges for any library material to be published in Singapore;

“Singapore website” means —

(a) any website, the country code top level domain of which is associated with Singapore; or

(b) any prescribed website or electronic service associated with Singapore.

[30/2018]

PART 2

ESTABLISHMENT, CONSTITUTION, FUNCTIONS
AND POWERS OF BOARD**Establishment of National Library Board**

3. A body called the National Library Board is established, which is a body corporate with perpetual succession and is by that name capable of —

- (a) suing and being sued;
- (b) acquiring, owning, holding, developing and disposing of property, both movable and immovable; and
- (c) doing and suffering all such acts or things as bodies corporate may lawfully do or suffer.

Common seal

4.—(1) The Board must have a common seal which must be kept in such custody as the Board thinks fit.

(2) All deeds and other documents requiring the seal of the Board must be sealed with the common seal of the Board and every document to which the common seal is affixed must be signed by any 2 members of the Board generally or specially authorised by the Board for the purpose or by one member so authorised and the chief executive officer.

(3) All courts, judges and persons acting judicially are to take judicial notice of the common seal of the Board affixed to any document and presume that it was duly affixed.

Constitution of Board

5.—(1) The Board consists of —

- (a) a Chairperson;
- (b) a Deputy Chairperson; and
- (c) not less than 10 but not more than 20 other members as the Minister may determine.

(2) The Schedule has effect with respect to the Board, its members and proceedings.

Functions of Board

6. The functions of the Board are —

- (a) to establish and maintain libraries and to provide library information services;
- (b) to promote reading and encourage learning through the use of libraries and their services;
- (c) to provide a repository for library materials published in Singapore;
- (d) to acquire and maintain a comprehensive collection of library materials relating to Singapore and its people;
- (e) to establish standards for the training of library personnel in Singapore;
- (f) to provide advisory and consultancy services concerning libraries and library information services;
- (g) to compile and maintain a national union catalogue and a national bibliography;
- (h) to advise the Government on national needs and policies in respect of matters relating to publicly funded libraries and library information services in Singapore;
- (i) to provide a permanent repository of records of national or historical significance and to facilitate access to those records;
- (j) to conduct records management programmes for the Government; and
- (k) to record, preserve and disseminate the history of Singapore through oral history methodology or other means.

Powers of Board

7.—(1) The Board has power to do all things necessary or convenient to be done for or in connection with the performance of its functions.

(2) Without limiting subsection (1), the powers of the Board include power —

- (a) to develop and manage libraries established by the Board;
- (b) to develop a computer network of libraries in Singapore;
- (c) to define, develop and implement the national collection policy and strategy, and appoint different libraries and centres to collect library materials on different subject areas of importance and interest to Singapore;
- (d) to coordinate and facilitate access to library materials in all publicly funded libraries;
- (e) to obtain and provide information on the resources and services of libraries in Singapore;
- (f) to take appropriate measures to maintain and preserve library materials deposited with the Board under section 10 or otherwise acquired by the Board;
- (g) to make copies of any online material made available on a Singapore website, at the times and in the manner the Board considers appropriate;
- (h) to establish liaison with other library authorities and information providers and other archives and oral history centres (foreign or otherwise) to secure maximum collaboration of all activities relevant to the Board's functions;
- (i) to undertake or sponsor programmes for the training of persons in the profession and skills involved in the operations of libraries, archives and oral history centres;
- (j) to arrange for or provide professional and technical services in connection with libraries on such terms and conditions as the Board may determine;

- (k) to undertake and facilitate research on libraries, librarianship, archival work and oral history;
- (l) to raise funds by all lawful means and to receive gifts and donations, whether on trust or otherwise;
- (m) to extend grants, contributions or loans to any person or organisation connected with the national literary heritage or library development in Singapore for purposes consistent with the provisions of this Act;
- (n) to enter into contracts and establish trusts;
- (o) to enter into joint ventures with any person or organisation, or form or participate in the formation of a company;
- (p) to provide or undertake publicity in any form; and
- (q) to charge fees, commissions or rent for any services or facilities provided by the Board.

[30/2018]

Directors and advisory committees for libraries

8. The Board may appoint directors for the general management and control of the libraries it has established and may also appoint advisory committees to advise on the operations and services of those libraries.

Appointment of committees and delegation of powers

9.—(1) The Board may appoint, from among its own members or other persons who are not members of the Board, any number of committees that it may think fit consisting of members or other persons or members and other persons for purposes which, in the opinion of the Board, would be better regulated and managed by means of those committees.

(2) The Board may, subject to any conditions or restrictions that it may think fit, delegate to any such committee or to any member, officer or employee of the Board, any of the functions or powers of the Board under this Act.

[5/2018]

Deposit of library materials

10.—(1) Except as otherwise provided by regulations, the publisher of every library material (other than online material) published in Singapore must, at the publisher's own expense —

- (a) subject to paragraph (b), deposit 2 copies of that library material with the Board at a place determined by the Board within 4 weeks after the date of first publication; and
- (b) where the library material is in electronic form, deposit a copy of that library material with the Board in the form and manner determined by the Board, free of any technological or other restriction on access, within 4 weeks after the date of first publication.

[30/2018]

(2) The Board may by regulations made under section 47 prescribe —

- (a) the library materials which are not required to be deposited with the Board; and
- (b) the quality and the format of the copies of library materials required to be deposited, and the manner in which they must be deposited.

[30/2018]

(3) Every publisher of any library material who contravenes this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

Establishment of national union catalogue

11.—(1) All publicly funded libraries must contribute their cataloguing and holding records, whether original or derived from other sources, towards the establishment of an up-to-date national union catalogue.

(2) The Board may by regulations made under section 47 prescribe —

- (a) the standard and the format of the cataloguing and holding records required to be sent to the Board; and

- (b) the frequency of updating the cataloguing and holding records in the national union catalogue.

[30/2018]

Participation in interlibrary loan scheme

12. All publicly funded libraries must participate in such scheme for interlibrary loan and interlibrary information services as may be established by the Board in consultation with such libraries.

Directions by Minister

13.—(1) The Minister may give to the Board any direction under section 5 of the Public Sector (Governance) Act 2018.

[5/2018]

(2) The Board must give the Minister such information with regard to its property and activities as the Minister may require.

[14

PART 2A

NATIONAL ARCHIVES OF SINGAPORE AND ORAL HISTORY CENTRES

National Archives of Singapore

14.—(1) On 28 March 2013, the National Archives of Singapore in which records of national or historical significance are preserved is transferred from the National Heritage Board to the Board.

(2) The Board —

- (a) must examine the public records in any public office and advise that office as to their care and custody;
- (b) must take necessary measures to classify, identify, preserve and restore public records;
- (c) must make known information concerning archives by any means, including publications, exhibitions and heritage promotional activities;

- (d) must conduct a records management programme for the efficient creation, utilisation, maintenance, retention, preservation and disposal of public records;
- (e) must advise public offices concerning standards and procedures pertaining to the management of public records;
- (f) may provide information, consultation, research and other services related to archives;
- (g) may, subject to the terms and conditions (if any) on which the public archives were acquired, reproduce or publish any public archives; and
- (h) may acquire by purchase, donations, bequest or otherwise any document, book or other material which, in the opinion of the Board, is or is likely to be of national or historical significance.

[14A]

Appointment of Director of National Archives

15.—(1) The Board must appoint an officer of the Board as the Director of National Archives, who is responsible to the Board for the general management and control of the National Archives.

(2) The Director of National Archives, and any person acting on behalf or under the direction of the Director of National Archives, must, with respect to access to public records, satisfy any security requirements applicable to, and take any oath of secrecy required to be taken by, persons who normally have access to the public records.

[14B]

Transfer of public records to National Archives

16. Any public records which, in the opinion of the Board, are of national or historical significance must be transferred to the care and control of the National Archives in accordance with such schedules or other agreements for the transfer of records as may be agreed on between the Board and the public office responsible for the public records.

[14C]

Destruction or disposal of public records only on authority of Board

17.—(1) A person must not, without the authorisation of the Board under subsection (4), destroy or otherwise dispose of, or authorise the destruction or disposal of, any public records which are in the person's possession or under the person's control.

(2) Any person intending to destroy or dispose of, or to authorise the destruction or disposal of, any public records must first notify the Board of that intention and must, in the person's notification, specify the nature of the public records in question.

(3) The Board may inspect any public records specified in any notification under subsection (2) and must, if it requires those records to be made available to it, inform the person making the notification of that requirement, and the public records must be made available to the Board.

(4) The Board may authorise the destruction of any specified classes of public records which by reason of their number, kind or routine nature do not in its opinion possess any enduring value for preservation as public archives.

[14D]

Inspection of public records and recordings

18.—(1) Except with the written authority of the Director of National Archives, a person who is not an officer of the National Archives must not inspect any public records or recordings that are not made available to the public under subsection (2).

(2) Any person may, for the purpose of reference or research, inspect any public archives or recordings made available to the public subject to —

- (a) any conditions or restrictions imposed with the authority of the public office from which the public archives were acquired or the producer or distributor which provided the recordings, as the case may be; and
- (b) any conditions that the Director of National Archives may consider necessary for their preservation.

(3) The National Archives are to be open for the inspection of public records during such hours as the Board may determine.

(4) In this section, “recording” means any recording deposited with the Board under section 22.

[14E]

Certified copy of public records

19. Any copy of a public record which is certified by the Director of National Archives as a true copy of the original document is admissible in a court of law.

[14F]

Reproduction of public records and recordings

20.—(1) A person must not publish or reproduce the whole or any part of the contents of any public records which have been transferred to the National Archives or of any recording which has been deposited under section 22 except with the written consent of the Director of National Archives and in accordance with any conditions or restrictions that may be imposed with the authority of —

(a) the public office from which the public records were acquired; or

(b) the producer or distributor which provided the recordings, as the case may be.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) Nothing in this section is to be construed as affecting or extending the law relating to copyright.

[14G]

Prohibition of export, etc., of public records

21.—(1) A person must not —

(a) without the written permission of the Board, take or send out of Singapore any public records;

(b) write on, mark, inscribe or otherwise deface any public records; or

(c) mutilate, excise or otherwise damage any public records.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

[14H

Deposit of certain recordings

22.—(1) The producer or distributor of a recording must, within 6 months after a request in writing is made by the Board, provide (without charge) the Board with a copy of the recording in such form as may be specified in the request.

(2) Any person who fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) This section does not apply to or in respect of —

(a) a recording that has not been broadcast or made public in Singapore; or

(b) any recording of a class or kind that is exempted from the application of this section by any regulations that the Minister may make for the purpose.

(4) In this section, “recording” means anything in which sounds are embodied or on which images are fixed or both, regardless of form.

[14I

Oral history centres

23.—(1) The Board may, in addition to any oral history centre transferred under section 24, establish any other oral history centre for the purposes of this Act.

(2) The purposes of any oral history centre transferred to the Board under section 24 or established by the Board under this section are —

- (a) to collect, document and disseminate information on the history of Singapore through oral history methodology or other means;
- (b) to interview persons who have influenced or participated in the history of Singapore, to preserve these interviews and to produce transcripts of selected interviews;
- (c) to preserve and care for the recordings and transcripts of such interviews;
- (d) to allow access to the recordings and transcripts of such interviews to persons seeking to inspect them in connection with study or research subject to any conditions or restrictions imposed by the interviewee or the Board; and
- (e) to disseminate information on the collection and work of the centre by any means, including publications, audiovisual educational packages, exhibitions, consultations, research and heritage promotional activities.

[14J]

Transfer of archive undertakings, etc., from National Heritage Board

24.—(1) All the lands, buildings and other property, movable or immovable, vested in the National Heritage Board immediately before 28 March 2013 (called in this section the transfer date) for the purposes of —

- (a) the National Archives; or
- (b) any oral history centre established by the National Heritage Board,

and all assets, powers, interests, rights, privileges, debts, liabilities and obligations of the National Heritage Board relating to paragraph (a) or (b) become, on the transfer date, by virtue of this section and without further assurance, the property, assets, powers, interests, rights, privileges, debts, liabilities and obligations of the Board.

(2) Every agreement relating to any of the properties, assets, interests, rights, privileges, liabilities or obligations transferred under subsection (1) and to which the National Heritage Board was a party immediately before the transfer date, whether or not of such nature that the rights and liabilities could be assigned, has effect as from that date as if —

- (a) the Board had been a party to such an agreement; and
- (b) for any reference to the National Heritage Board there were substituted in respect of anything to be done on or after the transfer date a reference to the Board.

(3) If any question arises as to whether any particular property, asset, interest, right, privilege, liability or obligation has been transferred to or vested in the Board under subsection (1), a certificate under the hand of the Minister charged with the responsibility for finance is conclusive evidence that the property, asset, interest, right, privilege, liability or obligation was or was not so transferred or vested.

(4) Any proceedings or cause of action pending or existing immediately before the transfer date by or against the National Heritage Board relating to the National Archives or any oral history centre transferred under subsection (1) may be continued and are to be enforced by or against the Board.

(5) The operation of subsections (1), (2) and (3) is not to be regarded —

- (a) as a breach of contract or confidence or otherwise as a civil wrong;
- (b) as a breach of any contractual provision prohibiting, restricting or regulating the assignment or transfer of assets or liabilities;
- (c) as giving rise to any remedy by a party to a legal instrument, or as causing or permitting the termination of any legal instrument, because of a change in the beneficial or legal ownership of any asset or liability; or

(d) as an event of default under any contract or other legal instrument.

(6) Any provision in any existing contract, agreement, conveyance, deed, lease, guarantee, bond, indemnity and other instrument or undertaking to which the National Heritage Board is a party or may be bound prohibiting or having the effect of prohibiting the transfer of any property, assets, interests, rights, privileges, liabilities or obligations comprised in the undertaking transferred under subsection (1) is deemed by this Act to have been waived.

(7) No attornment to the Board by a lessee from the National Heritage Board is required.

[14K

Transfer of employees from National Heritage Board, etc.

25.—(1) On 28 March 2013 (called in this section the transfer date), such categories of persons employed by the National Heritage Board immediately before that date in —

(a) the National Archives; or

(b) any oral history centre established by the National Heritage Board,

as the Minister may determine are transferred to the service of the Board on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) Until such time as terms and conditions of service are drawn up by the Board, the scheme and terms and conditions of service in the National Heritage Board continue to apply to every person transferred to the service of the Board under subsection (1) as if he or she were still in the service of the National Heritage Board.

(3) The terms and conditions of employment to be drawn up by the Board —

(a) must take into account the salaries and terms and conditions of service, including any accrued rights to leave, enjoyed by the persons transferred to the service of the Board under this section while in the employment of the National Heritage Board;

- (b) in the case of any such term or condition relating to the length of service with the Board, must provide for the recognition of service under the National Heritage Board by the persons so transferred as service by them under the Board; and
 - (c) must not adversely affect the conditions that would have been applicable to persons transferred to the service of the Board as regards any pension, gratuity or allowance payable under the Pensions Act 1956.
- (4) All deeds, schemes, bonds, agreements, instruments and arrangements subsisting immediately before the transfer date to which the National Heritage Board is a party and relating to any person transferred to the service of the Board under subsection (1) continue in force on and after that date and are enforceable by or against the Board as if the Board had been named therein or had been a party thereto instead of the National Heritage Board.
- (5) Any proceedings or cause of action relating to any employee transferred to the service of the Board under subsection (1) pending or existing immediately before the transfer date by or against the National Heritage Board, or any person acting on its behalf, may be continued and are to be enforced by or against the Board.
- (6) Where on the transfer date —
 - (a) any disciplinary proceedings were pending against any employee of the National Heritage Board transferred to the service of the Board under subsection (1), the proceedings are to be carried on and completed by the Board; and
 - (b) any matter was in the course of being heard or investigated or had been heard or investigated by a committee of the National Heritage Board acting under due authority but no order, ruling or decision had been made thereon, the committee is to complete the hearing or investigation and make such order, ruling or direction as it could have made under the authority vested in it before that date.
- (7) Any order, ruling or direction made by such a committee pursuant to subsection (6) is to be treated as an order, a ruling or a

direction of the Board and has the same force or effect as if it had been made by the Board pursuant to the authority vested in the Board under this Act.

(8) The Board may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person transferred to the service of the Board under subsection (1) for any misconduct or neglect of duty committed before the transfer date which would have rendered that person liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner if that person had continued to be in the employment of the National Heritage Board and if this Act had not been enacted.

(9) To avoid doubt, section 18A of the Employment Act 1968 does not apply to the transfer under this section of any employee of the National Heritage Board to the Board.

(10) Notwithstanding any other written law or any contract, no person who is transferred from the National Heritage Board to the service of the Board under subsection (1) is entitled to claim any benefit under that written law or contract for termination of his or her service on the ground of redundancy or abolition of his or her office in consequence of the transfer of the National Archives or any oral history centre from the National Heritage Board to the Board.

(11) Except as otherwise provided in this section, nothing in subsection (1) prevents the terms and conditions of a transferred employee's employment on or after the transfer date from being varied in accordance with those terms and conditions, or by or under any written law, or an award, a determination or an agreement; and "vary", in relation to terms and conditions of service, includes omitting any of those terms and conditions, adding to those terms and conditions, or substituting new terms and conditions for any of those terms and conditions.

(12) In every case where a person transferred to the service of the Board under this section is also a person transferred from the employment of the Government to the National Heritage Board under section 40 of the National Heritage Board Act 1993, the Government and the National Heritage Board are each liable to pay the Board such portion of any gratuity, pension or allowance payable under the

Pensions Act 1956 to such person on his or her retirement as the same bears to the proportion which the aggregate amount of his or her pensionable emoluments during his or her service with the Government and the National Heritage Board, respectively, bears to the aggregate amount of his or her pensionable emoluments during his or her total service under the Government, the National Heritage Board and the Board.

[14L]

PART 3

PROVISIONS RELATING TO STAFF

Chief executive officer

26.—(1) There must be a chief executive officer of the Board, whose appointment, removal, discipline and promotion must be in accordance with the Public Sector (Governance) Act 2018.

[5/2018]

(2) The Board may, subject to the Public Sector (Governance) Act 2018, appoint an individual to act temporarily as the chief executive officer during any period, or during all periods, when the chief executive officer —

(a) is absent from duty or Singapore; or

(b) is, for any reason, unable to perform the duties of the office.

[15

[5/2018]

Appointment of staff

27. The Board may, subject to the Public Sector (Governance) Act 2018, appoint and employ, on such terms and conditions as it may determine, such other officers, employees, consultants and agents as may be necessary for the effective performance of its functions.

[16

[5/2018]

PART 4

FINANCIAL PROVISIONS

Funds of Board

28. The funds of the Board consist of —

- (a) all moneys received by the Board by way of grants;
- (b) all gifts, donations and contributions to the Board;
- (c) all fees, commissions, rents, interests, dividends and other income accruing to the Board;
- (d) all moneys borrowed by the Board under this Act; and
- (e) all other moneys lawfully received by the Board for the purposes of the Board.

[18]

Bank accounts and application of moneys

29.—(1) The Board may open and maintain an account or accounts with such bank or banks as the Board thinks fit and every such account must be operated as far as practicable by cheque signed by such person or persons authorised to do so by the Board.

(2) The moneys of the Board must be applied only in payment or discharge of the expenses, obligations and liabilities of the Board and in making any payments that the Board is authorised or required to make.

[19]

Power of investment

30. The Board may invest its funds in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act 1965.

[20]

Power to borrow

31. The Board may from time to time for the purposes of this Act raise loans from the Government or, with the consent of the Minister, from any other source.

[21]

Issue of shares, etc.

32. As a consequence of the vesting of any property, rights or liabilities of the Government in the Board under this Act, or of any capital injection or other investment by the Government in the Board in accordance with any written law, the Board must issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

[21A]

Grants

33. For the purpose of enabling the Board to carry out its functions under this Act, the Minister may from time to time make grants to the Board of such sums of money as the Minister may determine out of moneys to be provided by Parliament.

[22]

Establishment of National Library Board Endowment Fund

34.—(1) A fund called the National Library Board Endowment Fund is established, which vests in the Board and consists of —

- (a) all moneys received by the Board by gifts, bequests or otherwise for the Fund;
- (b) any contributions to the Fund that the Minister may specify from moneys provided by Parliament; and
- (c) any other moneys that the Board may decide to transfer to the Fund.

(2) The income of the Fund is to be applied for all or any of the following purposes:

- (a) the provision of training programmes and scholarships for librarians and persons working in libraries;

- (b) the delivery of lectures by distinguished persons in the field of library and information science;
- (c) the sponsorship of major library promotional programmes;
- (d) the financing of research on reading and librarianship;
- (e) any other purposes consistent with this Act that the Board may decide.

[23

Financial year

35. The financial year of the Board begins on 1 April of each year and ends on 31 March of the succeeding year.

[24
[5/2018]

PART 5

TRANSFER OF ASSETS, LIABILITIES AND EMPLOYEES

Transfer of assets and liabilities

36.—(1) As from 1 September 1995, all movable property vested in the Government immediately before that date and used or managed by the National Library and all assets, rights, interests, liabilities and obligations of the Government relating to the National Library are transferred to and vest in the Board without further assurance.

(2) As from 1 September 1995, the Board controls and manages all the libraries which are under the control of the National Library.

(3) If any question arises as to whether any particular property, or whether any particular asset, right, interest, liability or obligation has been transferred to or vested in the Board under subsection (1), a certificate under the hand of the Minister for Finance is conclusive evidence that the property, asset, right, interest, liability or obligation was or was not so transferred or vested.

[25

Existing agreements, etc.

37. All deeds, bonds, agreements, instruments and arrangements, subsisting immediately before 1 September 1995, affecting any of the property, rights, interests, liabilities and obligations transferred to or vested in the Board under section 36(1) continue in force on and after that date and are enforceable by or against the Board as if, instead of the Government or a person acting on behalf of the Government, the Board had been named therein or had been a party thereto.

[26]

Pending legal proceedings

38. Any proceedings or cause of action pending or existing immediately before 1 September 1995 by or against the Government or any person acting on behalf of the Government relating to the National Library may be continued and enforced by or against the Board.

[27]

Transfer of employees

39.—(1) As from 1 September 1995, such categories of persons employed immediately before that date in the National Library as the Minister may determine are transferred to the service of the Board on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) Until such time as terms and conditions of service are drawn up by the Board, the scheme and terms and conditions of service in the Government continue to apply to every person transferred to the service of the Board under subsection (1) as if he or she were still in the service of the Government.

[28]

Pension rights, etc., of Government employees to be preserved

40.—(1) The terms and conditions of service of persons transferred to the service of the Board under section 39 must take into account the salaries and terms and conditions of service, including any accrued rights to leave, enjoyed by such persons while in the employment of the Government and any such term or condition relating to the length

of service with the Board must provide for the recognition of service under the Government by persons so transferred to be service by them under the Board.

(2) Nothing in the terms and conditions of service to be drawn up by the Board adversely affects the conditions that would have been applicable to persons transferred to the service of the Board as regards any pension, gratuity or allowance payable under the Pensions Act 1956.

(3) In every case where a person has been transferred to the service of the Board under section 39, the Government is liable to pay the Board such portion of any gratuity, pension or allowance payable to that person on his or her retirement as the same bears to the proportion which the aggregate amount of his or her pensionable emoluments during his or her service with the Government bears to the aggregate amount of his or her pensionable emoluments during his or her service under both the Government and the Board.

[29]

No benefits in respect of abolition or reorganisation of office

41. Notwithstanding the provisions of the Pensions Act 1956, no person who is transferred to the service of the Board under section 39 is entitled to claim any benefit under the Pensions Act 1956 on the ground that he or she has been retired from the service of the Government on account of abolition or reorganisation of office in consequence of the establishment and incorporation of the Board.

[30]

Continuation and completion of disciplinary proceedings

42.—(1) Where on 1 September 1995, any disciplinary proceedings are pending against any person transferred to the service of the Board under section 39, any committee acting under due authority to hear or investigate the matter continues to exist, notwithstanding this Act, for the purpose of completing the hearing or investigation and the making of an order or rendering a decision (as the case may be), and the Government or committee is to complete the hearing or investigation in accordance with the authority vested in the Government or committee immediately before that date and make

such order, ruling or direction as the Government or committee could have made under the authority vested in it immediately before that date.

(2) Any order, ruling or direction made or given by the Government or committee pursuant to this section is to be treated as an order, a ruling or a direction of the Board and has the same force or effect as if it had been made or given by the Board pursuant to the power vested in the Board under this Act.

[31]

Misconduct or neglect of duty by employee before transfer

43. The Board may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person transferred to the service of the Board under section 39 for any misconduct or neglect of duty committed prior to 1 September 1995 which would have rendered him or her liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner if he or she had continued to be in the employment of the Government and if this Act had not been enacted.

[32]

PART 6

MISCELLANEOUS PROVISIONS

Board's symbol

44.—(1) The Board has the exclusive right to use such symbol or representation as it may select or devise and display or exhibit in connection with its activities or affairs.

(2) A person who, without the permission of the Board, uses a symbol or representation identical with that of the Board or which so resembles the Board's symbol or representation as to deceive or cause confusion, or to be likely to deceive or cause confusion, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

[33]

Composition of offences

45.—(1) The chief executive officer, or an officer or employee of the Board authorised in writing by the Board, may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$500.

[30/2018]

(2) On payment of the sum of money, no further proceedings are to be taken against that person in respect of the offence.

[30/2018]

(3) All sums collected under this section must be paid into the Consolidated Fund.

[33A
[30/2018]

Protection from personal liability

46. No suit or other legal proceedings shall lie personally against any member, officer or employee of the Board or other person acting under the direction of the Board for anything which is in good faith done or intended to be done in the execution or purported execution of this Act.

[34

Regulations

47.—(1) The Board may, with the approval of the Minister, make regulations for carrying out the purposes and provisions of this Act and for prescribing any matter which may be prescribed under this Act.

(2) Without limiting subsection (1), the regulations may —

- (a) provide for the use of its libraries and library buildings and of their contents, fittings and furniture, and for protecting them from injury, destruction or misuse;
- (b) require from any persons using its libraries a guarantee or security against the loss of, or injury to, any library materials belonging to the libraries;

- (c) provide for the use, custody, preservation, reproduction, removal, destruction and disposal of public records and other documents under this Act;
- (d) provide for regulating the taking of oral history recordings and transcripts;
- (e) enable the officers or employees of the Board to exclude or remove from its libraries, library buildings, the National Archives, any oral history centre or any other land or building owned by or under the control of the Board persons committing any offence under this Act or any of its regulations;
- (f) provide for the preservation of order and the prevention of nuisance in any library, library building, the National Archives, any oral history centre or any other land or building owned by or under the control of the Board;
- (g) fix the days and times of admission to its libraries;
- (h) provide for the admission of vehicles to the grounds of its libraries and the regulation of traffic in those grounds;
- (i) prescribe the charges for the damage, loss or late return of borrowed library materials and for the waiving or refund of those charges; and
- (j) prescribe that any act or omission in contravention of the provisions of any regulations made under this Act shall be an offence and imposing penalties for those offences, which penalties shall not exceed a fine of \$5,000.

[35

[30/2018]

Transitional provision

48. Any scheme, contract, document, certificate, licence, permission or resolution prepared, made, granted or approved under the repealed National Library Act (Cap. 197, 1985 Revised Edition) continues and is, so far as it is not inconsistent with the

provisions of this Act, deemed to have been prepared, made, granted or approved under this Act.

[36]

THE SCHEDULE

Section 5(2)

CONSTITUTION AND PROCEEDINGS OF BOARD

Appointment of Chairperson, Deputy Chairperson and other members

1.—(1) The Chairperson, the Deputy Chairperson and other members must be appointed by the Minister.

(2) The Deputy Chairperson may, subject to any directions that the Chairperson may give, exercise all or any of the powers exercisable by the Chairperson under this Act.

(3) The Minister may appoint the chief executive officer to be a member of the Board.

Tenure of office of members

2. The Chairperson, the Deputy Chairperson and every other member hold office on such terms and conditions and for such period as the Minister may determine and are eligible for re-appointment.

Temporary Chairperson or Deputy Chairperson

3. The Minister may appoint any member to be a temporary Chairperson or a temporary Deputy Chairperson during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of the Chairperson or the Deputy Chairperson, as the case may be.

Temporary members

4. The Minister may appoint any person to be a temporary member during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of any member.

Revocation of appointment

5. The Minister may, at any time, revoke the appointment of the Chairperson or the Deputy Chairperson or any member without giving any reason.

THE SCHEDULE — *continued***Resignation**

6. Any member may resign from his or her appointment at any time by giving written notice to the Minister.

Vacation of office

7. The office of a member is vacated if the member —

- (a) becomes in any manner disqualified for membership of the Board; or
- (b) has been absent, without leave of the Board, from 3 consecutive meetings of the Board.

Filling of vacancy in office of member

8. If a member dies, resigns or has his or her appointment revoked or otherwise vacates his or her office before the expiry of the term for which he or she has been appointed, another person may be appointed by the Minister for the unexpired period of the term of office of the member in whose place he or she is appointed.

Disqualification from membership

9. A person must not be appointed or continue to hold office as a member if he or she —

- (a) is an undischarged bankrupt or has made any arrangement or composition with his or her creditors; or
- (b) is convicted of an offence involving dishonesty, fraud or moral turpitude and has not received a free pardon.

Salaries, fees and allowances payable to members

10. There are to be paid to the Chairperson, the Deputy Chairperson and other members out of the funds of the Board such salaries, fees and allowances as the Minister may determine.

Meetings of Board

11.—(1) The Board is to meet for the despatch of business at such times and places as the Chairperson may appoint.

(2) At every meeting of the Board, one half of the total number of members forms a quorum.

(3) Decisions at meetings of the Board are to be adopted by a simple majority of the votes of the members present and voting and, in the case of an equality of

THE SCHEDULE — *continued*

votes, the Chairperson or, in his or her absence, the Deputy Chairperson or the member presiding has a casting vote in addition to his or her original vote.

(4) The Chairperson or in his or her absence the Deputy Chairperson presides at meetings of the Board.

(5) Where both the Chairperson and the Deputy Chairperson are absent at a meeting, such member as the members present may elect presides at the meeting.

(6) The Board may act despite any vacancy in its membership.

(7) Subject to the provisions of this Act and the Public Sector (Governance) Act 2018, the Board may make rules to regulate its own procedure and, in particular, for the holding and proceedings of meetings, the notice to be given of the meetings, the keeping of minutes and the custody, production and inspection of the minutes.

Validity of proceedings

12. The validity of any proceedings of the Board is not affected by any defect in the appointment of any member.

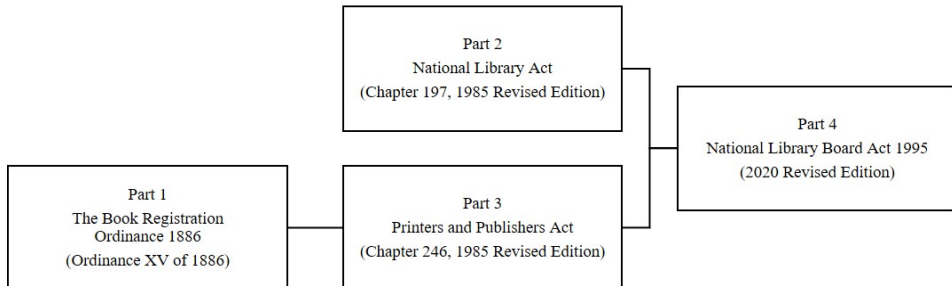
[5/2018]

LEGISLATIVE HISTORY

NATIONAL LIBRARY BOARD ACT 1995

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1 THE BOOK REGISTRATION ORDINANCE 1886 (ORDINANCE XV OF 1886)

1. Ordinance XV of 1886 — The Book Registration Ordinance 1886

Bill	:	G.N. No. 407/1886
First Reading	:	19 August 1886
Second Reading	:	20 October 1886
Notice of Amendments	:	15 November 1886
Third Reading	:	18 November 1886
Commencement	:	1 January 1887

PART 2 NATIONAL LIBRARY ACT (CHAPTER 197, 1985 REVISED EDITION)

2. Ordinance 31 of 1957 — Raffles National Library Ordinance, 1957

Bill	:	112/1957
First Reading	:	21 August 1957
Second and Third Readings	:	11 September 1957

Commencement : 1 April 1958

Note: This Ordinance repealed the Raffles Societies Ordinance (Chapter 312, 1955 Revised Edition) so far as it relates to the Raffles Library.

3. Ordinance 31 of 1958 — Legislative Assembly (Presentation of Subsidiary Legislation) Ordinance, 1958

(Amendments made by section 2 read with the Schedule to the above Ordinance)

Bill : 158/1958
 First Reading : 16 July 1958
 Second Reading : 13 August 1958
 Notice of Amendments : 10 September 1958
 Third Reading : 10 September 1958
 Commencement : 25 September 1958 (section 2 read with the Schedule)

4. G.N. No. S 223/1959 — Singapore Constitution (Modification of Laws) Order, 1959

Commencement : 3 June 1959

5. G.N. No. S (N.S.) 179/1959 — Singapore Constitution (Modification of Laws) (No. 5) Order, 1959

Commencement : 20 November 1959

6. Ordinance 66 of 1960 — Raffles National Library (Change of Name) Ordinance, 1960

(Amendments made by section 2 of the above Ordinance)

Bill : 105/1960
 First Reading : 16 November 1960
 Second and Third Readings : 29 November 1960
 Commencement : 9 December 1960 (section 2)

Note: The Raffles National Library Ordinance, 1957 was renamed as the National Library Ordinance, 1957 by this Ordinance.

7. Act 11 of 1968 — National Library (Amendment) Act, 1968

Bill : 12/1968
 First Reading : 9 May 1968

Second and Third Readings : 22 May 1968
 Commencement : 19 June 1969

8. 1970 Revised Edition — National Library Act (Chapter 311)

Operation : 31 August 1971

9. 1985 Revised Edition — National Library Act (Chapter 197)

Operation : 30 March 1987

PART 3
 PRINTERS AND PUBLISHERS ACT
 (CHAPTER 246, 1985 REVISED EDITION)

10. 1920 Revised Edition — Ordinance No. 2 (Printers and Publishers)

Operation : 28 November 1921

Note: This Revised Edition consolidated Indian Act XI of 1835 and The Book Registration Ordinance 1886 (Ordinance XV of 1886).

11. Ordinance 26 of 1921 — Statute Laws (Revised Edition) Operation Ordinance, 1921

(Amendments made by section 3(a) read with Schedule B to the above Ordinance)

Bill : G.N. No. 1854/1921
 First Reading : 22 November 1921
 Second Reading : 22 November 1921
 Notice of Amendments : 22 November 1921
 Third Reading : 22 November 1921
 Commencement : 28 November 1921(section 3(a) read with Schedule B)

12. Ordinance 32 of 1922 — Statute Laws (Revised Edition) Amendment Ordinance, 1922

(Amendments made by section 12(1) read with the Schedule to the above Ordinance)

Bill : G.N. No. 1158/1922
 First Reading : 14 August 1922
 Second Reading : 11 September 1922
 Notice of Amendments : 23 October 1922

Third Reading	:	23 October 1922
Commencement	:	28 November 1921 (section 12(1) read with the Schedule)

13. 1926 Revised Edition — Ordinance No. 2 (Printers and Publishers)

Operation	:	1 August 1926
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14. Ordinance 6 of 1926 — The Statute Laws (Revised Edition) Operation Ordinance, 1926

(Amendments made by section 3 read with Schedule *B* to the above Ordinance)

Bill	:	G.N. No. 1151/1926
First Reading	:	12 July 1926
Second Reading	:	12 July 1926
Notice of Amendments	:	12 July 1926
Third Reading	:	12 July 1926
Commencement	:	1 August 1926 (section 3 read with Schedule <i>B</i>)

15. 1936 Revised Edition — Printers and Publishers Ordinance (Chapter 209)

Operation	:	1 September 1936
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16. Ordinance 37 of 1952 — Law Revision (Penalties Amendment) Ordinance, 1952

(Amendments made by section 2 read with item 70 of the Schedule to the above Ordinance)

Bill	:	32/1952
First Reading	:	16 September 1952
Second and Third Readings	:	14 October 1952
Commencement	:	30 April 1955 (section 2 read with item 70 of the Schedule)

17. 1955 Revised Edition — Printers and Publishers Ordinance (Chapter 196)

Operation	:	1 July 1956
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18. Ordinance 71 of 1959 — Transfer of Powers Ordinance, 1959
(Amendments made by section 4 read with the First Schedule to the above Ordinance)

Bill	:	30/1959
First Reading	:	22 September 1959
Second and Third Readings	:	11 November 1959
Commencement	:	20 November 1959 (section 4 read with the First Schedule)

19. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance, 1959
(Amendments made by section 2 read with the First Schedule to the above Ordinance)

Bill	:	31/1959
First Reading	:	22 September 1959
Second Reading	:	11 November 1959
Notice of Amendments	:	11 November 1959
Third Reading	:	11 November 1959
Commencement	:	20 November 1959 (section 2 read with the First Schedule)

20. Ordinance 70 of 1960 — Printers and Publishers (Amendment) Ordinance, 1960

Bill	:	109/1960
First Reading	:	16 November 1960
Second and Third Readings	:	29 November 1960
Commencement	:	9 December 1960

21. Act 32 of 1967 — Printers and Publishers (Amendment) Act, 1967

Bill	:	27/1967
First Reading	:	31 October 1967
Second and Third Readings	:	14 November 1967
Commencement	:	1 January 1968

22. 1970 Revised Edition — Printers and Publishers Act (Chapter 224)

Operation	:	31 July 1971
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23. 1985 Revised Edition — Printers and Publishers Act (Chapter 246)

Operation : 30 March 1987

PART 4

NATIONAL LIBRARY BOARD ACT 1995
(2020 REVISED EDITION)

24. Act 5 of 1995 — National Library Board Act 1995

Bill : 5/1995
 First Reading : 23 January 1995
 Second and Third Readings : 1 March 1995
 Commencement : 1 September 1995

25. 1996 Revised Edition — National Library Board Act (Chapter 197)

Operation : 30 April 1996

26. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act 2002
(Amendments made by section 3 read with item (27) of the Schedule to the above Act)

Bill : 7/2002
 First Reading : 3 May 2002
 Second and Third Readings : 24 May 2002
 Commencement : 15 July 2002 (section 3 read with item (27) of the Schedule)

27. Act 45 of 2004 — Trustees (Amendment) Act 2004

(Amendments made by section 25(4) read with item (34) of the Schedule to the above Act)

Bill : 43/2004
 First Reading : 21 September 2004
 Second and Third Readings : 19 October 2004
 Commencement : 15 December 2004 (section 25(4) read with item (34) of the Schedule)

28. Act 25 of 2012 — Statutes (Miscellaneous Amendments) (No. 2) Act 2012
(Amendments made by section 8 of the above Act)

Bill : 23/2012
 First Reading : 10 September 2012

Second and Third Readings : 15 October 2012
Commencement : 28 March 2013 (section 8)

29. 2014 Revised Edition — National Library Board Act (Chapter 197)

Operation : 31 October 2014

30. Act 5 of 2018 — Public Sector (Governance) Act 2018
(Amendments made by section 84 of the above Act)

Bill : 45/2017
First Reading : 6 November 2017
Second Reading : 8 January 2018
Notice of Amendments : 8 January 2018
Third Reading : 8 January 2018
Commencement : 1 April 2018 (section 84)

31. Act 30 of 2018 — National Library Board (Amendment) Act 2018

Bill : 19/2018
First Reading : 19 March 2018
Second and Third Readings : 9 July 2018
Commencement : 31 January 2019

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number

COMPARATIVE TABLE
NATIONAL LIBRARY BOARD ACT 1995

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	2014 Ed.
—	9—(3) [<i>Deleted by Act 5 of 2018</i>]
—	10—(4) [<i>Deleted by Act 30 of 2018</i>]
—	13 [<i>Repealed by Act 5 of 2018</i>]
13	14
14	14A
15	14B
16	14C
17	14D
18	14E
19	14F
20	14G
21	14H
22	14I
23	14J
24	14K
25	14L
26	15
27	16
—	17 [<i>Repealed by Act 5 of 2018</i>]
28	18
29	19
30	20
31	21
32	21A

2020 Ed.	2014 Ed.
33	22
34	23
35	24
36	25
37	26
38	27
39	28
40	29
41	30
42	31
43	32
44	33
45	33A
46	34
47	35
48	36
THE SCHEDULE	FIRST SCHEDULE
—	SECOND SCHEDULE [<i>Repealed by Act 5 of 2018</i>]