

# **LIBRARIANSHIP ACT (ZKnj-1)**

## **1. GENERAL PROVISIONS**

### Article 1

(content of the Act)

The Act regulates public service in the area of library activities, such that it determines:

- the activity, founding, financing and supervision of libraries that are financed from public funds and the library information service for the exchange of data within the national shared bibliographic system,
- the national shared bibliographic system and conditions for inclusion in this system,
  - tasks of the National Council for Library Activities.

The concept of library activities referred to in the previous paragraph shall also include contemporary information elements of this activity.

### Article 2

(library activity as a public service)

Library activity which is a public service shall cover:

- collecting, processing, storing and mediating library material,
- providing access to library material and electronic publications,
- producing library catalogues, databases and other sources of information,
- mediating bibliographic and other information products and services,
  - co-operation in inter-library loans and mediating information,
    - obtaining and educating users,
    - information description,
  - protecting library material which is a cultural monument,
    - other library, documentation and information work.

The activity of library information service for the exchange of data within the national shared bibliographic system which is intended to provide:

- conditions for the functioning of the shared bibliographic system,
- accessibility of electronic sources of information within this system,  
shall also be a public service.

Activities referred to in this article shall be performed by public institutions, and on the basis of licenses, also legal persons and individuals. Their extent shall be determined by a programme of work and financial plan or by licensing contract.

### Article 3

(library materials)

Library materials shall be published printed, sound, pictorial, electronic records or records technically processed in any other way, which libraries collect and mediate to the public and which are intended for the needs of culture, education, research and information.

Library materials shall also be manuscripts and other unpublished material (typescripts, electronic records and similar) intended for needs referred to in the previous paragraph.

In a case of doubt as to whether material is library material, the competent minister referred to in article 58 of this act shall make a decision.

#### Article 4

(national shared bibliographic system)

The national shared bibliographic system shall consist of libraries that meet the conditions referred to in this act for inclusion in this system, the national library and the organisation which carries out the activity of library information service for the exchange of data within this system (hereinafter: library information service).

#### Article 5

(library material as a cultural monument)

Library material that has the property of cultural monument in accordance with the act that regulates protection of the cultural heritage shall be a cultural monument under this act without a special procedure of declaring it so.

Irrespective of the first paragraph, the following library material shall be declared a cultural monument:

- codexes, documents and other manuscript material and literary, cartographic, music and similar material created prior to 1800;
- archive copies of all publications that have the character of Slovene under the first indent of article 33 of this act or are defined as such by regulations on compulsory copies.

A library that keeps library material referred to in the previous two paragraphs shall keep a list of units of this material on the basis of the instructions referred to in article 13 of this act, which shall be part of the register of the heritage under the act that regulates protection of the cultural heritage.

The minister responsible for culture may exceptionally allow the export or exchange of library material that is a cultural monument, after the prior opinion of the national library.

## II. LIBRARIES

#### Article 6

(purpose of libraries)

A library shall organise collections of library materials and sources of information in accordance with professional principles, for the purpose of providing individuals and groups accessibility and use:

- its own material and information connected with it,
  - inter-library loans,
- externally available information sources.

#### Article 7

(types of library)

A library shall be a legal person or an organisational unit of a legal person, which carries out library activities.

On the basis of the prevailing circle of users libraries shall be:

- general,
- school,
- academic,

- special,
- national,

Article 8  
(rights of users)

Users shall have the right to free basic services, such as:

- loan of material,
- mediation of information about material and from material,
- bibliographic-pedagogic work.

The Government of the Republic of Slovenia shall also determine by ruling other services to users and outline working times of libraries and the manner of their functioning, whereby it shall in particular determine as free those services which do not cause libraries additional costs.

Article 9  
(associations of libraries)

Libraries may be linked in associations which shall be co-ordinating bodies and shall present and represent interests connected with their development.

Article 10  
(record of libraries)

Libraries shall be entered in a record of libraries which shall be kept by the national library.

Entry in the record shall be carried out by the national library when it receives the final ruling referred to in article 36 of this act.

Article 11  
(standards and professional recommendations)

The development of libraries shall be guided by standards and professional recommendations that relate to the organisation and functioning of library public services and that are adopted by the National Council for Library Activities. Standards referred to in the previous paragraph shall relate to a longer period that shall be determined more exactly by the National Council for Library Activities.

Article 12  
(sorting library material)

A library shall sort library material in accordance with professional instructions adopted by the national library.

Article 13  
(finding of the character of cultural monument)

A library shall establish which library material referred to in article 5 of this act is a cultural monument, in compliance with professional instructions adopted by the national library.

Article 14  
(donations of library material)

A library shall accept donations of library material that is important by the standards of the library profession.

Article 15  
(collecting data)

For the needs of their work and in order to protect material, libraries shall have the right to collect and process, in compliance with regulations on the protection of personal data, the following personal data about their users: name and surname, date and place of birth, address of permanent and temporary residence, education, employment or school.

Personal data referred to in the previous paragraph shall be deleted one year after meeting the purpose for which they were collected.

1. General libraries

Article 16  
(general libraries)

General libraries that carry out library activities for the population in their locality shall also provide services for groups of the population with special needs. General libraries shall also within the framework of the public service referred to in article 2 of this act:

- co-operate in lifelong learning,
- collect, process, protect and mediate local studies material,
- ensure the accessibility and use of materials of public authorities which are generally accessible in electronic media,
- organise special forms of activity for children, young people and adults which are intended to stimulate a reading culture,
- organise special forms of activity for children, young people and adults with special needs,
- organise cultural events connected with their activities.

General libraries shall be included in the national shared bibliographic system. General libraries may also perform a commercial activity if this, or the income from it, is devoted to performing library activities as a public service.

A general library may transfer individual tasks referred to in the second indent to a central regional library or, with its consent, to another library in this region.

Article 17  
(appointing and dismissing the director of a general library)

The director of a general library (hereinafter: director) shall be appointed by the council of the general library (hereinafter: council) on the basis of a public call for applications.

The term of office of a director shall be five years.

Anyone who meets the conditions determined by the founding charter may be appointed director.

Prior to appointing or dismissing a director, the council must obtain the agreement of founding municipalities that own more than half of the founding shares and the opinion of municipalities who have transferred performing these activities to the general library, and the opinion of the professional staff of the library.

The professional staff of the library shall vote on the opinion by secret ballot.

The agreements and opinions referred to in the fourth paragraph shall relate to the candidate for director proposed by the council of the library from among those applicants who meet conditions.

If founding municipalities or contracting parties and professional staff referred to in the fourth paragraph of this article do not answer within a time limit of 60 days, it shall be considered that the agreements or opinions are positive.

After obtaining the agreements and opinions, the council shall appoint the director by a majority of votes of all members of the council.

More detailed provisions in connection with the appointment or dismissal of a director shall be determined by the founding charter of the general library.

The council shall dismiss a director in the manner and by the procedure determined for the director of a public institute.

#### Article 18

(appointment of an acting director)

If a director ceases a term of office prematurely, or if none of the applicants for director is appointed, the council of the library shall appoint an acting director from among the professional staff of the library, or from the applicants, but for a maximum of one year.

#### Article 19

(legal person)

A general library shall be an independent legal person (hereinafter: independent library) if it carries out library activities for approximately 10,000 or more inhabitants. A library that carries out these activities for a region with a smaller population shall be a unit of an independent library.

A library referred to in the previous paragraph may exceptionally carry out other cultural activities in the framework of special organisational units.

A library referred to in the previous paragraph must ensure the separate conduct of financial business.

#### Article 20

(obligation of municipalities)

Every municipality must provide library activities for its citizens in such a way that it shall found a general library itself or together with other municipalities, or such that it entrusts the performance of such activities by contract to another general library in agreement with its founders.

If a number of municipalities together found a general library, reciprocal rights and obligations shall be determined in the founding charter.

If a municipality does not ensure library activities for its inhabitants, the state shall do so on the municipality's account.

#### Article 21

(special conditions for entry of a general library in the court register)

General libraries may be registered for carrying out library activities on the basis of a ruling concerning the meeting of conditions referred to in article 36 of this act, which the founder shall submit.

#### Article 22

(meeting conditions)

A general library must constantly meet conditions referred to in article 36 of this act.

The ministry responsible for culture shall establish the fulfilment of conditions or determine a time limit for them to be met, every three years for each general library.

If a general library does not meet the conditions, the founders shall be informed of this, and at the same time charged with a ruling to prepare a plan not later than within three months, by which it determines how to achieve the fulfilment of the conditions within a stated time limit, and submit it in agreement with its founder or co-founders or contractual partners. If these do not answer this not later than within a time limit of one month, it shall be considered that consent is given.

#### Article 23

(measuring the operation of general libraries)

The minister responsible for culture shall adopt regulations concerning measures by which general libraries shall be obliged to measure their operation.

#### Article 24

(instructions for local studies material)

General libraries shall take into account the instructions of the national library for the professional processing and storage of nationally important local studies material.

#### Article 25

(general libraries in nationally mixed regions)

General libraries in nationally mixed regions shall also provide library activities devoted to members of the Italian and Hungarian national communities and the Rom community. These libraries shall provide members of these communities communication in their own language.

General libraries referred to in the previous paragraph shall prepare programmes of activities in agreement with representatives of the national communities.

#### Article 26

(general libraries in border regions)

General libraries that cover border regions shall also ensure access to material to Slovenes across the border, in such a way that it enables them loans, and in co-operation with central libraries of Slovenes across the border shall carry out purchase of material in Slovenia for their needs and help in the development of libraries of Slovene minorities in neighbouring countries.

General libraries referred to in the previous paragraph shall prepare a programme of activities in co-operation with the national library.

#### Article 27

(central regional library)

A general library which, on the basis of contract with the ministry responsible for culture, in agreement with its founders performs special tasks for a wider region, shall be a central regional general library.

Its special tasks shall be:

- providing a wider and more demanding choice of literary material and information,
- providing professional help to all libraries in its region,

- co-ordinating the collection, processing and storage of local studies material for its region,
  - directing sorted library material to its region.

## 2. School and academic libraries

### Article 28

(school libraries)

School libraries shall support the educational process such that they carry out library activities mainly for students, apprentices, pupils and students of higher vocational schools and for the professional staff of such schools.

### Article 29

(academic and university libraries)

Academic libraries shall support the study and research process in such a way that they shall carry out library activities mainly for students, academic teachers and academic staff.

The main academic libraries of universities shall be university libraries.

University libraries shall perform the following tasks within the framework of the public service referred to in article 2 of this act and tasks of academic libraries:

- co-ordinate library activities at universities,
- co-ordinate purchasing and provision of library material in the framework of the universities,
- organise and co-ordinate the functioning of the system of inter-library loans,
  - co-ordinate the deposit and sorting of material at universities,
- co-ordinate the production of bibliographies of academic staff, scientific staff and academic associates of their own university,
- obtain and process the compulsory copies of material that is created and is published within the framework of the university, including graduate, masters and doctoral thesis,
- co-ordinate the preparation and implementation of programmes of education of users at the universities,
- provide professional assistance to staff in library activities in the framework of the universities,
  - they may perform the local studies activity,
- they may perform other tasks, the performance of which has been transferred to them by the national library.

### Article 30

(linking academic libraries in the national shared bibliographic system)

Academic library members of universities shall be linked in the national shared bibliographic system co-ordinated through the universities.

## 3. Special libraries

### Article 31

(specialised libraries)

Specialised libraries shall carry out library activities in individual scientific or professional fields.

Specialised libraries, in the framework of the public service referred to in article 2 of this act, shall also:

- provide specialised information in individual scientific, professional and problem oriented fields or in organisations of which they are part,
- process, above all in terms of content, library material and internal documents of organisations of which they are part,
  - build specialised library collections and databases,
  - evaluate and mediate specialised information,
  - train users to search for specialised information,

Specialised libraries shall also include those libraries that carry out library activities in specially adapted techniques for the blind and poorly sighted.

Specialised information centres shall also be treated as specialised libraries.

#### Article 32

(central specialised information centres)

The competent minister shall determine central specialised information centres which shall co-ordinate the processing in terms of content of documents and co-ordinate the building of specialised databases in individual scientific, professional or problem oriented fields.

#### 4. The national library

##### Article 33

(national library)

The central state library shall be the national library. The national library shall be a public institute.

The national library shall perform, in addition to the activities referred to in article 2 of this act, the following tasks:

- collect, process, store and mediate the basic national collections of all library material in the Slovene language, about Slovenia and the Slovenes, Slovene authors, Slovene publishers, members of the Italian and Hungarian national communities, the Rom community and other minority communities in Slovenia (hereinafter: Slovenika) and basic foreign literature;
- care for the accessibility of material referred to in the previous indent abroad and especially for Slovenes living outside the Republic of Slovenia;
- as the national bibliographic centre, provide users at home and abroad access to information about library material in such a way that it includes data about publishers' production of Slovenika in bibliographic collections and produce and publish current and retrospective Slovene national bibliographies;
  - perform tasks of the national referral centre,
  - provide publications with basic catalogue descriptions (CIP),
  - in co-operation with international institutions, award international bibliographic designations (ISSN, ISBN, ISMN) and other identification markings of printed and electronic publications,



- conduct and implement a programme of protection of library material which is cultural heritage, and organise and carry out protection and restoration of library material;
- carry out research, developmental and advisory work in its area of work;
- collect, process and mediate statistical and other data on the operation of libraries;
- organise and implement professional further training and training of library staff;
- organise and co-ordinate the functioning of the system of inter-library loans;
  - keep the record of libraries;
  - perform tasks of the centre for the development of libraries;
- organise and direct the sorting of material and storage of nationally important library material;
- issue prior opinions for the export of nationally important library material;
- issue prior opinions on meeting the conditions of the rules referred to in article 36 of this act:
- prepare professional bases for the adoption of general regulations and professional recommendations in the area of librarianship;
- co-ordinate the preparation of the three year plans for the development of general libraries referred to in article 37 of this act;
- adopt instructions for the professional processing and storage of nationally important local studies material;
  - adopt instructions for the sorting of library material;
- systematically collect information on the provision of publications of Slovene production and inform libraries about this;
  - perform tasks for the national shared bibliographic system;
  - perform other tasks determined by the founding charter;
  - determine measures referred to in article 14 of this act.

#### Article 34

(national library management body)

The national library management body shall have seven members, who shall be appointed and dismissed by the Government of the Republic of Slovenia. Of these, it shall appoint:

- two on the proposal of the ministry responsible for libraries,
  - two on the proposal of users,
- one on the proposal of the library information service,
- one on the proposal of the Chamber of Culture of Slovenia,
  - one on the proposal of employees.

The term of office of the national library management body shall be four years. More detailed provisions concerning the tasks, composition and functioning of the management body shall be determined by the founding charter of the national library.

#### Article 35

(founding of the national library)

The state shall found a national library, and founder's rights shall be exercised by the Government of the Republic of Slovenia.

### III. LIBRARY PUBLIC SERVICE

#### 1. Conditions for providing a library public service

##### Article 36 (conditions)

Libraries that carry out the library public service must have:

- a suitable extent and choice of professionally arranged library material,
  - a suitable number of appropriately trained professional staff,
    - suitable premises and equipment,
    - suitable organisation of library activities.

The minister responsible for culture shall adopt, in agreement with the minister responsible for education and science, rules by which is determined in more detail the conditions referred to in the previous paragraph for individual types of library.

Meeting conditions referred to in the previous paragraph shall be verified by the ministry referred to in article 58 of this act by rulings which the founders, the library and the national library shall receive.

A library may commence the implementation of library activities after a final ruling referred to in the previous paragraph except for general libraries which may commence such activities after entry in the court register.

##### Article 37 (standards for development planning)

The minister responsible for culture, in agreement with the minister responsible for education and science, shall adopt on the basis of professional recommendations referred to in article 11 of this act, standards for planning the development of general, academic and school libraries in the following three years. On its basis, a library shall prepare a three year development plan in agreement with its founders.

##### Article 38 (determining conditions referred to in article 36 of this act for a general library)

Conditions for a general library shall be determined by rules referred to in the second paragraph of article 36 of this act, on the basis of the average achieved state in such libraries according to elements referred to in the first paragraph of article 36 of this act in the last calendar year prior to their adoption and shall be adjusted every three years in relation to new averages achieved in this time.

##### Article 39 (librarian's examination)

Professional staff of libraries that perform a public service must have the prescribed type and level of education and pass a librarian's examination.

A person who is employed as professional staff of a library and has not passed the librarian's examination, must pass it not later than within two years.

A person who is first employed as professional staff of a library and has not passed the librarian's examination shall be trained for the independent performance of work which shall be completed by passing the librarian's examination, as a trainee.

The minister responsible for the area shall prescribe more detailed provisions concerning the type and level of education.

The minister responsible for culture, in agreement with the minister responsible for education and science, shall determine with rules more detailed provisions concerning the librarian's examination. The provisions of the rules must take into account bibliographic knowledge verified in professional examinations already passed in other fields.

Professional staff shall obtain professional titles in compliance with rules that the minister responsible for culture shall adopt in agreement with the minister responsible for education and science. The provisions of these rules must *mutatis mutandis* take into account professional titles that apply in other areas.

## 2. National bibliographic system

### Article 40

(common professional bases)

The common professional bases for the functioning of the national bibliographic system shall be:

- standardised and shared processing of library material and uniform keeping of catalogues,
- suitable training of professional staff for shared cataloguing,
  - computer and communications links of libraries.

### Article 41

(inclusion in the national shared bibliographic system)

All libraries may be included in the national shared bibliographic system, and they shall be bound to respect the common professional bases for the operation of this system and shall conclude a contract with the library information service on the manner of co-operation in the system and the use of its services. Financing shall be regulated in compliance with article 52 of this act.

Libraries within the common Slovene cultural space with registered office outside Slovenia may also be included in the national shared bibliographic system.

It shall be considered that a library is included in the national shared bibliographic system when its local catalogue is available to users through this system.

### Article 42

(permission for shared cataloguing)

Professional staff of libraries that are included in the national shared bibliographic system may co-operate in the process of shared cataloguing and creating bibliographic records for shared databases if they have a permit for shared cataloguing, which shall be issued by the library information service in agreement with the national library.

Permits referred to in the previous paragraph shall be issued if the candidate has passed the librarian's examination and completed further training in the area of shared cataloguing, with tests of knowledge.

The minister responsible for science shall determine the content, conditions and manner of issuing a permit referred to in the first paragraph of this act by rules, in agreement with the minister responsible for culture.

### Article 43

(possibility of appeal)

An appeal to the competent ministry referred to in article 58 of this act is allowed against the issue of a permit referred to in the previous article, and to the Government of the Republic of Slovenia against a ruling referred to in article 36 of this act. The act that regulates general administrative procedures shall be used in reaching a decision on appeals.

#### Article 44

(library information service)

The tasks of the library information service in the national bibliographic system shall be:

- co-ordination of the development and functioning of the shared bibliographic system and its services from its own field of work,
- co-ordination of the development and use of standards of computer support for the needs of the shared bibliographic system and its services,
- development and maintenance of software for the needs of the shared bibliographic system and its services,
- verifying the qualification of professional staff of libraries for co-operation in the shared cataloguing in co-operation with the national library,
  - planning and maintenance of joint computer and communications capacities for the functioning of the system,
- organisation of the provision of databases in electronic means of support with direct access, in agreement with their producers,
- organisation of professional education and advisory work in the area of activities which it performs for the national shared bibliographic system,
- research, developmental and advisory work in its own working field,
- preparation of professional bases from its own field of work for the work of the National Council for Library Activities.

#### Article 45

(implementing tasks of the library information service)

Tasks of the library information service shall be carried out by a public institute, but may also be performed by another legal person on the basis of a license which shall be granted by the competent minister referred to in article 52 of this act.

#### Article 46

(library information service management body)

The library information service, which shall be a public institute, shall have a management body consisting of nine members, who shall be appointed and dismissed by the Government of the Republic of Slovenia. Of these it shall appoint:

- two on the proposal of the ministry responsible for libraries,
  - one on the proposal of the universities,
  - one on the proposal of the national library,
  - one on the proposal of general libraries,
  - one on the proposal of school libraries,
  - one on the proposal of specialised libraries,
- one on the proposal of the ministry responsible for the information society,
  - one on the proposal of staff.

The term of office of the library information service management body shall be four years.

If the public institute also performs other activities as a public service, the number of members shall be increased in line with the extent of these activities and types of users.

More detailed provisions on the tasks, composition and functioning of the management body shall be determined by the founding charter of the public institute which performs the tasks of the library information service.

#### Article 47

(tasks of the national library in the national shared bibliographic system)

The tasks of the national library in the national shared bibliographic system shall be:

- co-ordination of the preparation of professional bases for the national shared bibliographic system from its own working field,
- development of professional bases of the union catalogue in co-operation with the library information service,
- organisation of professional education and advisory work in the area of activities which it performs for the national shared bibliographic system,
- verifying the qualification of professional staff of libraries for co-operation in shared cataloguing in co-operation with the library information service,
- care for quality control and editing of bibliographic records in the union catalogue,
- preparation of professional bases from its own working field for the work of the National Council for Library Activities.

### 3. National Council for Library Activities

#### Article 48

(National Council for Library Activities)

The Government of the Republic of Slovenia shall found a National Council for Library Activities as a professional advisory body for deciding on professional matters in the area of library activities.

The president and members of the council shall be recognised experts in the area of library activities, who shall be appointed by the Government of the Republic of Slovenia for a period of five years and may be re-appointed.

The council may form committees, expert groups and other working bodies for individual areas of its operation.

The organisation and manner of operation of the council shall be regulated in standing orders which the council shall adopt by a majority of votes.

Administrative and technical work for the council shall be performed by the ministry responsible for culture.

#### Article 49

(composition of the National Council for Library Activities)

The National Council for Library Activities shall consist of members appointed by the Government of the Republic of Slovenia, namely:

- three on the proposal of the ministry responsible for libraries;
  - one on the proposal of the national library,
  - one each on the proposal of each of the universities,
- one on the proposal of the library information service,

- one on the proposal of professional associations of documentalists and information experts,
- one on the proposal of academic organisations for librarianship,
- one on the proposal of the Chamber of Culture of Slovenia,
- one on the proposal of general libraries.

More detailed provisions concerning the tasks, composition and functioning of the council shall be determined by the government by resolution on founding of the National Council for Library Activities.

#### Article 50

(tasks of the National Council for Library Activities)

The National Council for Library Activities shall perform in particular the following tasks:

- adoption of professional recommendations in the area of librarianship,
- give prior opinions to all regulations that relate to library activities,
  - debate the professional bases of library activities,
- debate the professional bases for the operation of the national shared bibliographic system, monitor the functioning of this system and coordinate its development,
- give opinions on proposed development plans and annual programmes of work and financial plans of the national library and the library information service,
- debate the annual report on the functioning of the national library and the library information service and acquaint the Government of the Republic of Slovenia and the competent ministry with their opinion,
  - provide initiatives and proposals in its area of work.

### IV. PUBLIC FINANCING

#### Article 51

(sources of financing)

Libraries that are independent public institutes and the library information service shall obtain funds for work from public funds, payments from users for the services of the public service, by the sale of goods and services on the market and from other sources under the conditions determined in the founding charter.

Funds for implementing activities of the public service of libraries and the library information service shall cover the costs of salaries, material working costs, purchase of library material and for the purchase and maintenance of premises and equipment.

#### Article 52

(financing the public service from public funds)

Funds for implementing the public service of a library, which shall be a public institute, shall be provided by the founder or co-founders and other contractual partners on the basis of the programme of work and financial plan prepared in compliance with the conditions referred to in article 36 of this act, to which the founder or co-founders and contractual partners have given agreement.

Libraries which are part of a publicly financed organisation shall obtain funds on the basis of the rules referred to in article 36 of this act in the manner that applies for such an organisation.

The national library and the library information service shall obtain public funds from the founder by contract on the basis of their programmes of work and financial plans to which the Government of the Republic of Slovenia has given agreement. In the programme shall be determined the types and extent of services which shall be financed in the framework of the public service.

A library or library information service which is not a public institute shall obtain funds for providing a public service from the state or the municipality on the basis of a licensing contract.

Individual projects shall be financed on the basis of public calls for tenders.

#### Article 53

(share of municipalities in the co-financing of general libraries)

If a number of municipalities co-found a general library or an individual municipality concludes a contract concerning the provision of library activities on its territory with a general library in another municipality, financial obligations for shared costs shall be divided between these municipalities proportionately to the number of inhabitants, while costs of library activities that occur directly on the territory of a municipality shall be born by each municipality itself.

Municipalities shall provide funds for co-financing the costs of purchase of library material in units of twelve in compliance with rules referred to in article 36 of this act and in relation to the number of inhabitants of the municipality.

Municipalities shall provide funds for material costs and the purchase of material in compliance with the adopted financial plan of the library.

Shared costs referred to in the first paragraph of this article shall cover mainly material costs and working costs connected with the selection, purchase and processing of library material, with the use of reference collections and library databases and with the operation of shared services.

In the case of doubt as to whether specific costs belong among shared costs, the minister responsible for culture shall decide.

#### Article 54

(unfulfilled obligations of municipalities)

If the minister responsible for culture finds that a municipality is not meeting its obligations referred to in articles 52 and 53 of this act, it must warn the competent body of the municipality not later than within a time limit of one month that the municipality must begin to meet its obligations. If within the time limit given the municipality does not meet its obligations, the minister responsible for culture shall initiate a procedure in compliance with regulations that regulate local self-government.

#### Article 55

(state funds for co-financing libraries)

The state shall contribute budget funds to support the co-ordinated development of library activities, in compliance with the procedure determined by law covering this area, for:

- purchase of foreign library material in the national, academic and special libraries on the basis of criteria that the competent minister shall determine for individual areas,

- special tasks of central regional libraries referred to in article 27 of this act on the basis of contract between the ministry responsible for culture, and these libraries,
- programmes referred to in articles 25 and 26 of this act on the basis of contract between the ministry responsible for culture, and these libraries,
  - library compensation, and
- partially for annual purchase of library material and computer equipment of general libraries.

The extent of funds of library compensation shall be determined by the annual state budget.

Funds referred to in the last indent of the first paragraph of this article shall be paid on condition that other funds are also regularly provided in compliance with the first paragraph of article 52 of this act. The extent of funds for the annual purchase of library material and computer equipment referred to in the last indent of the first paragraph of this article shall be determined by the national budget.

#### Article 56

(library compensation)

Library compensation shall be introduced in general libraries for the public loan of library material referred to in article 3 of this act, as support to the authors of such material who have permanent residence in the Republic of Slovenia or create in Slovene.

The minister responsible for culture shall determine in more detail the manner and form of distribution of funds under the heading library compensation.

#### Article 57

(paid use)

Libraries that do not provide a public service may use services and products of the library information service against payment.

### V. SUPERVISION

#### Article 58

(supervision of the implementation of the public service)

The following are responsible for professional supervision of the provision and functioning of the public service referred to in article 2 of this act:

- the ministry responsible for culture, for: the national library, general libraries and specialist libraries in the area of culture and for library material as cultural monument;
- the ministry responsible for education and science, for: school and academic or university libraries and specialist libraries in other fields and the library information service.

The content of professional supervision referred to in the previous paragraph shall be determined in more detail by the rules referred to in article 36 of this act.

#### Article 59

(inspection monitoring)

Monitoring the implementation of the provisions of this act and regulations issued on its basis and other documents shall be carried out by inspectors of the minister



responsible for culture, except monitoring of school libraries, which shall be done by inspectors of the ministry responsible for education and science.

#### Article 60

(appointing inspectors)

A person may be appointed an inspector who has:

- university education,
- familiarity with the area of library activity and information activities,
- passed the professional examination for inspectors.

### VI. IMPLEMENTING MONITORING

#### Article 61

(types of monitoring)

Monitoring shall be carried out as regular, exceptional and repeat monitoring.

Regular monitoring must be performed at least every third year.

Exceptional monitoring may also be carried out on the proposal of the founder of the library, the library or state as co-financer. A user of a library may put forward an initiative for the implementation of monitoring.

Repeat monitoring shall be carried out after the expiry of a time limit determined for the rectifying of a violation and implementation of imposed measures and tasks.

An inspector shall be obliged to inform the proposer or initiator about actions that he has performed in connection with the proposal or initiative and about measures taken.

#### Article 62

(authority of inspectors)

In addition to authorities under general regulations that regulate inspection supervision, an inspector shall have the following powers:

- to monitor the state of organisation of a public service referred to in article 2 of this act,
- to monitor the continual meeting of conditions referred to in article 36 of this act and respecting standards in planning the development of general libraries,
- to monitor respect for decisions referred to in article 8 of this act.

#### Article 63

(measures of an inspector)

In the event of an inspector finding a violation of regulations the implementation of which he is monitoring, he shall have the right and duty:

- to order a temporary ban on the carrying out of library services for which a provider does not have a ruling referred to in article 36 of this act or if a general library is not entered in the court register,
- to order the rectifying of deficiencies in the functioning of a library within a time limit that he shall determine,
- to propose the introduction of a procedures because of the commission of a violation.

#### Article 64

(records and reports of inspectors)

After carrying out monitoring, an inspector shall be obliged to compose a record of his findings and to deliver it to the competent body of the library, the founder of the library or founders and contract partners.

An inspector referred to in the previous paragraph shall be obliged at least once a year to report to the competent ministry in relation to:

- inspections carried out in individual libraries,
- violations found and measures taken,
- the state of organisation of a public service referred to in article 2 of this act.

## VII. PENALTY PROVISIONS

### Article 65 (violations)

The responsible person of a library shall be fined from 100,000 to 300,000 tolar for a violation:

1. if he violates the right of users to free basic services (article 8),
2. if he commences implementing library services without a final ruling on the fulfilment of conditions for implementing these activities or prior to entry in the court register (last paragraph of article 36).

## VIII. TRANSITIONAL AND FINAL PROVISIONS

### Article 66 (NUK)

The National and University Library in Ljubljana (NUK) shall perform the tasks and have the competencies of the national library. The documents of NUK must be harmonised with this act within six months of its taking effect.

### Article 67 (performing tasks of the library information service)

The Institute of Information Sciences Maribor shall continue to perform the tasks of the library information service after this act takes effect. The Government of the Republic of Slovenia shall harmonise the founding charter with the provisions of this act within a time limit of six months.

Article 68  
(taking over the tasks of university library of the University of Ljubljana)

The National and University Library in Ljubljana shall also perform the tasks of the university library of the University of Ljubljana, which shall appoint two representatives of users onto the management body of the national library, referred to in article 34 of this act, unless the University of Ljubljana decides otherwise. The manner of performing tasks referred to in the previous paragraph shall be regulated by the University of Ljubljana and the National and University Library in Ljubljana by contract.

### Article 69 (professional examination)

It shall be considered that professional staff of libraries who have passed the professional examination for librarianship under former regulations shall have passed the librarianship examination under this act.

Professional staff of school and academic libraries who met conditions for performing library activities prior to this act taking effect, may also perform the work of a librarian after it takes effect.

Professional staff of libraries who have applied to take the librarianship examination before the rules referred to in article 39 of this act take effect, may take it under the previous regulations.

Professional staff of libraries except those referred to in the previous three paragraphs, must perform the librarianship examination under this act not later than within a time limit of 2 years from it taking effect.

#### Article 70

(time limit for the adoption of the founding charter of the National Council for Library Activities)

The Government of the Republic of Slovenia shall adopt the founding charter of the National Council for Library Activities not later than three months after this act taking effect.

#### Article 71

(time limit for the adoption of statutory regulations and instructions)

Implementing regulations and professional instructions referred to in this act must be adopted not later than within six months after this act takes effect.

#### Article 72

(time limit for the commencement of inspection monitoring)

Inspection monitoring referred to in article 59 of this act shall be provided in a time limit of six months of this act taking effect.

#### Article 73

(time limit for harmonising with this act)

Founders and libraries must harmonise the organisation and functioning of libraries with this act not later than one year after it takes effect.

#### Article 74

(commencement of financing under this act)

The provisions of this act that refer to the financing of libraries shall commence to take effect on 1.1.2002.

#### Article 75

(annulment of current act)

The Librarianship Act (Official Gazette SRS, no. 27/82) shall cease to have effect on the day that this act takes effect.

#### Article 76

This act shall take effect fifteen days after its publication in the Official Gazette of the Republic of Slovenia.

No. 611-03/00-2/4  
Ljubljana, 24 October 2001  
President of the National Assembly  
of the Republic of Slovenia  
Borut Pahor