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# Library Legislation in Europe

**Shaping the Future of  
Libraries**

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**dlbv**

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# Is there a need for a Library Act?

- not as long as there is **enough money** for development, for adjusting to new technology and for the acquisition of new resources of information
- not as long as **the value** of public libraries **is fully recognized** by local decision-makers and state authorities
- not as long as the **economical prospects** are **good**
- not as long as users are offered the **same quality level** of library services regardless of domicile or economic status



# Library legislation

- protects libraries against loosing what they **need to meet their responsibilities**
- helps defining the **changing purposes** of public libraries
- assists in **saving library services** in difficult times
- helps ensuring **equal services** across a country
- helps keeping library services at a level at which the democratic principle of **free access to information** and **freedom of expression** can still be guaranteed - for the sake of all users



# Overview of presentation

- International and European recommendations
- Library legislation in the European Union Member States
- Some examples from EU countries
  - framework acts - complex library acts
  - advantages - disadvantages



# IFLA/UNESCO Manifesto on Public Libraries

“The public library is the responsibility of local and national authorities. It must be supported by specific legislation and financed by national and local governments. It has to be an essential component of any long-term strategy for culture, information provision, literacy and education. To ensure nationwide library coordination and cooperation, legislation and strategic plans must also define and promote a national library network based on agreed standards of service.”



# IFLA Public Library Services Guidelines

„The establishment of public libraries should be based on legislation, which assures their continuance and their place in the government structure.“



# IFLA Public Library Service Guidelines

„However, legislation governing public libraries should state which level of government is responsible for their provision and how they should be funded. It should also place them in the framework of libraries in the country or region as a whole”.



# Council of Europe/EBLIDA Guidelines on Library Legislation and Policy in Europe

“...to adopt legislative or other measures which are in conformity with the principles outlined in the Guidelines, and to bring existing legislation into line with the same principles“





## Council of Europe Guidelines - European Community Directives

- **EC Directives:** are binding and have to be implemented into national legislation of all 28 EU Member States
- **Council of Europe Guidelines:** have only recommending effects on the 47 Member States (incl. the 28 EU Member States)



# Council of Europe/EBLIDA Guidelines

- Freedom of expression and free access to information
- Libraries within the national book and information policies
- Libraries and the knowledge industries
- The protection of library heritage



# Agreed principles for legislation

- significance of libraries to guarantee the freedom of expression and freedom to hold opinions
- existence must be secured by state funding
- basic service must be free of charge
- Libraries are responsible for their collections regardless of the funding agency



# Too detailed regulations could lead to:

- Obstruction of future developments
- Continual amendments to legislation
- Enacting minimum standards on the basis of the country's current financial situation



# Library legislation in EU Member States

- Almost all of the EU Member States have public library legislation
- The only EU Member States without specific public library legislation:  
Austria, Cyprus, France and Portugal



# Library Legislation in EU Member States

- 18 out of 24 Member States with Library Acts have updated legislation in recent years
- Two Library Acts were newly introduced in 2010 and 2011
- One Library Act is dated 1964



# Republic of Ireland

- Public Libraries (Ireland) Act of 1855
- Local Government Act of 2001:
  - three sections deal with the services of public libraries
  - substantial state support
  - strategy papers, guidelines, standard, research programme



# The Netherlands

- specific Public Library Act in 1975
- Social Welfare Law in 1987: the main part of the financial responsibility for public libraries was transferred to the local level
- Specific Cultural Policy Act in 1994
- Charter of 1990
- The Public Library Provisions System Act of 2015





# Germany

- In GDR: Library Ordinance in 1968
- FRG: first demands in 1950, failed trails in 1970, again in 1980 and again beginning of 1990
- First library act in united Germany in regional state of Thuringia adopted in July 2008
- library act for Saxony-Anhalt and Hesse 2010
- Library act for Rhineland-Palatinate 2014



# Spain

- 17 autonomous Regions have their own legal provisions for libraries
- In Catalonia, Act on Library Services including public libraries in 1993
- At national level in 2007: the Act for Reading, Book and Libraries



# Sweden

- first Library Act in 1997: only a framework
- new Library Act in 2014
- basis for activities in the public library system and its main purpose
- each municipality has to provide one or more public libraries
- Fundamental quality criteria regarding the selection of media and services
- Free of charge loaning expanded to all formats of publication
- National Library: a national overview of and promote cooperation in the public library system



# Library Acts with longest tradition

- Great Britain 1850
- Denmark 1920
- Finland 1928



# Great Britain: Public Library and Museums Act 1964

- “provide a comprehensive and efficient library service for all persons desiring to make use thereof...” (Article 7.1)
- Pro: library authorities are free to offer services in such way and to such extent as they are able to fund
- Con: is open to a wide range of interpretations
- national standards developed in 2001
- “Framework for the Future” 2013
- “very difficult to measure something against a moving target”



# Danish Act Regarding Library Services

- The first library act was adopted in 1920
- In 1964 the second library act with revision in 1983 and 1993
- The third library act of May 2000 defines the basic principles of Danish library services in the information society of today



# Danish Act Regarding Library Services

- The library sector is regulated in its entirety
- Hybrid public library
- Usage, general reference and loan of material is free of charge
- For special services a fee may be charged
- The infrastructure of Danish libraries will be adjusted and especially the role of central libraries are strengthened
- Cooperation between public libraries should be stimulated



# Finnish Library Act

- The first Finnish Library Act 1928
- The Act was supplemented in 1961 and 1986
- In 1998 the fourth, since 1999 the valid version that was amended in 2009 of the Finnish Library Act
- supplemented by a Library Decree
- Finnish Library Policy 2015 - National strategic areas of focus (2009)





# Finnish Library Act

- duty of local authorities to provide library and information services
- The library is a basic municipal service
- The use and loan of library materials are free of charge
- a sufficient number of library and information professionals
- constantly renewed library material and equipment
- The quality of and access to library services must be evaluated



# Conclusions

- Do not lose hope
- There is no one single right way of providing a library act
- A library act must always be integrated into the legal and political structures of a certain country
- However, there are a number of minimum requirements for regulation in a library act:



# Minimum Requirements:

- value of the library for securing free access to information and freedom of opinion
- obligatory service of the municipality
- support with state funding
- basic library services as free of charge
- independent collection development
- Co-operation as a national library network



## Conclusion:

- A library act on its own is not enough, only if:
- A common political will to support libraries
- A strong professional body that calls for that political will
- The common responsibility for libraries is assumed on all political levels
- Then an innovative and modern library system can flourish



# For further information

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