

TRINIDAD AND TOBAGO.

No. 42.—1922.

I ASSENT,

[L.S.]

S. H. WILSON,
Governor.

19th December, 1922.

AN ORDINANCE relating to the Public Library of Trinidad.

[*1st January, 1923.*]

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Public Library Short title. Ordinance, 1922.

2. In this Ordinance, unless the context otherwise Interpreta-
tion. requires—

The expression "Library" means the Public Library of Trinidad established by Ordinance No. 2 of 1851, and includes any other Library established in connection therewith;

The expression "Committee" means the Committee of Management of the Library;

The expression "Local Authority" means the Local Authority under the ^ePublic Health Ordinance, 1915.

[*Price 6d.*]

The expression "Corporation" means the Mayor, Aldermen and Citizens of the City of Port-of-Spain;

The expression "Subscriber" means any person whose name is entered in the register of subscribers to the Library, and includes a life subscriber;

The expression "Prescribed" means prescribed by regulations made under section 19 of this Ordinance.

Location of
Library.

3. The Library shall be located in the premises situate at the corner of Pembroke Street and Knox Street in the City of Port-of-Spain, or at such other place or places as the Committee may from time to time determine.

Income of
Library.

4. The expenses of the Library shall be defrayed out of:—

- (a) Such moneys as may from time to time be appropriated to the Library by the Legislative Council out of the public revenue of the Colony;
- (b) Such moneys as may from time to time be appropriated to the Library by the Corporation out of the revenue of the City of Port-of-Spain;
- (c) Subscriptions received from the general public for the use of books, magazines, newspapers and periodicals kept in the Library;
- (d) Penalties and fines imposed and recovered in respect of offences committed against any provision of this Ordinance or of any regulation made hereunder;
- (e) Public donations;
- (f) Moneys received for the use of any of the rooms of the Library for any of the purposes authorised by this Ordinance;
- (g) Such other moneys as may from time to time be vested in the Committee and appropriated by them to the maintenance of the Library.

5. The Library shall be managed and controlled by a ^{Committee of Management.} Committee of Management, which shall be constituted as follows:—

- (a) Six members to be appointed once in every three years, or at any time to fill a vacancy, by the Governor;
- (b) So many members as may be appointed annually, or at any time to fill a vacancy, by the Corporation; in the proportion of one member for every fifty pounds appropriated annually to the Library by the Corporation;
- (c) So many members as shall be elected at the annual general meeting, or at any time to fill a vacancy, by the annual subscribers, in the proportion of one member for every fifty annual subscribers.

Provided that every member of the Committee shall be an annual subscriber of not less than one pound to the Library.

6. The Committee at their first meeting after their election as hereinafter provided shall elect a ^{Chairman of Committee.} Chairman from among their number, who shall continue to hold office as Chairman until the election of the Chairman for the ensuing year. In the event of the death, absence from the Colony or incapacity of the Chairman to perform his duties, the Committee shall as soon as possible proceed to elect one of their number to act as Chairman during his absence. A Chairman shall be eligible for re-election at the expiration of any term of office if he is still a member of the Committee.

7.—(1) The Committee shall be a body corporate by the ^{Incorporation of Committee.} name of "The Committee of Management of the Public Library of Trinidad" and by that name shall have perpetual succession, and may hold, acquire and dispose of in any manner whatsoever any property, real or personal, for the purposes of this Ordinance.

(2) The Committee may sue and be sued, prosecute and be prosecuted in its corporate name in any court in the Colony, and shall have a common seal to be approved and if necessary altered from time to time by the Committee. Such seal shall be officially and judicially noticed.

Dissolution of
"Chairman
and Committee
of the Public
Library of
Trinidad";

(3) The corporate body created under the provisions of the Public Library Ordinance, 1890, (now Ordinance No. 118 of the Revised Edition) and known as the "Chairman and Committee of the Public Library of Trinidad" shall on the constitution of the Committee at the first annual general meeting held after the commencement of this Ordinance be dissolved, and thereupon all powers, authorities, interests, rights, privileges and liabilities and all property real and personal, dues, chattels and valuable securities vested in and all moneys due and payable to the "Chairman and Committee of the Public Library of Trinidad" shall be transferred to, vest in and be due and payable to the Committee.

Transfer of
powers,
property, &c.

(4) All debts and claims due to and payable by the "Chairman and Committee of the Public Library of Trinidad" at the time of the said dissolution shall be due to and payable by the Committee.

Committee to
have control
and manage-
ment of
Library, funds
and property.

8. The Committee shall have the absolute management and control of the Library and of its funds, and may apply any part of such funds to the purchase of such books, magazines, periodicals, newspapers, prints, pamphlets, manuscripts, reports, pictures, maps, engravings, works of art and science, scientific, philosophical and other instruments, specimens of natural history, science, art, agriculture, mining and industry, and all other articles, furniture and effects as they may deem requisite for the purposes of the Library, and may also from time to time sell or otherwise dispose of any article purchased or acquired by the Library, and all moneys arising from any such sale or other disposal shall be deemed to be part of the funds of the Library and shall be applied accordingly.

Committee to
pay all
outgoings,
expenses, &c.

9. The Committee shall, out of the funds of the Library, pay all rents, rates, taxes, premiums or insurance on buildings and contents, salaries and wages, costs of additions, repairs, and other outgoings and expenses payable in respect of the management of the Library; and the premiums upon the insurance of all books and other articles contained in the Library against loss or damage by fire or otherwise; and the expenses incidental to all sales under section 8 of this Ordinance.

10.—(1) Subscribers shall be of two classes, annual and occasional; and these two classes may be sub-divided, at the discretion of the Committee, in accordance with the amount of the subscription paid by such subscribers. Subscribers.

(2) Any person subscribing to the Library such annual or other sum as may from time to time be prescribed shall be deemed to be a subscriber, and shall have his name entered as such in the Register of Subscribers to the Library.

11. Any person making a donation to the Library, either in money, books or other publications, works of art or science, or any other articles, of such value as may be prescribed, may by resolution of the Committee be elected as a life subscriber and shall thenceforth be entitled to all the privileges of an annual subscriber without any further payment. Life subscribers.

12. A subscriber shall be entitled to borrow from the Library such a number of books, periodicals and magazines and to keep the same for such period as may from time to time be prescribed, and he shall be responsible for the proper care of such books, periodicals or magazines and for their due return to the Library. Rights and liabilities of subscribers.

13. The Committee shall have the power to refuse to accept, and after acceptance shall have the power to return, the whole or part of the subscription of any person whom they may have reason to suspect to be suffering from any communicable disease, or who may be residing in the same house with any person suffering or suspected to be suffering from any such disease; and upon the return of such subscription or proportionate part thereof computed for the unexpired portion of the term for which the subscription was paid, such person shall immediately cease to be a subscriber and to enjoy the rights and privileges of a subscriber, and shall be required forthwith to return all books, periodicals and magazines which may be in his possession. Powers of Committee with respect to persons suffering from communicable disease.

Annual general
meeting of
subscribers.

14. A general meeting of subscribers shall be held before the end of February in each year upon a day and at an hour to be fixed by the Committee, of which not less than seven clear days notice shall be given to such subscribers, and at such general meeting the annual subscribers shall elect members of the Committee for the current year in the prescribed manner.

Sub-
Committees.

15. The Committee shall have power to appoint one or more Sub-Committees, consisting of such one or more members as they may think fit, for the purpose of considering and reporting upon such questions and matters as may be referred to them, and the Committee may grant to any such Sub-Committee the power to do any of the acts relating to the management of the Library as the Committee themselves might lawfully do.

Appointment
of Librarian,
officers and
servants.

16. The Committee may from time to time appoint, upon such terms as they may think fit, a Librarian and such other officers and servants as they may deem requisite for the purpose of managing and carrying on the Library; and may fix the salary and wages to be paid to them, and may at any time remove any such Librarian, or officers or servants.

Free reading
room.

17. The Committee shall, subject to such regulations as they may deem fit to make, provide and set apart some portion of the Library for use as a Free Reading Room, to which the general public shall have free access to use the books, magazines, periodicals and newspapers of the Library.

Part of
Library may
be used for
meetings, &c.

18. The Committee may from time to time permit any part of any premises in which the Library may for the time being be located to be used, either gratuitously or otherwise, for lectures, meetings, or otherwise: Provided that the use of the premises as and for the purposes of a Library shall not be thereby interfered with.

19.—(1) The Committee shall have power, from time to time, to make regulations for the management of the Library, and may by such regulations provide for all or any of the following:—

Regulations—
Committee
may make.

- (a) The manner in which the election of members of the Committee shall be carried out at the annual general meeting and at any other meetings called to fill a vacancy in the Committee;
- (b) The conduct of Committee meetings;
- (c) The different classes into which annual and occasional subscribers are to be sub-divided, and the rates of subscription to be paid by each;
- (d) The value of the donation to be required as a qualification for election as a life subscriber;
- (e) The conditions under which, and the days and hours during which subscribers and the general public may be admitted to the Library, or to any particular part thereof;
- (f) The method to be employed in obtaining books and other articles from the Library, and the mode in which such books and other articles may be issued to subscribers.
- (g) The duties of the Librarian and of the officers and servants of the Library, and the terms and conditions upon which they are to be appointed, and upon which they may be granted leave;
- (h) The proper use of the Free Reading Room by the general public and the method of issuing books, periodicals, magazines and newspapers to persons using the Free Reading Room.
- (i) The manner in which the rooms, entrances, passages, staircases and outbuildings of the Library may be used;
- (j) The charges to be made and the conditions to be observed for the use of any part of the Library for the purpose of lectures, meetings or otherwise;

- (k) The exclusion or removal from any part of the Library of any person whom the Committee may consider undesirable on sanitary or other grounds, or who may have committed a breach of the Regulations, or otherwise misconducted himself in the Library ;
- (l) Any other matter or thing which the Committee may consider necessary for the good management and control of the Library and the securing of its peaceful use by subscribers and other persons lawfully resorting thereto.

(2) The Committee may, in any regulations made by them under this section, prescribe fines, not exceeding forty shillings in each case, to be imposed for breaches of such regulations.

(3) All regulations made by the Committee under the powers conferred by this section shall be submitted for the approval of the Governor in Executive Council, and when approved, shall be published at least once in the *Royal Gazette*, and thereupon have the same force and effect as if they formed part of this Ordinance.

Penalty on
subscriber not
returning
book, &c.

20. If any subscriber shall fail, neglect or refuse to return any book or other article belonging to the Library within such period as may have been prescribed, it shall be lawful for the Librarian to deliver to such subscriber a written notice requiring him to return such book or other article within seven days from the date of such notice, and to pay any fine which he may have incurred in respect of such failure, neglect or refusal. If any subscriber shall fail to comply with such notice within the time therein specified he shall be liable to a penalty not exceeding forty shillings in addition to the value of the book or other article and to the amount of the fine incurred.

Wilful
damage
to property.

21. It shall be lawful for the Librarian or any other person authorized by the Committee to take proceedings before a Magistrate against any person who shall wilfully damage or destroy any book or other article belonging to the Library; and such person shall be liable to a penalty not exceeding five pounds in addition to the value of the book or other article so damaged or destroyed.

22.—(1) If any person knows that he is suffering from a communicable disease he shall not take or use any book or other article, or permit or cause any book or other article to be taken for his use, or for the use of any person in his house, from the Library. No person shall permit any book or other article which has been taken from the Library and is under his control to be used by any person whom he knows or suspects to be suffering from any communicable disease.

Persons suffering from communicable disease.

(2) No person shall return to the Library any book or other article which he knows to have been exposed to infection from any communicable disease, or permit any such book or other article which is under his control to be so returned; but such person shall give notice to the Librarian and to the Secretary to the Local Authority that such book or other article has been so exposed to infection, and the Local Authority shall cause the book or other article to be disinfected to their satisfaction and returned to the Library, or if it cannot be satisfactorily disinfected, to be destroyed.

(3) The Local Authority shall pay to the Committee the value of any book or other article destroyed under the power given by this section.

(4) Any person acting in contravention of, or failing to comply with the requirements of this section shall be liable to a penalty not exceeding forty shillings.

23. Any person who, in any part of the Library—

- (a) behaves in a disorderly manner, or
- (b) uses violent, abusive or obscene language, or
- (c) bets or gambles, or
- (d) after proper warning persists in remaining in the Library or Reading Room beyond the hour fixed for the closing thereof.

Offences in Library premises.

shall be liable to a penalty not exceeding forty shillings.

Grant from
public revenue.

24. There shall be paid out of the public revenue of the Colony towards the maintenance of the Library such moneys as may from time to time be appropriated to the Library by the Legislative Council. Such moneys shall be paid quarterly on the warrant of the Governor.

Grant from
Port-of-Spain
Municipal
funds.

25. There shall be paid out of the revenue of the City of Port-of-Spain towards the maintenance of the Library such moneys as may from time to time be appropriated to the Library by the Corporation.

Committee
may borrow
£5,000.

26. The Committee may, with the consent of the Governor in Executive Council

- (a) Borrow for the purposes of the Library any sum of money which, together with any sum due and payable in respect of any money borrowed by the "Chairman and Committee of the Public Library of Trinidad" under the authority of the Library Ordinance, No. 118, or any previous Ordinance, shall not exceed in the aggregate £5,000 ;
- (b) Mortgage by way of security for any such loan any lands or buildings vested in them ;
- (c) Issue debentures to secure the repayment of any sum so borrowed, and such debentures together with the interest thereon shall be a first charge upon all the property and income of the Library.

Amount of
interest on
and payment
of debentures.

27. The debentures issued to secure the repayment of any money borrowed under the provisions of this Ordinance shall be made for such sum and shall bear interest at such rate as may be fixed by the Committee, and shall be repayable at such dates as the Committee may with the consent of the Governor determine.

Savings Bank
funds.

28. The Governor in Executive Council may, out of the moneys received by the Postmaster-General under the Savings Bank Ordinance, 1918, authorise the investment of any sum not exceeding £5,000 in any debentures which may be issued by the Committee under the powers conferred by section 26 of this Ordinance.

29. Any moneys granted towards the maintenance of the Library by virtue of section 24 of this Ordinance shall be a security in the hands of the Receiver-General for the due payment of any debenture or interest falling due during the year in which such sum is payable. Security.

30. The accounts of the Library shall be audited by the Auditor-General, and a yearly statement of account, in such form as the Auditor-General may direct, shall be laid before the Legislative Council. Audit of accounts.

31. All penalties imposed by this Ordinance and all fines prescribed by regulations made under the provisions of this Ordinance shall be recoverable before a Magistrate in the manner provided by the Summary Conviction Offences (Procedure) Ordinance, 1918, and proceedings may be instituted and conducted by the Librarian or by any person authorised by the Committee, either generally or for any particular proceedings. Procedure for recovery of fines and penalties.

32. All penalties and fines received by a Magistrate under this Ordinance shall be paid by him to the Committee. Appropriation of fines and penalties.

33. The Library Ordinance, No. 118, is hereby repealed. Repeal.

34. This Ordinance shall commence on the first day of January, 1923. Commencement.

Passed in Council this eighth day of December, in the year of Our Lord one thousand nine hundred and twenty-two.

JOHN DE NOBRIGA,

Acting Clerk of the Council.