



Province of Alberta

LIBRARIES ACT

LIBRARIES REGULATION

Alberta Regulation 141/1998

With amendments up to and including Alberta Regulation 90/2024

Current as of May 17, 2024

Office Consolidation

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(Consolidated up to 90/2024)

ALBERTA REGULATION 141/98

Libraries Act

LIBRARIES REGULATION

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Definitions

- 1** In this Regulation,

- (a) “Act” means the *Libraries Act*;
- (b), (b.1) repealed AR 90/2024 s2;
 - (b.1) “intermunicipal agreement” means an intermunicipal agreement under section 12.2 of the Act;
- (c) “library resources” means any material, regardless of format, that is held in a library’s collection and includes books, periodicals, audio recordings, video recordings, projected media, paintings, drawings, photographs, micromaterials, toys and games, kits, CD-ROMs and electronic databases;
- (d) “library service point” means a facility that provides public library services under the control and management of a board;
 - (d.1) “Public Library Network” means the provincial resource sharing network administered by the Public Library Services Branch;

- (e) “resource sharing” means making available to other libraries the library resources owned by a board, the information contained in those resources and the staff expertise required to locate and make available the information or the library resources.

AR 141/98 s1;172/2007;68/2008;90/2024

Definition for Act

2 For the purposes of the Act, “basic information service” means public access to current and accurate information and assistance with making use of information, communication technology and library resources.

Part 1 Boards Generally

Reports of bylaws

3(1) Every board shall file with the Minister a report that contains a copy of any bylaw passed by the board under section 36 of the Act.

(2) A report under subsection (1) shall be filed

- (a) within one year of the board’s establishment, and
- (b) after the passage of any bylaw passed by the board one year or more after the board’s establishment.

AR 141/98 s3;251/2001;90/2024

Reports of policies

4(1) Every board shall file with the Minister a report that contains a copy of any policy established by the board under section 7.

(2) A report under subsection (1) shall be filed

- (a) by a municipal library board or intermunicipal library board within 2 years of the board’s establishment, and
- (b) by a library system board within 3 years of the board’s establishment.

(3) When a board revises a policy established by the board under section 7, the board shall file with the Minister a report that contains a copy of the revision.

AR 141/98 s4;172/2007;90/2024

Meetings open to public

5(1) Every meeting of a board is open to the public.

(2) A person or group may make representations to a board at its meeting if the representations relate to the board and its programs.

Public inspection of minutes, resolutions and bylaws

6(1) Every board shall make its minutes, resolutions and bylaws available for inspection by any person

- (a) during the hours that the library service point is open to the public, if the board operates a library service point, or
- (b) during regular business hours or on request, if the board does not operate a library service point.

(2) A person who inspects minutes or a resolution or bylaw under subsection (1) may copy the minutes, resolution or bylaw according to the conditions and procedures established by the board.

AR 141/98 s6;90/2024

Policies

7(1) Subject to section 36 of the Act, every board shall establish policies with respect to the following:

- (a) confidentiality of user records, except where disclosure is required by law;
- (b) orientation and continuing education of board members and staff, including expenses for such orientation and continuing education;
- (c) finance, including designation of expenses for which board members and staff will be reimbursed, the form and manner in which those expenses shall be claimed and the appointment of signing officers for the board.

(2) Every board that operates a library service point shall, in addition to establishing policies under subsection (1), establish policies with respect to the following:

- (a) personnel, including job descriptions and performance appraisals for employees, qualifications for staff positions, working hours, conditions of employment and a grievance procedure;

- (b) selection, acquisition, purchase and disposition of library resources, including a policy respecting gifts and donations;
- (c) resource sharing, including participation in the Public Library Network and the conditions that apply to the acquisition of library resources and information from other sources, including inter-library loans and information in electronic databases;
- (d) provision of library resources to persons unable to use conventional print resources, including provision in co-operation with community agencies;
- (e) the terms and conditions under which library resources will be loaned to members of the public for use in a location other than the library;
- (f) hours of service at each library service point;
- (g) the terms and conditions for use of any areas of a building managed by the board that are not normally used for library purposes, including who may use those areas.

(3) A library system board shall also establish a policy with respect to the provision of municipal library services to any member municipality that does not have a municipal library board and shall ensure that bylaws under section 3 and policies under subsections (1) and (2) apply to those library services.

AR 141/98 s7;251/2001;90/2024

Some types of inspections

8 Without limiting the generality of section 39 of the Act, the Minister or a person authorized by the Minister may inspect the records of a board

- (a) to determine the extent to which a board is meeting the requirement to provide comprehensive and efficient service as defined by that board,
- (b) to determine compliance with the Act and the regulations under the Act,
- (c) to determine the adequacy of accounting practices and financial controls,
- (d) to determine the use to which provincial grants are put, and

- (e) to assist a board in periodic reviews of its administrative practices, policies, library collections and any other matters on which a board may request advice.

AR 141/98 s8;251/2001;90/2024

Identification of inspector

9 The identification that a person authorized under section 39 of the Act must carry is an identification card that bears the person's photograph, name and position and is

- (a) signed by the Minister, or
- (b) accompanied by the Minister's authorization, in writing, to do the inspection.

AR 141/98 s9;251/2001;90/2024

When library service point may be in a school

9.1 A board shall not operate a library service point in a school unless

- (a) the board enters into an agreement with the school authority that sets out the responsibilities of the board and the school authority for the operation of the library service point, including the responsibilities of employees of the board and the school authority,
- (b) the board has its own bank account and signing officers, none of whom are employees of the school authority, and
- (c) in addition to any other hours that the library service point may be open to the public, the library service point is open to the public outside of the hours during which the school is in operation for regular classes, including being open during evenings or weekends, or both, and during the summer.

AR 90/2024 s8

Part 2 repealed AR 90/2024 s9

Part 3

Municipal and Intermunicipal Library Boards

Plan of service

13(1) A municipal library board or intermunicipal library board shall, within 3 years of being established, develop and file with the Minister a plan of service with a mission statement and goals and

objectives based on a needs assessment of the municipality or municipalities served by the board.

(2) A municipal library board or intermunicipal library board shall, at least every 5 years following the date on which the plan was previously filed, file a current plan of service with the Minister.

AR 141/98 s13;193/2003;172/2007;90/2024

Employment of professional librarian

14(1) Subject to subsection (3), the following shall, within 2 years of completing a plan of service under section 13(1), employ a graduate of a postgraduate library program in Canada or a person with equivalent qualifications from another country:

- (a) a municipal library board of any municipality with a population of 10 000 or more;
- (b) an intermunicipal library board that serves municipalities with a total population of 10 000 or more.

(2) Repealed AR 193/2003 s3.

(3) This section does not apply to any municipal library board or intermunicipal library board that does not operate a library service point.

AR 141/98 s14;251/2001;193/2003;172/2007;90/2024

Report to Minister

15 A municipal library board or intermunicipal library board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister.

AR 141/98 s15;172/2007;90/2024

Requests by Minister

16(1) For the purpose of determining if a municipal library board or intermunicipal library board is complying with the Act and this Regulation, the Minister may, by written request, require a municipal library board or intermunicipal library board to file with the Minister

- (a) copies of the minutes of any meeting of the board, and
- (b) copies of any agreement entered into by the board.

(2) For the purpose of obtaining information to assist in the formulation of policies respecting matters to which the Act and this Regulation relate, the Minister may, by written request, require a

municipal library board or intermunicipal library board to make any survey that the Minister considers necessary or advisable.

AR 141/98 s16;172/2007;90/2024

17 Repealed AR 90/2024 s15.

Contents of intermunicipal agreement

17.1 An intermunicipal agreement shall, at a minimum, contain the following:

- (a) a formal indication of each municipality's desire to enter into the intermunicipal agreement;
- (b) a starting date for the intermunicipal agreement;
- (c) provision for a municipality to become a party to the intermunicipal agreement after the starting date for the agreement if
 - (i) no more than 3 municipalities enter into the agreement initially, or
 - (ii) the agreement is between any number of municipalities located within the existing boundaries of the same municipal district as the municipality;
- (d) provision for a municipality to be removed as a party to the intermunicipal agreement after the starting date for the agreement;
- (e) terms specifying the number of members of the intermunicipal library board each municipality that is a party to the intermunicipal library agreement may appoint, including the number of members of council of each of the municipalities that may be appointed;
- (e.1) provision for the appointment of a total number of members to the intermunicipal library board of not fewer than 7 and not more than 15, of whom no more than 40% may be members of council of any municipality that is a party to the intermunicipal agreement;
- (f) the annual date by which the intermunicipal library board must submit a budget and an estimate of the money required during the next fiscal year to each municipality that is a party to the intermunicipal agreement;
- (g) terms specifying how the intermunicipal library board must calculate the estimate of the money required during the next fiscal year and each municipality's share of that

money, the date on which payment of the money becomes due from each municipality, and how the money is to be paid;

- (h) terms specifying the form of the financial report to be prepared under section 12.1 of the Act and setting out a process for the approval of the qualifications of the person who will review the financial records of the intermunicipal library board and prepare the financial report;
- (i) terms governing the process for amending and terminating the intermunicipal agreement;
- (j) details of the rights, assets and liabilities that each municipality that is a party to the intermunicipal agreement will transfer to the intermunicipal library board on the formation of the board;
- (j.1) details of the rights, assets and liabilities that a municipality that becomes a party to the intermunicipal agreement after the starting date of the agreement will transfer to the intermunicipal library board;
- (k) where the intermunicipal agreement is an agreement between 3 or more municipalities, terms respecting the transfer of the rights, assets and liabilities of the intermunicipal library board in the event that one of the municipalities withdraws from the agreement;
- (l) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that are parties to the intermunicipal agreement;
- (m) terms respecting the notice that a municipality must give to the intermunicipal library board and to the other municipalities that are parties to the intermunicipal agreement before making an application under section 17.2.
- (n) terms governing the process by which a bylaw passed by the intermunicipal library board may be disallowed.

AR 172/2007 s10;90/2024

Dissolution of intermunicipal library board

17.2(1) The council of a municipality that is a party to an intermunicipal agreement may, by bylaw, authorize the municipality to apply to the Minister to dissolve the intermunicipal library board.

(2) An application to the Minister to dissolve an intermunicipal library board must contain a proposed winding-up plan that addresses the transfer of all of the rights, assets and liabilities of the intermunicipal library board.

(3) If complete applications to dissolve an intermunicipal library board are received

- (a) from one or both municipalities that are parties to an intermunicipal agreement that is between 2 municipalities, or
- (b) from a majority of the parties to an intermunicipal agreement that is between 3 or more municipalities,

the Minister may, by order, dissolve the intermunicipal library board and transfer the rights, assets and liabilities of the intermunicipal library board in accordance with the proposed winding-up plan or in any other manner the Minister considers appropriate if the municipalities cannot agree as to how the rights, assets and liabilities should be distributed.

AR 172/2007 s10;90/2024

Part 4

Library System Boards

Plan of service

18(1) In managing and controlling a library system, a library system board shall, within 4 years of being established, develop and file with the Minister a plan of service with a mission statement and goals and objectives based on an assessment of

- (a) the needs of the municipal library boards and intermunicipal library boards within the library system,
- (b) the library needs of those school authorities that are parties to an agreement referred to in section 13 of the Act, and
- (c) the need for public library service generally.

(2) A library system board shall, at least every 5 years following the date on which the plan was previously filed, file a current plan of service with the Minister.

(3) Repealed AR 90/2024 s18.

AR 141/98 s18;251/2001;193/2003;172/2007;90/2024

Employment of professional librarians

19(1) A library system board shall employ, for every 25 000 persons that it serves, a graduate of a postgraduate library program in Canada or a person with equivalent qualifications from another country.

(2) A calculation under subsection (1) of the number of persons that a library system board serves shall exclude the population of any municipality in which a municipal library board or intermunicipal library board employs a person under section 14.

AR 141/98 s19;172/2007;90/2024

Reports to Minister

20(1) A library system board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister with respect to

- (a) the library system board, and
- (b) each library service point as specified by the Minister.

(2) Repealed AR 90/2024 s20.

AR 141/98 s20;90/2024

Requests by Minister

21(1) For the purpose of obtaining information to assist in the formulation of policies respecting matters to which the Act and this Regulation relate, the Minister may, by written request, require a library system board to make any survey that the Minister considers necessary or advisable.

(2) The Minister may, by written request, require a library system board to provide any information that the Minister considers necessary to undertake a systematic review of library services within the library system.

AR 141/98 s21;90/2024

Part 5

Completion of Library Systems

Definitions

22 In this Part,

- (a) “agreement” means an agreement referred to in section 13 of the Act;
- (b) “jurisdiction” means a municipality, an improvement district, a special area or a Metis settlement;

- (c) “resource centre” means a municipal library within a library system that the library system board designates as a resource centre.

AR 141/98 s22;251/2001

Library system membership

23 A jurisdiction or school authority shall not request the Minister to establish a library system under section 13 of the Act unless a minimum of 75% of the parties to the agreement are jurisdictions.

AR 141/98 s23;251/2001

Resolutions before membership

24(1) Before a jurisdiction that is not a party to an intermunicipal agreement becomes a member of a library system,

- (a) the municipal library board in the jurisdiction shall pass a resolution accepting service from the library system board and providing its recommendations to the jurisdiction’s council with respect to the agreement, and
- (b) the jurisdiction’s council shall pass a resolution assenting to the agreement.

(1.1) Before a jurisdiction that is a party to an intermunicipal agreement becomes a member of a library system,

- (a) the intermunicipal library board established by the intermunicipal agreement shall pass a resolution accepting service from the library system board for that jurisdiction and providing its recommendations to the council of each jurisdiction that is a party to the intermunicipal agreement with respect to the agreement, and
- (b) the jurisdiction’s council shall pass a resolution assenting to the agreement.

(2) Before a school authority becomes a member of a library system, it shall pass a resolution accepting service from the library system board on the terms and conditions prescribed by that board.

AR 141/98 s24;172/2007;90/2024

Contents of agreement

25(1) An agreement shall at a minimum contain the following terms:

- (a) a formal indication of the parties’ desire to enter into an agreement;

- (b) a starting date for the agreement;
- (c) provision for parties to become members of the library system after the starting date;
- (d) terms setting out the powers and duties of the library system board;
- (e) provision for the establishment of an executive committee of not more than 10 persons when the number of members of the library system board is more than 20, and a statement of the powers and duties of that committee;
- (f) terms specifying how to calculate the estimate of the money required under section 18 of the Act, the date on which payment of the money becomes due and how the money is to be paid;
- (g) an explanation of the financial relationship between the library system board and the parties to the agreement;
- (h) an explanation of the financial relationship between the library system board and the municipal library boards and intermunicipal library boards;
- (i) terms setting out the services that the library system board will provide, including a commitment to make all library resources acquired by the board available to all residents served by the library system;
- (j) an explanation of the relationship between the library system board, the municipal library boards, the intermunicipal library boards and the board of the resource centre respecting the provision of library services, subject to section 19 of the Act;
- (k) provision for expansion of the library system to all jurisdictions within the prescribed boundaries;
- (l) repealed AR 90/2024 s23;
- (m) terms governing the method for amendment, extension and renewal of the agreement;
- (n) terms governing the notification municipal library boards and intermunicipal library boards are to receive of any amendment, extension or renewal of the agreement.

(2) An agreement shall be signed by the persons authorized by the councils to enter into the agreement and by the chairs of municipal library boards and intermunicipal library boards where they exist.

(3) to (5) Repealed AR 180/2013 s2.

AR 141/98 s25;251/2001;193/2003;172/2007;180/2013;
90/2024

Notice of withdrawal

26 If a party to an agreement gives notice of withdrawal under section 22 of the Act, the library system board

- (a) shall, not later than 90 days prior to the effective date of withdrawal, provide to that party's council and municipal library board or intermunicipal library board, if any, a written appraisal of the expected effects of that withdrawal on the provision of library services to the residents of that jurisdiction or school authority, and
- (b) may request a review by that party's council and municipal library board or intermunicipal library board, if any, of the notice of withdrawal.

AR 141/98 s26;251/2001;172/2007;90/2024

Request to Minister

27(1) A jurisdiction or school authority that wants to become a member of an existing library system shall forward to the Minister a request to that effect.

(2) Section 23 applies to an application under this section.

(3) The Minister shall not approve an application to join an existing library system unless a minimum of 75% of the parties to the agreement are jurisdictions.

28 Repealed AR 90/2024 s25.

Personal property of municipal and intermunicipal library boards

29 All personal property of a municipal library board or intermunicipal library board on the date on which a council signs an agreement affecting the board remains the property of the municipal library board or intermunicipal library board.

AR 141/98 s29;172/2007;90/2024

Real property of library system board

30 A library system board may not hold or own real property unless it is required for the purposes of administering the library system or for distribution of library resources.

Advisory committee

31(1) A member of a library system board who is appointed by the council of a jurisdiction that does not have a municipal library board or intermunicipal library board may receive any concerns respecting library service to that jurisdiction's residents from an advisory committee appointed by the council to transmit those concerns.

(2) If a council does not appoint an advisory committee, the library system board may appoint an advisory committee to act under subsection (1).

AR 141/98 s31;172/2007;90/2024

Library system board members

32(1) Repealed AR 90/2024 s28.

(2) An appointment under section 16(a) of the Act shall not exceed a term of 3 years.

(3) A council of a municipality, Metis settlement or school authority shall not appoint a member under section 16(a) of the Act to serve for more than 9 consecutive years without the approval of 2/3 of all the members of that council.

(4) Repealed AR 90/2024 s28.

(5) Subject to subsection (6), a council may, with respect to appointments under section 16(a) of the Act, appoint an alternate member to the library system board if its library system board member

- (a) is unable to attend a meeting of the library system board, and
- (b) has given notice to the library system board that an alternate member will attend.

(6) The alternate member shall not act in place of the library system board member at more than 2 consecutive meetings except by resolution of the library system board.

AR 141/98 s32;251/2001;90/2024

Appointment of additional members

33(1) Repealed AR 90/2024 s29.

(2) The board of a resource centre may, pursuant to section 16(d) of the Act, appoint one additional member to the library system board for a term not exceeding 3 years.

AR 141/98 s33;251/2001;90/2024

Library system boundaries

34(1) For the purposes of section 14(1)(b) of the Act, the boundaries of each library system are as set out in the Schedule to this Regulation.

(2) Notwithstanding the Schedule, the municipality of Swan Hills may join either the Peace or Yellowhead library systems.

AR 141/98 s34;282/99;251/2001;90/2024

Public Library Network

35 Every jurisdiction and school authority that is a member of a library system shall, for the purpose of managing its library services or public libraries, meet the requirements of the Public Library Network.

AR 141/98 s35;90/2024

Part 6 repealed AR 90/2024 s32

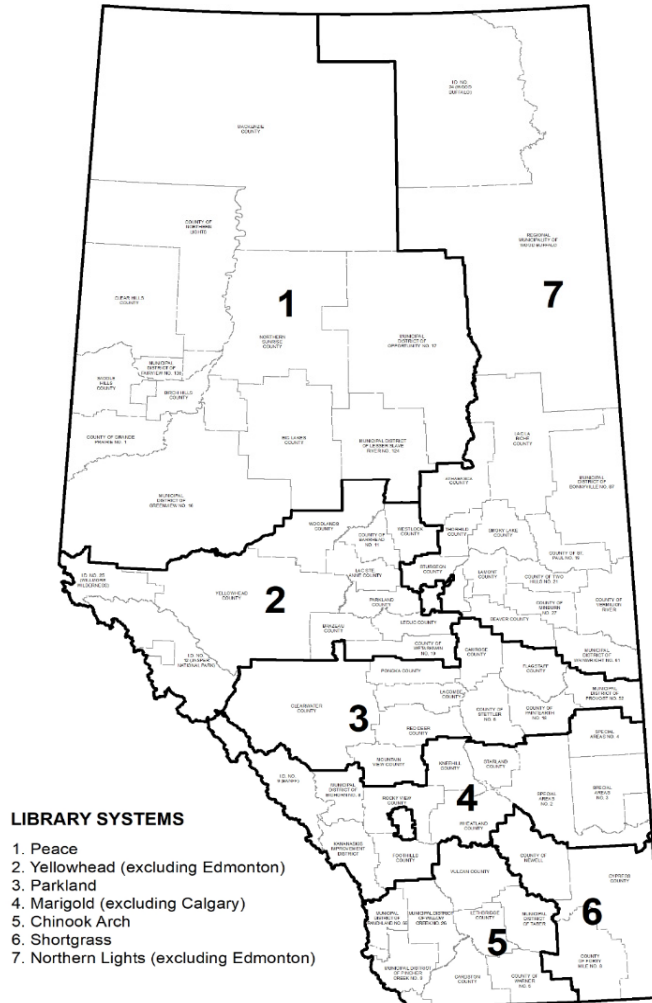
**Part 7
Repeal****Repeal**

47 The *Libraries Regulation* (AR 342/84) is repealed.

48 Repealed AR 134/2018 s3.

Schedule

BOUNDARIES OF LIBRARY SYSTEMS IN ALBERTA



AR 141/98 Sched;90/2024



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