

THE LIBRARY LAW

CHAPTER I. GENERAL PROVISIONS

(Unofficial translation of Law No. 1424)
(Promulgated on 28th Oct., 1963)

Article 1. (Objective)

This law, enacted to provide for the provisions pertaining to the establishment and administration of library, shall have an object of contributing to the sound growth of library, and the educational and cultural development of the citizens therefrom.

Article 2. (Definition)

In this law, "library" shall mean an institution that provides acquired, processed and preserved books, records, audio-visual materials, national and local administrative materials, regional and other necessary materials (hereinafter called library materials) for the survey, research, scientific study, culture, recreative reading, social education of the public or of a special individual.

Article 3. (Classification of Library)

Paragraph 1. Library shall be roughly classified by ownership into national library, public library and private library, and by contents into public library, school library and special library.

Paragraph 2. "Public library" in Paragraph 1 shall mean an institution that provides acquired, processed and preserved library materials for the research, scientific study, culture and recreative reading of the public.

Paragraph 3. "School library" in Paragraph 1 shall mean a school institution which provides acquired, processed and preserved library materials for the students' and teachers' survey, research, scientific study and recreative reading.

Paragraph 4. "Special library" in Paragraph 1 shall mean an institution of national or local government, of juristic person or other organization, that provides acquired, processed and preserved library materials for the benefits of their members' survey, research, recreative reading, culture, etc.

Article 4. (Non-applicability of this law to the special libraries)

This law shall not be applied to the special libraries and their owners, except for special cases provided for in the provisions thereof.

Article 5. (Library facilities)

Paragraph 1. Library shall have to be equipped with building, library materials,

reading facilities and other facilities necessary for the fulfilment of the objectives of library service.

Paragraph 2. Public library shall have to be established on the site of convenient and good surroundings, and have to be maintained with adequate sanitary, hygienic facilities.

Paragraph 3. Standard for the facilities of a public library shall be prescribed by a cabinet decree.

Article 6. (Staffing of library personnel)

Paragraph 1. Public library and school library shall, in accordance with what is provided for in a cabinet decree, have to be staffed with librarians or teacher librarians in charge of library materials and library administration.

Paragraph 2. The provisions providing for the qualification and training of a librarian shall be prescribed in a cabinet decree.

Article 7. (Encouragement by the national or local government for the establishment of library)

National or local government shall, within the budgetary limit, have to concentrate efforts on establishing and fostering of public library for the cultural, social and educational advancement of the public.

Article 8. (Library fee)

Public library may require fees from the persons using the library.

Article 9. (Supervisory office)

Paragraph 1. Public library shall be under the direction and supervision primarily of pertinent mayors (including mayor of Seoul Special City and of City of Pusan) and Kun governors, secondarily of pertinent provincial governors and thirdly of the minister of education.

Paragraph 2. School library shall be under the direction and supervision of the pertinent supervisory office pursuant to the educational law and private school law.

Article 10. (Order of suspension of library)

Public library may be given an order of suspension in case the library falls under the category of any of the following items.

1. when having conducted activities evidently harmful for fine costumes and virtues.
2. when having violated the standard for facilities and equipments provided for in Paragraph 3 of Article 5.
3. when having conducted in violation of this law or the suspension order pursuant thereto, and when no other measures taken other than the suspension of library has been regarded as effective supervision thereof.

Article 11. (Report of abolition of library)

when having abolished a public library, the owner shall, with a detailed description of the reason of abolition thereof and of the measures taken to the books, have to submit a report to the pertinent supervisory office.

Article 12 (Presentation and deposit of library materials)

Paragraph 1. when having published official gazettes, books or any other official publications, the national institution shall have to present 3 of respective presentation copies to the National Central Library.

Paragraph 2. When having published official bulletins, books or any other official publications, the local government shall have to present 3 of respective presentation copies to the National Central Library and the public libraries instituted thereby, respectively.

Paragraph 3. when having published books or any other publications, the publisher or the persons other than those who are prescribed in foregoing Paragraph 1 and 2 shall have to deposit 2 of deposit copies to the National Central Library within 30 days from the publication date.

Paragraph 4. In case the depositor, in accordance with what is provided for the foregoing Paragraph, demands for a compensation for the copies, The National Central Library shall have to compensate the costs price thereof.

Article 13. (Library Association)

Paragraph 1. The owners of libraries may organize The Library Association for the purpose of and aiming at the interchange of library materials between libraries, research on library administration and maintenance, international cooperation between libraries, and social, economical advancement of all persons engaged in library work.

Paragraph 2. National or local government may, within the budgetary limit, grant subsidies to The Library Association.

CHAPTER II. PUBLIC LIBRARY**SECTION 1. GENERAL PROVISIONS****Article 14. (Founder)**

The establishment of a public library shall be allowed only to the national or local government and the juristic persons prescribed by a civil code.

Article 15. (Functions of public library)

Public library shall contribute to the public through the activities as each of the following items,

1. To acquire, process and preserve library materials for the public's use and to give counseling thereto.
2. To sponsor or support reading clubs, research meetings, appreciation clubs and exhibitions.
3. To interchange library materials in cooperation with fellow public libraries, school libraries and special libraries.
4. To research and study on library service.
5. To devote efforts on library works necessary for the fulfilment of the objectives of library service.

SECTION 2. NATIONAL CENTRAL LIBRARY

Article 16. (Establishment)

Paragraph 1. Subject to the control of the Minister of Education, The National Central Library shall be established.

Paragraph 2. The branch libraries may be, whenever necessary, established to allot The National Central Library services.

Article 17. (Functions of The National Central Library)

Paragraph 1. The National Central Library shall undertake the following items in addition to what is prescribed in Article 15.

1. Acquisition and preservation of printed matters pertaining to the states.
2. Drawing up of domestic and alien bibliography and its introduction to the public.
3. International interchange of library materials.
4. Research and study on librarianship.
5. Instruction of library service and support of other libraries.

SECTION 3. PUBLICLY-OWNED PUBLIC LIBRARY

Article 18. (Establishment of publicly-owned public library)

Paragraph 1. Subject to this law and in accordance with the provisions of the pertinent local government, the government may establish public libraries.

paragraph 2. The public library, as provided for the foregoing paragraph 1, shall have to be attached with childrens room, and may, according to the local conditions, establish branch libraries or traveling libraries.

Article 19. (Subsidies)

The National Treasury may, within the budgetary limit, grant subsidies to the local government that has established and maintained public library in aid of a part of the expenditures of library facilities and equipments.

SECTION 4. PRIVATELY-OWNED PUBLIC LIBRARY

Article 20. (Establishment of privately-owned public library)

A person who desires to establish a privately-owned public library shall have to prepare for the equipments and facilities pursuant to the provisions of Paragraph 3 of Article 5, and have to apply for registration to the supervisory office.

Article 21. (Subsidies to the privately-owned public library)

Paragraph 1. In case the privately-owned public library, registered in accordance with what is provided for in the foregoing Article, is staffed with librarians pursuant to a cabinet decree, The National Treasury and local government may, within the budgetary limit, grant subsidies to the owners in aid of a part of the expenditures.

Paragraph 2. In case the national or local government has granted subsidies as provided for in the foregoing Paragraph, the government may give special instructions and direction to the owner of the privately-owned public library.

Article 22. (Instruction, Advice and Readjustment Order)

Paragraph 1, The national and local governments may give professional instructions and advices regarding library administration to the privately-owned public library.

Paragraph 2. The national and local governments may, in case the owner of the privately-owned public library has violated the provisions of the law prescribing library maintenance and facilities, give an appropriate order of readjustment thereto.

Article 23. (Report)

The supervisory office may receive reports from a privately owned public library on the matter to be reported.

Article 24. (Institution of the kind of library)

Any person may establish an institution of the kind of library. However, the institution shall not be allowed to apply a name of library thereto unless pursuant to this law.

CHAPTER III. SCHOOL LIBRARY AND SPECIAL LIBRARY

Article 25. (Establishment)

Paragraph 1. Reading rooms or libraries shall have to be established at primary, middle and high schools, and libraries in vocational junior college, junior college, college (University), college of education and teachers' college, respectively.

Paragraph 2. Standard for the facilities of school libraries shall be prescribed in a cabinet decree.

Article 26. (personnel)

Vocational junior college, junior college, college (University), college of education,

and teachers' college libraries shall have to be staffed with librarians who will be in charge of library service, and primary, middle and high schools with teacher librarians or school teachers who will be in charge of librarian.

Article 27. (Opening to the public)

School libraries may be opened to the public provided that no impediment shall be there by incurred.

CHAPTER IV. PENAL CODE

Article 28. (Fine)

A person who has established a privately-owned public library without having registered to in violation of what is provided for in Article 20, or a person who has violated the suspension order pursuant to the provisions of Article 10, shall be sentenced to the penalty of a fine in a amount not exceeding 10,000 won.

Article 29. (Fine for default)

A person who has committed any offence against what is provided for in the provisions of Paragraph 3 of Article 12 shall be imposed a fine for default in an amount not exceeding quintuple regular price of the pertinent publications.

SUPPLEMENTARY PROVISIONS

Paragraph 1. (Date of promulgation)

This law shall be in effect from 30 days after the date of its promulgation.

Paragraph 2. (Temporary measure)

The existing libraries as of the date of the enforcement of this law shall be considered to have been established in accordance with the law.

However, the privately-owned public libraries shall, within 2 months from the date of the enforcement of this law, have to apply for the registration to the pertinent supervisory office.