

Bill No. 16 of 2026

NATIONAL LIBRARY SERVICE BILL, 2026
(Published on 5th June, 2026)

MEMORANDUM

1. A draft of the above Bill, which is intended to be presented to the National Assembly, is set out below.

2. The object of the Bill is to re-enact with amendments, the National Library Service Act (hereinafter referred to as “the Act”) and to transform the Botswana National Library Service’s information infrastructure to align it with modern technology. The current information and communication technologies era dictates that information creation, acquisition, processing and access should be done through modern information systems.

3. Clause 2 of the Bill introduces new definitions for the words “educational library”, “electronic resource depository”, “information material”, “legal deposit”, “library”, “Presidential Library”, “public services” and “special library”.

4. Clause 3 of the Bill introduces in section 3 of the Act new subsections ((2) and (3)). Subsection (2) sets out the functions of the National Library Service, whilst subsection (3) provides for the Minister to declare by Order in the *Gazette* a place to be a national library, Presidential library, public library, special library or an educational library.

5. Clause 4 of the Bill provides for the Presidential Library to serve as a repository for records of the Presidency and to ensure that important historical materials remain accessible for future generations.

6. Clause 5 of the Bill retains section 4 of the Act, whilst Clause 6 of the Bill continues the Board under section 5 of the Act.

7. Clause 8 of the Bill provides for instances where the Minister may remove a Board member from the Board.

8. Clause 9 of the Bill empowers the Minister to give directions to the Board.

9. Clauses 7 and 10 of the Bill retain sections 6 and 7 of the Act, respectively.

10. Clauses 11 and 12 of the Bill deals with issues of disclosure of interest by Board members and issues of confidentiality, respectively.

11. Clause 13 of the Bill retains section 8 of the Act, except that the Minister is replaced by the Director of the National Library Service.

12. Clause 14 of the Bill retains section 10 of the Act and the words “a document, information material or electronic resource depository” have been inserted in subsections (1), (2) and (3). The clause provides for publications which are made by a citizen or non-citizen in or outside Botswana.

13. Clause 15 of the Bill deletes section 11 (1) (a) which provided for the payment out of the National Library Service Fund, of fees and allowances to members of the Board.

14. Clause 16 of the Bill repeals the National Library Service Act (Cap. 58:02).

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15. Clause 17 of the Bill saves any subsidiary legislation made under the repealed Act and provides for other transitional and savings provisions.

MAJOR GENERAL (*Rtd*) PIUS MOKGWARE,
Minister for Labour and Home Affairs.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Interpretation
3. Continuation of National Library Service
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5. Administration
6. Continuation of Board
7. Functions of Board
8. Termination of appointment
9. Directions by Minister
10. Meetings of Board
11. Disclosure of interest
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13. General duties of Director
14. Legal deposit and preservation of copies of documents, information material or electronic resource depository
15. Regulations
16. Repeal of Cap. 58:02
17. Savings and transitional provisions

A BILL

– entitled –

An Act to re-enact with amendments the National Library Service Act; to continue the establishment of the National Library Service and for matters incidental thereto.

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the National Library Service Act, 2026, and shall come into operation on such date as the Minister may, by Order published in the *Gazette*, appoint. Short title and commencement

2. In this Act, unless the context otherwise provides — Interpretation
 “Board” means the Board continued under section 6;

“document” includes any part or division of a book, pamphlet, newspaper, periodical, magazine, review, the *Gazette*, sheet of letterpress, sheet of music, map, plan, chart or table separately printed or in electronic format, but does not include any second or subsequent edition of a document where the first or earlier edition has been delivered in accordance with section 14, unless such edition contains additions or alterations either to the letterpress or in the maps, prints or other illustrative materials belonging to such document, or any document which shall not be made available to the public at large or printed forms, industrial advertisements, advertisers handbills, price lists or stationery;

“Director” means Director of the National Library Service under section 5;

“educational library” means a library which serves to facilitate access to information on varied subjects and to disseminate the information to its learning community, including students and teachers, so as to support and promote an environment conducive for learning;

“electronic resource depository” means an archival storage of digital documentation which is accessible online;

“information material” means any information in textual, graphic, visual, auditory or other intelligible format stored through any medium, or any version or edition of a document which is significantly different from that document in respect of its information content or physical presentation and is considered to be a separate document;

“legal deposit” means any information material, including a document, compact disc (CD), digital versatile disc (DVD), universal serial bus (USB), report or newspaper, that a citizen author or publisher, or a non-citizen author or publisher is required to submit to a library at a stipulated period after publishing;

“library” includes any library at which a library service has been established under section 3;

“National Library Service” means the National Library Service established under section 3;

“Presidential Library” means a library referred to under section 4;

“public library” means a library that acquires, manages and provides information services on varied subjects and facilitates access to the collection by the general public;

“publisher” includes any person who publishes in different formats;

“reading room” means a building or a structure where a library service is offered, usually on a lower scale compared to a public library;

“repealed Act” means the National Library Service Act repealed under section 16; and

“special library” means a library which serves to collect information on a particular subject and disseminate the information to its specialised clientele, to facilitate research and learning.

3. (1) The National Library Service, established under section 3 of the repealed Act, shall continue to exist as if it is established under this Act.

Continuation of
National Library
Service

- (2) The functions of the National Library Service shall be to —
- (a) build through a legal deposit, a collection of information material in any language emanating from Botswana or relating to Botswana;
 - (b) establish an electronic resource depository for the administration of digital copies;
 - (c) co-ordinate and supplement the acquisition, exchange, disposal or retention of any information material to build a national literary heritage;
 - (d) render bibliographic services and serve as the national bibliographic agency;
 - (e) facilitate access to library materials and any other information materials in or outside Botswana, through inter-library lending, catalogues, databases, networking between libraries and user services;
 - (f) act as a repository for national and international exchange of information materials;
 - (g) provide a support service for any strategy aimed at literary content production including conducting research in order to ensure the rendering of library and information service to the public;
 - (h) act as a central agency for the implementation of national and international standards relating to library and information work;
 - (i) serve as the national authority for the preservation and conservation of literary works emanating from Botswana or relating to Botswana;
 - (j) promote awareness and appreciation of the existence of Botswana’s national literary heritage;
 - (k) act as a centre for the collection and preservation of literary manuscripts, Government publications and policy statements;
 - (l) provide support, capacity building, professional guidance and advisory service to institutions;
 - (m) ensure that library and any information material is optimally developed and utilised;
 - (n) coordinate a library service in accordance with Persons with Disability Act;
 - (o) use information communication technologies to facilitate provision of digital library services to members of the public, and educational and research institutions;

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- (p) provide access to knowledge centres and to public services offered by government institutions,
 - (q) serve as a centralised access point for the public to find information about local resources, government services, educational and employment opportunities, health and community events; and
 - (r) perform any other function which is in accordance with the objectives of this Act.
- (3) The Minister shall, by Order published in the *Gazette*, declare a place to be a national library, Presidential Library, public library, reading room, special library or educational library.
4. (1) The Presidential Library shall serve as a centre of repository of information sources and resources of historical and cultural significance associated with the Presidency.
- (2) Without derogating from the generality of subsection (1), the Presidential Library shall —
- (a) store and protect Presidential records to provide context for presidential decisions and promote government transparency and to ensure that important historical materials remain accessible;
 - (b) serve as a centre where the public can study Presidential records to gain insight into past administrations and on key policy decisions that influenced a term of office of a President or former President;
 - (c) offer educational programs such as exhibitions, lectures and interactive programs to educate the public about the Presidency;
 - (d) serve as a heritage centre to feature displays showcasing a President or former President's personal items, gifts and any key moments from a President or former President's term in office; and
 - (e) provide any other service which is in accordance with the objectives of this Act.
- (3) For purposes of this section, "Presidential records" include —
- (a) a presidential or an executive order;
 - (b) documents, speeches and such correspondences from a President or a former President's term in office;
 - (c) visual records of official or personal events and meetings;
 - (d) personal papers, including letters, diaries and notes which provide insight into a President or a former President's personal thoughts and experiences;
 - (e) historical exhibits showcasing key moments of a President or former President's policy making decisions and major events; or
 - (f) artefacts or memorabilia such as gifts from foreign dignitaries, campaign materials and personal items belonging to a President or a former President's term in office.
- (4) Subject to the provisions of this section, a Presidential Library shall make Presidential records available to the public in such manner and subject to such conditions as may be prescribed.

Administration	5. (1) There shall be a Director of the National Library Service, who shall be responsible for the administration of the National Library Service. (2) The Director shall perform or cause to be performed the functions of the National Library Service under section 3 (2). (3) The Director shall — (a) perform his or her functions under this Act, other than under section 6, in consultation with the Board; and (b) perform his or her functions with the support of staff, who shall be public officers.
Continuation of Board	6. (1) The National Library Service Board established under section 5 of the repealed Act shall continue to exist as if established under this Act. (2) The Board shall consist of a Chairperson and not more than six other members appointed by the Minister. (3) The Board may, with the approval of the Minister co-opt as members, not more than three persons with such expert knowledge or experience as may be required by the Board in the discharge of its functions. (4) The Board shall elect a Vice Chairperson from among their number. (5) The period of office of a member of the Board shall be — (a) in the case of the Chairperson or any member nominated under subsection (2), two years from the date of his or her appointment and the membership may be extended for a period not exceeding two years; and (b) in the case of a member co-opted under subsection (3), the period, not being a period in excess of one year, for which he or she has been co-opted. (6) The Chairperson or any member of the Board may resign from the Board by giving one month's written notice to the Minister. (7) Any member of the Board who has not in any year, attended at least three meetings of the Board during the preceding year or during his or her tenure of office in such year, shall be considered to have vacated his or her seat in the Board, unless he or she has been absent owing to ill-health or with leave of the Minister. (8) The Director shall be the secretary of the Board. (9) The Director may designate any other person to be the secretary to the Board. (10) A member of the Board shall be paid in connection with his or her service on the Board, such remuneration and allowances as the Minister may determine.
Functions of Board	7. (1) The functions of the Board shall be — (a) to advise the Minister in the exercise of his or her functions under this Act; and (b) to undertake such administrative functions in connection with the National Library Service as the Minister may require the Board to undertake.

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	(2) The Board may, for the purpose of furthering the provision of an efficient library service throughout Botswana, with the approval of the Minister, enter into a mutual arrangement with an authority or organisation concerned with the provision of library or bibliographical services within or outside Botswana.
Termination of appointment	8. The Minister may terminate the appointment of a member of the Board where — (a) the member's conduct is in a manner that is detrimental to the efficient and proper performance of the functions of the Board; (b) the member has been found to be physically or mentally incapable of performing his or her duties efficiently, and a medical doctor registered under the Botswana Health Professions Act has issued a certificate to that effect; (c) the member has failed to comply with the provisions of section 11 or 12; or (d) the member is absent from three consecutive meetings of the Board without prior permission from the Chairperson or if in any given year, attends less than half of the meetings of the Board.
Cap. 61:02	
Directions by Minister	9. The Minister may give the Board directions of a general or specific nature regarding the exercise of its powers and the performance of its functions, which directions shall not be inconsistent with the Act, and the Board shall give effect to any such directions.
Meetings of Board	10. (1) The Board shall meet at least four times a year and at such other times as may be necessary or expedient for transacting its business. (2) Upon giving notice in writing of not less than 14 days, a meeting of the Board may be called by the Chairperson, provided that if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called upon giving a shorter notice. (3) There shall preside at any meeting of the Board — (a) the Chairperson; (b) in the absence of the Chairperson, the Vice Chairperson; or (c) in the absence of the Chairperson and Vice Chairperson, such member as the members present may elect from amongst themselves for the purpose of that meeting. (4) The quorum of the Board at any meeting shall be a simple majority of the members of the Board. (5) The decision of the Board shall be by the majority of votes and in any case in which the voting is equal, the Chairperson shall have a casting vote. (6) The secretary of the Board shall cause proper minutes of the meetings of the Board to be taken and recorded. (7) Minutes of each meeting of the Board shall be kept and confirmed by a subsequent meeting of the Board. (8) The Board shall at the end of each financial year, submit to the Minister an annual report on its activities.

11. (1) A member or co-opted member shall, immediately upon commencement of a meeting, at which any matter which is the subject of consideration and in which matter the member or co-opted member is directly or indirectly interested in a private capacity, disclose such interest and shall not take part in any consideration or discussion of or vote on any question concerning the matter.

Disclosure
of interest

(2) A disclosure of interest made under subsection (1) shall be recorded in the minutes of the meeting at which it is made.

(3) Where a member or co-opted member fails to disclose his or her interest in accordance with subsection (1) and the Board makes a decision which benefits that member or co-opted member, the decision shall be void.

(4) A person who contravenes the provisions of this section commits an offence and is liable to a fine not exceeding P2 000 or to a term of imprisonment not exceeding six months, or to both.

12. (1) A member or co-opted member shall observe and preserve the confidentiality of all matters coming before the Board, and such confidentiality shall subsist even after the termination of the member's or co-opted member's term of office or mandate.

Confidentiality

(2) Any person to whom confidential information is revealed through working with the Board shall not disclose that information to any other person unless he or she is required to do so in terms of any written law or for purposes of any judicial proceedings.

(3) A member or co-opted member shall not use any confidential information obtained in the performance of the member's or co-opted member's functions as a member, to obtain directly or indirectly, a financial or other benefit for that member or co-opted member, or any other person.

(4) A person who contravenes the provisions of this section commits an offence and is liable to a fine not exceeding P2 000 or to a term of imprisonment not exceeding six months, or to both.

13. (1) The Director shall, acting in consultation with the Board provide a comprehensive and efficient library service for any person desiring to make use of such service, and for that purpose, provide and maintain the service, buildings and equipment, and do such other things as may be required by the Minister.

General duties
of Director

(2) Subject to subsection (1), the Director shall —

- (a) ensure, by keeping of adequate stocks, arrangement with libraries other than those administered by the National Library Service, and by other appropriate means, that facilities are available for the use or borrowing of documents or information materials, printed matter, pictures, and other materials, which shall be sufficient in number, range and quality, to meet the general requirements of the public, including children, youth and adults;
- (b) conduct outreach and awareness services to encourage children, youth and adults to make use of the library facilities, and provide advice as to the library facilities' use;

Legal deposit
and preservation
of copies of
documents,
information
material or
electronic
resource
depository

- (c) make available such bibliographical and other information as may be required by any person using them; and
- (d) secure full co-operation between the Board and any person engaged in the supply of library facilities in Botswana.

14. (1) A citizen author or publisher who publishes a document, information material or electronic resource depository in or outside Botswana, or a non-citizen author or publisher who publishes a document, information material or electronic resource depository emanating from Botswana or relating to Botswana shall, within one month after the day on which such document, information material or electronic resource depository is first published, deliver at his or her own expense a copy of the electronic resource depository and two copies of the document or information material for a legal deposit to the Director or to such person and place as the Board may direct.

(2) Every copy delivered under the provisions of this section shall be a copy of the whole document, information material or electronic resource depository, with any maps and illustrations belonging to such document, information material or electronic resource depository, finished and coloured in the same manner as the best standard copies of the same produced, and shall in the case of a document, be bound, sewed or stitched together, and shall be printed on the best standard paper on which the document is printed.

(3) The Minister may by Order published in the *Gazette* exempt from the provisions of this section, any document, information material or electronic resource depository, or any class or description of a document, information material or electronic resource depository specified in the Order either absolutely, or subject to such conditions as may be specified in the Order.

(4) A person who contravenes the provisions of subsection (1) or (2) shall be given a notice in writing by the Director or designated officer, instructing such person to deliver the legal deposit within a period of one month from the expiration of the initial period.

(5) Where the one month period referred to under subsection (4) expires, and an author or publisher has not delivered the legal deposit as required, the Director or designated officer may acquire the legal deposit, and thereafter recover the cost of acquiring such legal deposit from the author or publisher.

(6) Notwithstanding subsection (5), a person who fails to comply with the provisions of this section shall be liable to an administrative fine not exceeding P2 000.

Regulations

15. (1) The Minister may make regulations —

- (a) for the control and management of any library administered by the National Library Service and the use of its facilities, including the payment of charges and fees in respect thereof;
- (b) for the imposition and levying of fines where an article borrowed from any library administered by the National Library Service has not been returned within such time as may be prescribed, or has been lost or damaged;

- (c) for the payment of a deposit as security for the return, in good condition, of an article borrowed from any library administered by the National Library Service and the circumstances in which such a deposit may be forfeited;
 - (d) for the establishment, functions and duties of library committees; and
 - (e) generally for the better carrying out of the provisions of this Act.
- (2) Any fee, charge or fine made or imposed under the provisions of regulations made under subsection (1) may be recovered by —
- (a) set-off against any moneys held as a deposit or security for an article borrowed from a library; or
 - (b) proceedings brought in any court of competent jurisdiction.
- 16.** The National Library Service Act is hereby repealed.

Repeal of
Cap. 58:02

- 17.** Notwithstanding the repeal under section 16, —
- (a) any subsidiary legislation made under or in accordance with the provisions of the repealed Act and in force immediately prior to the coming into operation of this Act shall, in so far as it is not inconsistent with the provisions of this Act, continue to have force and effect as though it was done under this Act;
 - (b) any legal proceedings which, before coming into operation of this Act, were pending shall be continued or enforced in the same manner as they would have been continued or enforced before the coming into operation of this Act;
 - (c) a member of the National Library Service Board appointed under the repealed Act shall continue to be a member of the Board for such period as is specified in the instrument of appointment; and
 - (d) any member of staff of the National Library Service shall continue to be a member of staff, and shall continue to be in office for the period for which, and be subject to the conditions under which, they were appointed as members of staff of the National Library Service, for the remainder of the appointed period.

Savings and
transitional
provisions