

Rwanda

Law establishing Rwanda Archives and Library Services Authority(RALSA) and Determining its Mission, Organisation and Functioning

Law 12 of 2014

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Rwanda

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Law 12 of 2014

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Assented to on 9 May 2014

Commenced on 30 June 2014

[This is the version of this document from 30 June 2014.]

We, KAGAME Paul,

The President of the Republic;

THE PARLIAMENT HAS ADOPTED AND WE SANCTION, PROMULGATE THE FOLLOWING LAW AND ORDER IT BE PUBLISHED IN THE OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA

THE PARLIAMENT:

The Chamber of Deputies, in its session of 20 March 2013;

The Senate, in its session of 14 February 2014;

Pursuant to the Constitution of the Republic of Rwanda of 04 June 2003 as amended to date, especially in Articles 51, 62, 66, 67, 88, 89, 90, 91, 92, 93, 95, 108, 113, 118, 183 and 201;

Pursuant to Organic Law n° 06/2009/ OL of 21/12/2009 establishing general provisions governing public institutions as modified and complemented to date;

ADOPTS:

Chapter One General provisions

Article One – Purpose of this Law

This Law establishes Rwanda Archives and Library Services Authority, abbreviated as “RALSA”. It also determines its mission, organisation and functioning.

RALSA shall have legal personality, administrative and financial autonomy and shall be governed in accordance with laws governing public institutions.

Article 2 – Definition of terms

For the purpose of this Law, the following terms shall have the following meanings:

- 1° Library: any public or private place with a collection of documents or other information medium that are kept physically or electronically for reading purpose;
- 2° Rwanda Archives and Library Services Authority: a national institution merging the national archives and library services;

- 3° National Library: a department established by Government to serve as legal depository of all publications produced about or within the country;
- 4° National Archives: a department established for collecting, keeping and preserving documentary resources that are nationally significant and have historical value;
- 5° Library services: services related to the borrowing and return of documents, subscription to have access to reading and those related to reading that are provided within the National Library and libraries.

Article 3 – Head office of RALSA

The head office of RALSA is located Kigali, the Capital of the Republic of Rwanda. It may be transferred elsewhere in the Republic of Rwanda if considered necessary.

In order to fulfil its mission, RALSA may have branches elsewhere in the country if considered necessary, upon approval by a Prime Minister's Order.

Chapter II Mission of RALSA

Article 4 – Mission of RALSA

RALSA shall have the following mission:

- 1° to implement Government policy on archives and library services;
- 2° to advise the Government on policies and strategies related to the management of archives and library services;
- 3° to plan the program designed to develop and promote the functioning of the Archives and Library Services Authority;
- 4° to mobilize and raise funds for Rwanda Archives and Library Services Authority;
- 5° to conduct research in the area of archives and library services and disseminate findings thereof to the Government and the public;
- 6° subject to classified documents, to acquire, process and preserve public and private records and make them accessible to the public;
- 7° to issue instructions relating to the management of records to be retained and disposed of and monitor their implementation;
- 8° to contribute to the promotion of the reading and writing culture;
- 9° to develop and avail national standards for all types of libraries including at least standards relating to infrastructure, libraries and technical services;
- 10° to assign, upon request, a number to documents for publication;
- 11° to monitor and receive copies of works in case such works relate to the country;
- 12° to engage in partnerships with agencies and organizations in charge of archives and library services that are based inside and outside Rwanda and with other agencies and organizations that can help RALSA fulfil its mission.

An Order of the Minister in charge of archives and library services shall determine procedures for preservation of documents in archives and libraries and it shall also determine the list of copies of works to be submitted to RALSA.

Chapter III

Supervising authority of RALSA and its category

Article 5 – Supervising authority of RALSA and its category

A Prime Minister's Order shall determine the supervising authority of RALSA and its category.

There shall be concluded between the supervising authority of RALSA and its decision-making organ a performance contract indicating powers, rights and obligations of each party in order for RALSA to fulfil its mission.

Such a contract shall be valid for a period equal to the term of office of the members of the Board of Directors.

Chapter IV

Organization and functioning of RALSA

Article 6 – Management organs of RALSA

RALSA shall be comprised of the two (2) following management organs:

- 1° the Board of Directors;
- 2° the General Directorate.

A Prime Minister's Order may establish other relevant organs in order for RALSA to fulfil its mission.

Section One – Board of Directors

Article 7 – Board of Directors

The Board of Directors of RALSA shall be its governing and decision-making organ. The competence, responsibilities, functioning and term of office of its members shall be determined by a Prime Minister's Order.

A Presidential Order shall appoint members of the Board of Directors including the Chairperson and the Deputy Chairperson. Members of the Board of Directors shall be selected on the basis of their competence and expertise.

At least thirty per cent (30%) of the members of the Board of Directors shall be female.

Article 8 – Sitting allowances for members of the Board of Directors

Members of the Board of Directors present in the meetings of the Board of Directors shall be entitled to sitting allowances determined by a Presidential Order.

Article 9 – Incompatibilities with membership of the Board of Directors

Members of the Board of Directors shall not be allowed to perform any remunerated activity within RALSA.

They shall also not be allowed neither individually nor companies in which they hold shares, to bid for tenders of RALSA.

Section 2 – General Directorate

Article 10 – Composition of the General Directorate of RALSA

Members of the General Directorate of RALSA shall be appointed by a Presidential Order.

The competence, responsibilities and modalities for fulfilling the duties of the members of the General Directorate of RALSA shall be determined by a Prime Minister's Order.

Article 11 – Statutes governing staff of RALSA and benefits of members of the General Directorate and staff members of RALSA

The staff of RALSA shall be governed by the General Statutes for Public Service.

Benefits allocated to the members of the General Directorate and staff members of RALSA shall be determined in accordance with legal provisions governing benefits to employees of public institutions.

Article 12 – Organization, functioning and responsibilities of RALSA organs

The organization, functioning and responsibilities of RALSA organs shall be determined by a Prime Minister's Order.

Chapter V Property and finance

Article 13 – Property of RALSA and its sources

The Property of RALSA shall be comprised of movables and immovables.

The property of RALSA shall come from the following sources:

- 1° State budget allocations;
- 2° State or partners' grants;
- 3° income from services rendered;
- 4° proceeds from its property;
- 5° donations and bequests;
- 6° loans granted to RALSA and approved by the Minister in charge of finance.

Article 14 – Use, management and audit of the property

The use, management and audit of the property of RALSA shall be carried out in accordance with relevant legal provisions.

RALSA internal audit service shall submit a report to the Board of Directors with a copy to the head of the General Directorate of RALSA.

Article 15 – Approval and management of the budget of RALSA

The budget of RALSA shall be approved and managed in accordance with relevant legal provisions.

Article 16 – Annual financial report

Within three (3) months following the closure of the financial year, the head of the General Directorate of RALSA shall submit the annual financial report to the supervising authority of RALSA after its approval by the Board of Directors in accordance with laws governing the management of State finance and property.

Chapter VI Final provisions

Article 17 – Drafting, consideration and adoption of this Law

This Law was drafted in English, considered and adopted in Kinyarwanda.

Article 18 – Repealing provision

All prior legal provisions contrary to this Law are hereby repealed.

Article 19 – Commencement

This Law shall come into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.