

APPROVED by the decision No. 1-1/1 of the National Library of Estonia Board on 16 February 2022

STATUTES OF THE NATIONAL LIBRARY OF ESTONIA

1. GENERAL PROVISIONS

1.1. The National Library of Estonia (hereinafter National Library) is a legal person in public law established by the National Library of Estonia Act, whose purpose as an information, research, development, and cultural institution is to increase society's initiative, awareness, and sense of responsibility based on knowledge and information, to promote European common values, culture, and democracy.

1.2. The National Library was established on 21 December 1918, and operates based on the National Library of Estonia Act, these statutes (hereinafter statutes), and other legal acts in accordance with the international norms and principles regulating library work.

1.3. The National Library has its own seal, corporate style, and bank accounts.

1.4. The official translations of the National Library's name are:

- in English – National Library of Estonia
- in German – Estnische Nationalbibliothek
- in Russian – Национальная библиотека Эстонии
- in French – Bibliothèque nationale d'Estonie

1.5. The official abbreviation of the National Library's name is RaRa.

1.6. The National Library is located in Tallinn, with the postal address Narva mnt 11, 15015 Tallinn.

2. ACTIVITIES OF THE NATIONAL LIBRARY IN FULFILLING LEGAL OBLIGATIONS

2.1. The National Library fulfills the duties of a national, parliamentary, humanities and social sciences library, and a research and development institution as stipulated in the National Library of Estonia Act, following the recommendations set out in the documents of UNESCO, the International Federation of Library Associations and Institutions (IFLA), the International Organization for Standardization (ISO), and other international organisations.

2.2. To fulfill its duties, the National Library:

2.2.1. collects, processes, preserves, analyses, and makes available publications in Estonian and those published in Estonia, as well as publications about or containing information on Estonia, information necessary for state administration, information on the humanities and social sciences, and publications of international organisations;

2.2.2. develops and manages the archival collection of national publications and the digital archive;

2.2.3. conducts national bibliographic registration of Estonian publications in the Estonian National Bibliography database;

2.2.4. collects, processes, and presents national statistical data on printed output and libraries;

- 2.2.5. issues international standard numbers as the agency for the International Standard Book Number (ISBN), International Standard Serial Number (ISSN), and International Standard Music Number (ISMN) systems;
- 2.2.6. allows the making of copies of publications in accordance with the Copyright Act;
- 2.2.7. reproduces publications for the purposes of preserving and improving the usability of its collections;
- 2.2.8. conserves and restores publications;
- 2.2.9. cooperates with Estonian and foreign legal and natural persons to develop the National Library and the Estonian library network;
- 2.2.10. collects and develops specialised terminology in librarianship;
- 2.2.11. publishes publications;
- 2.2.12. participates in public cultural life in all its forms, organises exhibitions, conferences, and other events;
- 2.2.13. develops information technology, designs information systems, develops computer programmes, and creates databases for the collection, preservation, and availability of the National Library's digital information resources;
- 2.2.14. organises in-service training for professional individual development, vocational training for obtaining the librarian profession, and user training for readers.

2. RIGHTS AND OBLIGATIONS OF THE NATIONAL LIBRARY

3.1. In order to fulfill its duties, the National Library has the right to:

- 3.1.1. obtain information from institutions and organisations;
- 3.1.2. receive legal deposit copies of publications and online publications issued by citizens of the Republic of Estonia, legal persons registered in the Republic of Estonia, and natural persons residing in Estonia, as well as output-ready files of publications on physical media, in the manner and quantities prescribed by the Legal Deposit Copy Act;
- 3.1.3. establish non-profit legal entities and become a member of those non-profit legal entities whose activities are not contrary to the objectives of the National Library;
- 3.1.4. determine its structure, internal work organisation, and conditions for the use of the National Library;
- 3.1.5. enter into contracts and perform other legal acts with legal and natural persons of the Republic of Estonia and other countries;
- 3.1.6. organise business activities in accordance with the National Library of Estonia Act and other legal acts;
- 3.1.7. conduct other transactions arising from legal acts and these statutes.

3.2. The National Library is obliged to ensure the fulfillment of the duties imposed on it by the National Library of Estonia Act, other legal acts, and these statutes in accordance with the approved budget.

4. MANAGEMENT OF THE NATIONAL LIBRARY

- 4.1. The highest governing body of the National Library is the Supervisory Board of the National Library (hereinafter Board).
- 4.2. The membership, term of office, and work organisation of the Board, as well as the Board's activities in fulfilling its duties, are stipulated by the National Library of Estonia Act.
- 4.3. The Board's decisions are mandatory for the National Library.
- 4.4. The National Library is managed and represented by the Director General (hereinafter Director General).

4.5. The Director General is elected by the Board for a term of five years in accordance with the procedures specified in clauses 4.6. to 4.9. of the statutes.

4.6. To elect the Director General, the Board organises a public competition. The competition is announced when the position of Director General is vacant or when there are less than six months remaining until the expiration of the current Director General's contract.

4.7. The Board publishes the announcement of the competition in at least two nationally distributed newspapers and on the National Library's website.

4.8. Candidates for the position of Director General must be citizens of the Republic of Estonia, hold a master's degree or equivalent qualification, preferably in information science, and have at least 3 years of management experience.

4.9. The candidate who receives more than half of the votes of the Board members present at a quorum is elected. In case votes are equally divided, the vote of the Chairman of the Board is decisive.

4.10. The contract with the Director General is signed by the Chairman of the Board. The contract specifies the rights and obligations of the Director General, the amount of remuneration, the grounds for dismissal before the end of the contract term, and other conditions necessary for the role.

4.11. The Director General:

4.11.1. fulfills the administrative, managerial, and governance duties arising from the National Library of Estonia Act, the statutes, and the decisions of the Board;

4.11.2. issues orders and directives that are mandatory for the employees of the National Library;

4.11.3. resolves issues related to the property owned or used by the National Library within the scope of their authority, opens accounts in banking institutions, and manages the financial resources of the National Library in accordance with the budget approved by the Board;

4.11.4. approves the fees for paid services;

4.11.5. ensures the implementation of the Board's decisions;

4.11.6. resolves other issues within their competence as provided by the National Library of Estonia Act and the statutes.

5. STRUCTURE AND ORGANISATION OF THE NATIONAL LIBRARY

5.1. The structure of the National Library consists of management, centres, and departments, operating according to their own statutes.

5.2. The structure of the National Library is approved by the Board. The statutes of the structural units of the National Library and the job descriptions of the management members are approved by the Director General.

5.3. Temporary and permanent advisory boards, committees, and working groups may be established to fulfill the tasks of the National Library. Their status, objectives, members, rights, and obligations are determined by their establishment decision or directive.

5.4. The Director General hires and releases from employment employees of the National Library and concludes employment contracts with them. The basis for remuneration of employees is approved by the Board.

5.5. General rules of conduct for the National Library's employees in employment relationships are determined by the National Library's work organisation rules, approved by the Director General.

5.6. Rules for entry into and movement within the National Library building, as well as the opening hours of external doors, gates, pedestrian paths, and parking management on the premises, are specified in the National Library's internal rules, approved by the Director General.

5.7. The bases and procedure for registration as reader of the National Library, the organisation of the use of collections and services, internal regulations, and reader responsibilities are defined in the Rules for Users of the National Library, approved by the Board.

5.8. Information management and service organisation at the National Library are determined by the guidelines for information management and service organisation.

5.9. A crisis management plan has been developed for the prevention and resolution of crisis situations at the National Library, and a crisis management team has been formed.

6. NATIONAL LIBRARY ASSETS

6.1. The assets of the National Library (hereinafter assets) include immovable and movable property owned by the National Library of Estonia, financially valued rights, and other benefits that may be the object of rights.

6.2. The National Library manages, uses, and disposes of its assets in accordance with the National Library of Estonia Act, other laws of the Republic of Estonia, the statutes, decisions of the Board and the Director General, for the fulfillment of duties arising from the National Library of Estonia Act and the statutes.

6.3. Accounting for the assets of the National Library is conducted in accordance with the procedure established by the Accounting Act.

7. PROPERTY ACQUISITION

7.1. Property is acquired in the interests of the National Library.

7.2. Methods of property acquisition include:

7.2.1. transfer of property to the ownership of the National Library by the state under the State Assets Act and the National Library of Estonia Act;

7.2.2. purchasing property;

7.2.3. accepting donations and gifts;

7.2.4. inheritance of property;

7.2.5. economic activities of the National Library;

7.2.6. other methods provided for by law.

7.3. The value of assets is assessed by a committee appointed by the Director General's directive or by designated experts.

7.4. Purchasing goods, ordering services or construction work through procurement procedures is organised in accordance with the requirements of the Public Procurement Act and the procedures specified in the procurement directive.

8. USE AND PROVISION OF ASSETS

8.1. Assets are used for:

8.1.1. public purposes;

8.1.2. fulfilling tasks arising from the National Library of Estonia Act and the statutes;
8.1.3. generating revenue.

8.2. Assets used for public purposes are public items characterised by general accessibility.

8.3. The National Library may establish rules for the use of assets for public purposes, prohibit their use for certain purposes, or establish fees for certain modes of use. The rules for use and fees are approved by the Director General, and the list of paid services is approved by the Board.

8.4. The terms and restrictions for the use of assets for public purposes are disclosed on the National Library's website.

8.5. The National Library's assets may be used to generate revenue. The revenue generated is used in accordance with the National Library's budget regulations.

8.6. Assets may be provided to another person for temporary or indefinite use, for a fee or free of charge.

8.7. Assets are provided for use for a fee by a discretionary decision, auction, or tender with preliminary negotiations.

8.8. The method of provision, auction conditions, and execution procedure are determined by the Director General.

8.9. Providing premises for use for longer than 6 months must be done through auction or tender with preliminary negotiations.

8.10. Assets may be provided free of charge only to non-profit associations and foundations supporting culture, art, and science.

8.11. The contract for the provision of assets for use is signed by the Director General or an authorised employee of the National Library.

9. DISPOSAL OF ASSETS

9.1. Assets may be disposed of if:

9.1.1. the asset is not necessary for public purposes;

9.1.2. the asset is not necessary for fulfilling tasks arising from the National Library of Estonia Act and the statutes;

9.1.3. the asset is not necessary for generating revenue.

9.2. The decision to dispose of assets is made by the Board. Consent of the Government of the Republic is required for the disposal of real estate.

9.3. The Director General decides on the disposal of movable property valued at less than 7,000 euros.

9.4. Assets are disposed of:

9.4.1. by discretionary decision;

9.4.2. by auction;

9.4.3. by tender with preliminary negotiations.

9.5. When determining the sale price of assets, the expected market value of the asset, an expert appraisal, or special characteristics of the asset shall be taken into account.

9.6. When disposing of assets for a fee by discretionary decision, the selling price of the asset must not be lower than its expected market value.

10. ENCUMBRANCE OF ASSETS

10.1. Encumbrance of assets includes establishing real servitude, personal servitude (usufruct, personal - right of use), real encumbrance, right of pre-emption, or right of superficies on real estate owned by the National Library of Estonia.

10.2. Real servitude, personal servitude, real encumbrance, pre-emptive right, or right of superficies may be established on real estate if:

10.2.1. it is done at the request and for the benefit of a person who has the right to do so under legal acts;

10.2.2. it is in the interest of the National Library of Estonia.

10.3. Real servitude, personal servitude, real encumbrance, pre-emptive right, or right of superficies is established on real estate owned by the National Library of Estonia based on the decision of the Board.

11. DECLARING ASSETS UNSERVICEABLE AND WRITING THEM OFF

11.1. Assets are declared unserviceable and are written off from accounting records if:

11.1.1. the assets have not been used for the purposes specified in the sub-clauses of clause 8.1. of the statutes;

11.1.2. it has not been possible to dispose of or transfer the assets free of charge;

11.1.3. it has been proven that maintaining the assets is impractical;

11.1.4. the assets have been partially or completely destroyed.

11.2. If the conditions mentioned in clause 11.1. are met, the possessor of the assets shall propose to the Director General the declaration of the assets as unserviceable and their write-off.

11.3. The proposal must include:

11.3.1. the name of the assets, inventory number (if available), quantity, date of acquisition, acquisition cost, and residual value;

11.3.2. reasons for declaring the assets unserviceable;

11.3.3. if necessary, a budget for the costs of disposal of the assets;

11.3.4. other essential data related to the assets.

11.4. The decision to declare assets as unserviceable and write them off is made by a committee appointed by the Director General. The decision of the committee is approved by the Director General.

11.5. After the assets are written off, their disposal or transfer must be arranged.

11.6. Accounting entries are made in accordance with the requirements of accounting regulations, based on the decision to write off the assets.

12. SUBMISSION AND WAIVER OF CLAIMS INCLUDED IN THE PROPERTY

12.1. Claims against the debtor on behalf of the National Library are submitted, both in court and out-of-court, by the Director General or a person authorised by them.

12.2.If a claim included in the property is deemed hopeless or if the procedure for enforcing the claim is not economically justified, the Director General may decide to waive the submission or recovery of the claim.

13. FINANCING OF THE NATIONAL LIBRARY

13.1.The National Library uses funds obtained from the state budget, the sale of products and services, the sale of property, targeted project grants, and other sources to finance its activities.

13.2.The National Library receives a targeted allocation from the state budget in accordance with the procedure stipulated in the State Budget Act.

14. INTERNAL AUDIT SYSTEM OF THE NATIONAL LIBRARY

14.1. The internal audit system of the National Library includes audits at all management and operational levels and ensures the purposeful operation of the National Library and its compliance with legal acts.

14.2. The Director General is responsible for the functioning of the internal audit system of the National Library.

14.3. The internal audit(s) are carried out and overseen by the internal auditor. The internal auditor's activities are based on a contract with the Director General and the internal auditor's work plan.

14.4. The internal auditor's work plan is prepared for one calendar year and approved by the Board.

14.5. During the internal audit, the auditor assesses:

14.5.1. The compliance of the National Library's activities with the National Library of Estonia Act, the statutes, internal legal acts, and the adequacy of documentation to ensure lawful activities of the National Library;

14.5.2. The legality, purposefulness, and efficiency of management measures;

14.5.3. The fulfillment of the budget, the preservation and purposefulness of the use of assets and resources, and the effective use of resources;

14.5.4. The implementation of recommendations from the National Audit Office and the sworn auditor.

14.6. To clarify individual issues outside the work plan, the Board, the Director General, and the management members have the right to assign extraordinary control tasks to the internal auditor.

14.7. The internal auditor has the right to review all documents of the National Library and obtain oral and written explanations from the Board, the Director General, the management members, and other employees.

14.8. The internal auditor continuously reports to the management, makes suggestions for eliminating deficiencies, and proposes necessary measures to prevent mistakes.

14.9. The internal auditor reports to the Board on the fulfillment of their work plan at least once a year.

14.10. The internal auditor is obliged to immediately inform the Director General and the Chairman of the Board of circumstances that indicate violations of legal acts or may harm the assets or reputation of the National Library.

15. APPROVAL AND AMENDMENT OF THE STATUTES

15.1. The statutes of the National Library are approved and amended by the Board.