

OFFENCES

31. (1) Any person who -

(a) removes any record from the legal and physical possession and custody of the National Librarian or assists others to do so, or wilfully or through negligence, unskillfulness or non-observance of the

regulations causes damage to or destroys, mutilates, alters any record; or

(b) contravenes or fails to comply with the provisions of this Act or of any schedules thereto or of any regulations made thereunder; shall be guilty of an offence under this Act and shall be liable, on conviction, to a fine (multa) not exceeding two thousand and five hundred euro (€2,500) or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment, and in the case of a continuing offence to a further fine (multa) not exceeding twenty-five euro (€25) for every day during which the offence continues:

Provided that, subject to the above maximum, the minimum fine (multa) to which an offender shall become liable under this article shall not be less than the value of any work that might be required to remedy the effects of the offence:

Provided further that where a provision of a Schedule to this Act or of a regulation made under this Act specifically provides for a lesser penalty in respect of a particular offence, such lesser penalty as provided shall apply.

(2) The liability of an offender under subarticle (1) shall be without prejudice to the liability of the offender to pay to the National Librarian any cost incurred in the reintegration, or restoration of the library property caused by the offence, or to pay to the National Librarian the value of the property destroyed or damaged when the same cannot be reintegrated or restored. Such payment may be recovered by civil suit by the National Librarian against the offender or his heirs.

(3) Any record which has been or which may be removed without proper authorisation under this Act may be reclaimed by the National Librarian.

PART VII

MISCELLANEOUS

32. (1) In making available for inspection or providing copies of records in his custody the National Librarian shall not be in breach of the copyright of such records.

(2) The provision of copies of records by the National Librarian does not imply the transfer of any copyrights therein to the recipients.

(3) The publication of facsimile copies of records in the custody of the National Librarian in which copyright of the Government of Malta subsists is prohibited except with the consent of the National Librarian and subject to such conditions as he may require and to the payment of such fees as may be prescribed under this Act.

33. The Minister may make regulations to give effect to any of the foregoing provisions of this Act, or to regulate or otherwise provide for any matter relating to the Malta Libraries and its libraries, and may in particular, but without prejudice to the generalities of the foregoing and the provisions of this Act, make regulations for any of the following purposes:

(a) to provide for the contents, compilation and publication of the Malta National Bibliography;

(b) to establish the scope, definitions, procedures, conditions, duties and penalties for the effective implementation of the obligation of the legal deposit, and to provide for the proper