

RULE 101

Library Rules

The University Librarian makes these Rules, and the Council of the University of Tasmania approves the making of them, under the University of Tasmania Act 1992 and Ordinance 79.

The Library of the University of Tasmania is open to members of the staff and all enrolled students of the University. Others may use the University Library and may under certain conditions borrow from the Library at the discretion of the University Librarian or his or her delegate. Applications should be made in person or in writing.

1. Commencement

1.1. These rules take effect on 1 January 2008.

1.2. Rule 101 (made by the University Librarian in 2000) is revoked.

2. Definitions

‘authorised member of Library staff’ means a member of Library staff authorised in writing by the Librarian for the purposes of clause 7.2.

‘borrower’ means a person who borrows an item from the Library.

‘item’ means any book, issue of a periodical or other print or non-print library material or piece of equipment which is the property of, or under the control of, or in the possession of the University Library.

‘Librarian’ means the person holding the position of University Librarian, or his or her delegate.

‘Library’ means those parts of University premises that constitute the premises of the University Library.

‘Library resources’ includes Library items, electronic resources under the control or in the possession of the Library, and any physical area of the Library.

‘Library staff’ means those persons who are employed within the University Library.

‘person’ includes, where the context permits, a body corporate and its employees.

‘replacement charges’ means those charges levied on a borrower under these rules for an item that has been lost by the borrower, given a lost status by the Library while on loan to the borrower, or extensively damaged while on loan to the borrower.

3. Use of the Library

- 3.1.** Library items must not be removed from the Library or from such restricted areas as the Reserve collection unless they have been properly issued on loan.
- 3.2.** A person leaving the Library must, if required to do so by a member of the Library staff, present Library items and folders, bags and similar objects in their possession for inspection by a member of the Library staff.
- 3.3.** During a person's absence, study places must not be reserved for any longer than 15 minutes.
- 3.4.** Library items must not be marked, defaced, mutilated or damaged in any way.
- 3.5.** A person must not conduct themselves in any way that detracts from the Library as an area for quiet study. In particular, people must not talk to one another in study areas designated for silent study.
- 3.6.** A person must not conduct themselves in any way that precludes other persons from fair and equitable access to Library resources.
- 3.7.** A person using Library resources must comply with the provisions of the Copyright Act 1968, University policies and guidelines relating to the use of computing and network facilities provided by the University, and any licenses or access agreements for Library resources that the University is party to.
- 3.8.** Smoking is not permitted in the Library.
- 3.9.** Eating and drinking is not permitted in the Library, with the following exceptions:
 - (a) cold snack food may be consumed in any area except amongst the book shelves, near computers and in signed silent study areas; and
 - (b) covered drinks (with lids) may be consumed in any area except amongst the book shelves and near computers.
- 3.10.** Mobile telephones must be set to vibrate or silent ring mode while in the Library, and are not permitted to be used in silent study areas.
- 3.11.** A person may enter and remain only in those parts of the Library that the person is authorised to use.
- 3.12.** A person must not use any part of the Library for any kind of organised gathering without the authority of the Librarian. A person must not deposit or distribute any advertisements, leaflets or similar material in the Library without the permission of the Librarian.
- 3.13.** A person must comply promptly with any reasonable direction given by any member of the Library staff.
- 3.14.** The Librarian may prescribe that certain areas of the Library are to be used for

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specified purposes only, or by certain persons or groups only. A person must not use those areas in contravention of that prescription.

4. Library Borrower Card

- 4.1.** Enrolled students and staff members of the University are entitled to be issued with an identity card, which serves as the Library Borrower Card.
- 4.2.** A person who is neither a member of staff nor a student of the University may make an application for a Library Borrower Card, in a form approved by the Librarian. The application must be accompanied by evidence of the identity of the applicant, and must state that the applicant accepts responsibility for any item borrowed, including any fees or charges imposed in respect of that item.
- 4.3.** The Librarian shall stipulate who may become an authorised Library borrower and shall specify any charge or attendant conditions of loan.
- 4.4.** Where the Librarian grants an application made by a person under this section, that person shall be provided with a Library Borrower Card in the name of that person
- 4.5.** A Library Borrower Card authorises the person named on that card to borrow any item available for loan for that class of borrower, and must, subject to clause 5.2, be presented by that person in order to borrow any such item.
- 4.6.** A Library Borrower Card must not be transferred or lent to, or be used by, any person other than the borrower named on it.

5. Borrowing from the Library

- 5.1.** Library items may only be used in accordance with their particular loan class as determined by the Librarian. The Librarian may determine that an individual item, or a class of items, –
 - is not for loan; or
 - is to be located in the Reserve collection; or
 - is available for short-term loan only; or
 - is available for a normal period of loan.

The Librarian may prescribe the length of a normal period of loan. These periods of loan may vary between different classes of borrowers. A borrower must return borrowed items as specified by the Librarian if the Librarian recalls them before the expiry of the loan period for use by another borrower or in a Reserve collection.

- 5.2.** The Librarian may prescribe that in some circumstances, borrowing may be allowed without the presentation of a Library Borrower card upon the presentation of other valid identification. The circumstances and the valid form or forms of identification to be presented are those prescribed by the Librarian.

- 5.3.** A borrower may not borrow any item from the Library if that borrower already has on loan any item that has not been returned by the date or time stipulated for its return.
- 5.4.** In addition to periods of exclusion from borrowing, the Librarian may charge a borrower a fine for each item that has not been returned by the date or time stipulated for its return, in which case, any period of exclusion will continue until the fine or fines have been paid. The fines will be imposed in accordance with the Table of Fines appended to these rules.
- 5.5.** The Librarian must notify a borrower of any penalty imposed on the borrower. Notice may be given by electronic mail to the last known email address, in person, or by post to the last known postal address (term or home, as appropriate). Notice is taken to have been received –
- on the next business day after sending by electronic mail
 - when given in person
 - 3 days after posting to an address in Australia
 - 7 days after posting internationally –
- unless the borrower proves otherwise.
- 5.6.** A student who at least 3 times in any semester fails to return items borrowed from the Library by the times or dates specified for their return, or who fails to comply with an instruction issued by the Librarian to return an item on loan to him or her within 3 days after receiving the instruction, commits an offence under the ordinance of Student Discipline.
- 5.7.** In special circumstances, the Librarian may reduce or waive any period of exclusion or fine imposed by these rules.

6. Loss of or damage to Library items

- 6.1.** The Librarian may charge a person the cost of replacing or repairing a lost or damaged item for the loss of which, or damage to which, the person is considered on reasonable grounds to be responsible. Any such charge may include a component on account of the Library's overheads and processing costs.
- 6.2.** A person may appeal to the Executive Director, Finance and Administration in writing against the ascription of the liability to the person or against the amount of the charge or both.
- 6.3.** Any charge imposed for loss of or damage to items is payable within 14 days from the date on which the person concerned is notified of the charge (or, if the person has appealed under clause 6.2, from the date on which the charge is confirmed by the Executive Director, Finance and Administration). If on the expiry of the 14 days the amount is not paid in full, the person is excluded from the Library until the amount is paid in full or until arrangements satisfactory to the Librarian for its payment have been made.

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7. Infringement of rules

- 7.1.** Any member of the Library staff for the time being in charge of any location of the Library may exclude a person from that library until the next normal working day, if satisfied, after discussing the matter with the person, that the person has breached these rules. This clause is subject to clause 7.3.
- 7.2.** An authorised member of Library staff may exclude a person from borrowing or from any or all parts of the Library for a period not exceeding one week, if satisfied, after discussing the matter with the person, that the person has breached these rules. This clause is subject to clause 7.3.
- 7.3.** A person excluded from the Library under clause 7.1 or 7.2 may appeal to the Librarian and may enter the Library only for purposes essential to that appeal.
- 7.4.** The Librarian may, on appeal, confirm, vary or revoke an exclusion imposed under clause 7.1 or 7.2. The Librarian must give the person the opportunity to discuss the matter before making a decision.
- 7.5.** The Librarian must give a person who has been excluded under clause 7.2 written notice of the exclusion and its operative dates.
- 7.6.** Subject to clause 7.3, a person must not enter or attempt to enter the Library in breach of an exclusion under clause 7.1 or 7.2.
- 7.7.** Nothing in these rules detracts from the authority of the Librarian to take action under the ordinance of Student Discipline where an instance of general misconduct may have occurred.
- 7.8.** A breach of a clause of these rules that is specified in the Schedule amounts to an act of general misconduct under Ordinance 9 (Student Discipline)¹.

Made by the University Librarian on 15 November 2007.

¹ Ordinance 9 came into effect February 2003 (revoking Ordinance 58)

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Sealed with the seal of the University of Tasmania on

Vice-Chancellor

Director, Governance & Legal

Schedule

clause 7.8

Clauses the breach of which amount to general misconduct under Ordinance 9¹

Clauses 3.1, 3.2, 3.4, 3.13, 4.6, 5.6, 7.6 .

Appendix to Rule 101

Table of Fines

(From 1 January 2006)

General Loans

\$5.00 after an item has been overdue for 5 days, and \$1.00 each day thereafter.

No fine is to exceed \$30.00 per item.

Replacement charges become payable after an item has been overdue for 40 days.

A replacement or repair charge will not normally exceed \$200.00 per item.

Restricted Loans

Reserve Loans

\$5.00 after an item has been overdue for 30 minutes, and \$1.00 each hour thereafter.

One-Day and Overnight Loans

\$5.00 after an item has been overdue for 1 hour, and \$1.00 each hour thereafter.

Three-Day Loans

\$5.00 after an item has been overdue for 1 day, and \$1.00 each day thereafter.

One Week Loans

\$5.00 after an item has been overdue for 1 day, and \$1.00 each day thereafter.

In all cases, no fine is to exceed \$30.00 per item.

Replacement charges become payable after an item has been overdue for 40 days, except in the case of Reserve loans where replacement charges are payable after an item has been overdue for 7 days.

A replacement or repair charge will not normally exceed \$200.00 per item.

Recalls

\$5.00 after the expiry of the recall due date, and \$1.00 each day thereafter.

No fine is to exceed \$30.00 per item.