RULE 101
LIBRARY RULES

The Council of the University of Tasmania makes this Rule under the *University of Tasmania Act 1992 and Ordinance 79 (Use of Library)*

1. Commencement and purpose

1.1 This rule takes effect on 27 November 2012.

1.2 This rule replaces Rule 101 (Library Rules) made by the University Librarian on 15 November 2007 and approved by Council on 23 November 2007 to ensure consistency with current library management systems and practices.

2. Replacement of Rule 101 (Library Rules)

2.1 Rule 101 (Library Rules) approved by Council on 23 November 2007 is revoked and replaced with the following:

1. Commencement

1.1. These rules take effect on 27 November 2012.

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.

'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.

‘University Library’ includes all libraries controlled or occupied by the University of Tasmania.

3. **Use of the Library**

3.1. Library items must not be removed from the Library or from such restricted areas designated 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 or damaged in any way.

3.5. A person must not conduct themselves in any way that detracts from areas in the Library that are designated for quiet or 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 any licenses or access agreements governing the use of the resources, relevant provisions of the Copyright Act 1968 and University policies and guidelines relating to the use of computing and network facilities provided by the University.

3.8 Drinks and cold food may be consumed in the Library unless the specific area is designated otherwise.

3.9 Mobile telephones are not permitted to be used in Library areas designated for silent study. All telephone use in the Library must be conducted in such a way as to minimise disturbance to other persons.

3.10 A person may enter and remain only in those parts of the Library that the person is authorised to use.

3.11 A person must not use any part of the Library for any kind of organised gathering without the authority of the Librarian. In this clause, an organised gathering does not include group study or similar arrangement.

3.12 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 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 Other than in circumstances approved by the Librarian, 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. If a Library item is recalled for use by another borrower or for a Reserve collection a borrower must return the item by the date specified by the Library recall notice.

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, unless otherwise prescribed by the Librarian.

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 means, 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 means;
- 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 may be sanctioned under Ordinance 9 (Student Discipline) where:

- On more than three occasions, the student fails to return Library items by the times or dates specified for their return; or
- The student fails to comply with an instruction issued by the Librarian to return a Library item within three days of receiving that instruction.

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 Chief Operating Officer in writing against the ascription of the liability to the person or against the amount of the charge or both, within 14 days of that person being notified of such amount or charge.

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, 14 days from the date on which the charge is confirmed by the Chief Operating Officer). If on the expiry of the 14 days the amount is not paid in full, the person may be excluded from the Library until the amount is paid in full, or until arrangements satisfactory to the Librarian for its payment have been made.
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 2012.

Approved by Council on 31 May 2013

Sealed with the seal of the University of Tasmania

Vice-Chancellor

Director, Governance & Legal

Schedule clause 7.8

Clauses the breach of which amount to general misconduct under Ordinance 9\(^1\)

Clauses 3.1, 3.2, 3.4, 3.14, 4.6, 5.6, 7.6.

\(^1\) Ordinance 9 came into effect February 2003 (revoking Ordinance 58)
Table of Fines and Replacement Charges
(From 27 November 2012)

Table of Fines

<table>
<thead>
<tr>
<th>Loan Type</th>
<th>Initial Fine Rate</th>
<th>Continuing Fine Rate*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reserve 2 hour loan</td>
<td>$5.00 per item initial fine after an item has been overdue for 30 mins</td>
<td>$1.00 each hour thereafter</td>
</tr>
<tr>
<td>Reserve 24 hour loan</td>
<td>$5.00 per item initial fine after an item has been overdue for 1 hour</td>
<td>$1.00 each hour thereafter</td>
</tr>
<tr>
<td>3 day loan</td>
<td>$5.00 per item initial fine after an item has been overdue for 1 day</td>
<td>$1.00 each day thereafter</td>
</tr>
<tr>
<td>Recalled items</td>
<td>$1.00 each day starting 7 days after the date the recall was placed</td>
<td></td>
</tr>
</tbody>
</table>

* No fine is to exceed $30.00 per item

Table of Replacement Charges

<table>
<thead>
<tr>
<th>Loan Type</th>
<th>Replacement Charges</th>
<th>Processing Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Demand items</td>
<td>Replacement charges become payable after an item has been overdue for 28 days.</td>
<td>Processing fee of $30 becomes payable after an item has been overdue for 28 days.</td>
</tr>
<tr>
<td>Reserve 2 hour loan</td>
<td>Replacement charges become payable after an item has been overdue for 7 days.</td>
<td>Processing fee of $30 becomes payable after an item has been overdue 7 days.</td>
</tr>
<tr>
<td>Reserve 24 hour loan</td>
<td>Replacement charges become payable after an item has been overdue for 7 days.</td>
<td>Processing fee of $30 becomes payable after an item has been overdue 7 days.</td>
</tr>
<tr>
<td>3 day loan</td>
<td>Replacement charges become payable after an item has been overdue for 14 days.</td>
<td>Processing fee of $30 becomes payable after an item has been overdue 14 days.</td>
</tr>
</tbody>
</table>

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