

In exercise of the powers conferred by the La Trobe University Act 1964, the Council of La Trobe University makes the following regulation entitled Regulation 30.2 – Use of the Library.

**DEFINITIONS :**

1. In this Regulation -
  - (a) 'Borrower' means any person who is entitled to borrow Library Equipment and Library Material from the Library;
  - (b) 'Due Date' means the date upon which a loan period expires and, in the case of Reserve Materials, means the specified time for the return of any item;
  - (c) 'Financial Member' means a person entitled to borrow through payment of a membership fee;
  - (d) 'Graduate' means any person who holds a degree, diploma or other award of the University or where an institution has been amalgamated with the University under an Act of that institution and the antecedents of that institution;
  - (e) 'Identity Card' means the current identity card or statement of identity issued by the University or, in the case of a person who is not a Student or Staff member, by the University Librarian;
  - (f) 'Library' means the central library and branch libraries established pursuant to section 1 of Statute 30 – The Library and the Library Committee;
  - (g) 'Library Equipment' includes any and every piece of equipment forming part of the contents of the Library which is designed for: viewing, hearing or otherwise using any item of Library Material; typing; making diagnostic tests; computing or gaining access to a computer; and copying, including digitally or photographically copying, and includes any accessories to such equipment or any article of a like nature;
  - (h) 'Library Material' includes any and every book, periodical, newspaper, pamphlet, music score, gramophone record, picture, print, photograph, map, chart, plan, film, slide and audiocassette, audiotape, videocassette, videotape, digital recording, manuscript, microfilm, microfiche, transparency, item of computer software, model (anatomical or otherwise), poster, regalia, game or any other article of a like nature forming part of the contents of the Library;
  - (i) 'Recall Notice' means a notice issued under the authority of the University Librarian and directing a Borrower to return Library Material specified in that notice.
  - (j) 'Reference Collection' means Library Material designated by the University Librarian as part of the Reference Collection;
  - (k) 'Reserve Material' means Library Material placed in reserve collections in accordance with sub-regulation 13(1);
  - (l) 'Special Borrower' means a person given special permission under these regulations to borrow from the Library, including a Financial Member who receives special

permission from the University Librarian, to borrow Library Material on terms and conditions specified by the University Librarian;

- (m) 'Staff' means any person who is employed by the University;
- (n) 'Student' means any person who is enrolled in a course of the University;
- (o) 'University' means La Trobe University;
- (p) 'University Librarian' means the University Librarian or any person authorised to act on behalf of the University Librarian.

#### **LIBRARY USERS :**

- 2. Subject to these regulations the facilities of the Library shall be available to any University Council member, Staff member, Student, Graduate and any other person who may be approved from time to time by the University Librarian.

#### **ENTITLEMENT TO BORROW :**

- 3. Subject to this regulation, the following persons may borrow from the Library -
  - (1) Students, on presentation of their Identity Cards;
  - (2) Staff members, on presentation of their Identity Cards;
  - (3) other persons as authorised by the University Librarian.

#### **REGISTRATION OF BORROWERS :**

- 4. Special Borrowers may apply to the University Librarian to be registered as a Borrower.

#### **REMOVAL OF LIBRARY ITEMS :**

- 5. No item of Library Material or Library Equipment shall be removed from the Library by any Borrower except as provided in this regulation.

#### **ITEMS FOR LOAN :**

- 6.
  - (1) All Library Material on open access, except for items from the Reference Collection and any item nominated from time to time by the University Librarian, shall be available for loan.
  - (2) Notwithstanding sub-regulation 6(1), any item of Library Material or Library Equipment designated 'not for loan' may be borrowed at the discretion of the University Librarian on such conditions as the University Librarian may determine.

- (3) At the discretion of the University Librarian Library Equipment or any item or category of items of Library Material may be designated as being available for loan to specified categories of Borrowers.
- (4) Special Borrowers will not be entitled to borrow from the following categories unless otherwise authorised by the University Librarian:
  - books in the Reference Collection
  - books in the special collections
  - books stamped 'NOT FOR LOAN'
  - Reserve Materials
  - books designated as restricted loans
  - journals/serials
  - some audiovisual materials
- (6) Students and Staff may borrow Library Material held in the special collections on application to the Librarian on duty at the appropriate service point in the Library. The Borrowers must return any such loan to the appropriate service point.
- (7) Students and Staff may borrow Library Material placed in the reserve collections for use outside the Library only for periods when the Library is closed unless the contrary is indicated on the item.

**LOAN QUOTAS :**

7. The University Librarian shall prescribe from time to time the number of items of Library Material which may be borrowed by any Borrower or category of Borrower.

**LOAN CONDITIONS :**

8. (1) Library Material and Library Equipment may be borrowed only after each item has been registered in the manner prescribed from time to time by the University Librarian.
- (2) Before a loan is approved, a Borrower shall produce an Identity Card or an authorisation to borrow, in accordance with sub-regulation 3.
- (3) A Borrower shall be responsible for the safekeeping of any item borrowed.
- (4) No item on loan shall be transferred from the Borrower to any other person.
- (5) (a) Library Material on loan may be recalled at any time if urgently required by the Library and a Borrower must return an item within three working days of the issue of a Recall Notice.
- (b) The day on which a recalled item must be returned pursuant to a Recall Notice shall become the Due Date for the item.
- (6) (a) (i) All Library Material borrowed must be returned by the Due Date.
- (ii) Failure to return Library Material by the Due Date will result in the Borrower incurring fines and may result in the suspension of borrowing privileges.
- (b) Subject to sub-regulation 8(7), if a Borrower accrues fines of \$10.00 or more – irrespective of whether the fines were incurred at the central library, or at a branch library or branch libraries – that Borrower shall be:

- (i) required to pay the fines in full; and
  - (ii) suspended from borrowing Library Material until the fines are paid in full.
- (c) Where the last day for the return of Library Materials falls during vacation the University Librarian may, at his or her discretion, extend the stipulated loan period by such a period as shall to him or her appear reasonable in the circumstances.
- (7) (a) A fine imposed under the provisions of sub-regulation 8(6)(a) shall not exceed fifty dollars in respect of any one item of Library Material.
- (b) The University Librarian may, at his or her discretion, waive or reduce any fine imposed under this Regulation.
- (c) Notwithstanding anything in these regulations, the University Librarian may suspend borrowing privileges for such time as he or she thinks fit from any person who by the Due Date fails to return Library Material.
- (8) (a) Where an overdue item is not returned after what the University Librarian considers to be a reasonable period of time following the issue of an overdue notice to the Borrower, the University Librarian will issue a second overdue notice to the Borrower requesting the return of the item by a specified date. If the item is not returned by that date, the item will be deemed to have been lost and the Borrower will be charged the cost of replacement plus a processing fee ('Replacement Charge'). A Replacement Notice advising the Borrower of the Replacement Charge shall be issued.
- (b) If an item is returned within a reasonable time after the issue of the Replacement Notice, the University Librarian may waive the Replacement Charge and substitute a fine.
- (c) The payment of a Replacement Charge by a Borrower does not entitle the Borrower to claim ownership of the item in respect of which the Replacement Charge was paid. Borrowers remain under an obligation to return all items borrowed from the Library.
- (9) Any damage or defacement of Library Materials by marking, erasure or mutilation is forbidden and the Borrower of any item returned damaged may, at the discretion of the University Librarian, be charged a Replacement Charge or may be charged such sum as the University Librarian considers sufficient to effect repair of the damaged item or items.

#### **LOAN PERIODS :**

9. (1) Loan periods applicable to a particular campus, or to categories of material or categories of Borrower shall be determined from time to time by the University Librarian in consultation with the Library Committee.

- (2) In special circumstances certain types of Library Material may be borrowed on 'Extended Loan' or 'Indefinite Loan'. The Library Material eligible for such loan shall be:
- (a) laboratory manuals and tables considered by the University Librarian to be not likely to be much used within the Library;
  - (b) Library Material required for extended use in connection with a research project and considered by the University Librarian to be not likely to be much used within the Library. Indefinite loans shall be registered to the appropriate School or Department over the name of the Staff member requiring the loan. Such loan must be approved by the University Librarian and will be subject to recall if required by another Borrower or for the purpose of stocktaking. Extended loans shall be registered in the name of the Staff member requiring the loan.

#### **EXTENSIONS :**

10. A Borrower may apply to the University Librarian before the Due Date for a loan extension. One extension only may be granted. The University Librarian may decline to allow a loan extension if the University Librarian considers that the item in question is in demand.

#### **RETURNS :**

11. (1) Any item borrowed from the Library shall be returned in the manner prescribed from time to time by the University Librarian.
- (2) Notwithstanding anything in these regulations, the University Librarian may require that an item on loan be returned before the Due Date.
- (3) A Borrower shall be responsible for the return of any item borrowed.

#### **LOANS FROM ANOTHER LIBRARY :**

12. (1) A Borrower who borrows items from another library or organisation, whether through the Library as an inter-library loan, or directly from the other library under an arrangement between the Library and the other library, shall be subject to such loan restrictions or other requirements as are imposed by the other library, or by the University Librarian.
- (2) If in the opinion of the University Librarian a Borrower fails to comply with loan restrictions or other requirements applying to items borrowed from another library or organisation referred to in sub-regulation 12(1), the University Librarian may suspend that person's borrowing privileges or impose a fine or both.

#### **RESERVE MATERIAL :**

13. (1) The University Librarian at his or her discretion may approve items of Library Material to be lodged in reserve collections ('Reserve Material') and Reserve Material shall be subject to limited access.
- (2) Reserve Material shall be available for loan for such periods and on such conditions as the University Librarian may determine. Such loan periods and conditions shall be published in the Library.
- (3) A penalty may be imposed for the late return of any Reserve Material in accordance with the provisions of sub-regulations 8(6) and 8(7).

## **USE OF MATERIAL WITHIN THE LIBRARY :**

14. (1) Library Materials on open access shelves may be removed for use within the Library without reference to library staff, but must not be replaced on the shelves by library users. They shall be left on the sorting tables or on the reading tables.
- (2) Some Library Material not on open access may be made available for use within the Library on application to the Library staff member on duty at the appropriate service point. Identification must be left in exchange for use of the Library Material. The Library Material must be returned to the service point from which it was issued.
- (3) Any damage or defacement of Library Materials, by marking, erasure or mutilation is strictly forbidden. Library users should report any instances of such defacement noted.
- (4) Library users are permitted to use their own books and materials in the Library.

## **RULES FOR GENERAL CONDUCT :**

15. (1) A person shall not damage or deface any University property in the custody of the Library. Any person who damages or defaces any such property shall pay the cost of repair or replacement and, if the item is an item of Library Material or Library Equipment, a processing charge determined by the University Librarian.
- (2) A person in or using the Library shall be silent apart from proper communication with library staff except in places designated as discussion areas where quiet conversation is permitted.
- (3) The University Librarian may designate a public area of the Library to be an area in which food and drink may be consumed (herein called a 'designated area').
- (3A) A designation under subsection (3) may specify the types of food and drink which may be consumed in the designated area.
- (3B) A person must not:
  - (a) eat or drink in a public area of the Library that is not a designated area;
  - (b) eat or drink in a designated area other than in accordance with the relevant designation; or
  - (c) smoke in a public area of the Library.
- (4) A person shall not deposit or leave litter in the Library except in receptacles provided for the purpose.
- (5) A person shall not use items of furniture as steps or footrests unless they are provided for that purpose.
- (6) A person using the Library acknowledges that the University does not accept responsibility for the safe-keeping of property belonging to that person.
- (7) A person using the Library must submit for inspection on leaving the Library when requested by library staff, Library Materials, Library Equipment, folders or containers or property intended to be taken out of the Library.
- (8) A person shall not display any poster or notice in the Library without the prior permission of the University Librarian.

- (9) Any person who on any day fails to comply with a direction given by a member of the library staff in accordance with these rules of general conduct may be excluded from the Library for the rest of that day.
- (10) A Staff member or Borrower who persists in contravening or failing to comply with these rules for general conduct, may at the discretion of the University Librarian have borrowing rights withdrawn or be forbidden to enter the Library for a period determined by the University Librarian.
- (11) Infringements of any of the foregoing provisions may, in the first instance, be dealt with by the University Librarian and in the case of any Borrower who is a Student, disciplinary action may be taken in accordance with the provisions of Statute 16 - Discipline.
- (12) The provisions of this regulation shall apply to Students who are also part-time members of the staff in the same way as if those Students were not part-time members of the Staff.
- (13) The provisions of this regulation shall apply to members of the Council of the University, other than those members who are also Students enrolled for courses of study at the University, as if the members are members of the Staff of the University.

#### **HOURS OF OPENING :**

16. (1) Hours of opening shall be determined from time to time by the University Librarian in consultation with the Library Committee.
- (2) All users are required to begin leaving the Library five minutes before closing time and to be out of the building by closing time.
- (3) The Library will be closed:
  - (a) on University holidays as so declared by the Council;
  - (b) from Christmas day to New Year's Day; and
  - (c) on such other occasions as the Vice-Chancellor or the University Librarian may direct.

#### **USE OF LIBRARY EQUIPMENT :**

17. (1) No person, other than an authorised Library user defined in sub-regulation 2, may use Library Equipment except with the prior written permission the University Librarian.
- (2) No Library Equipment is to be used in any way that infringes the Copyright Act 1968 as amended from time to time.
- (3) Users of Library computing facilities must comply with Regulation 37.1 – Use of Computer Facilities and the Internet Code of Practice.

Amendment No. 1 (Revocation and Re-enactment) Approved by Council – 8 May 2003

Promulgated this 15 day of May 2003 by direction of the University Secretary

Amendment No. 2 approved by Council – 2 June 2008

Promulgated this 4 day of June 2008 by direction of the University Secretary (Resources and Administration)