

**LA TROBE UNIVERSITY**

**LIBRARY STATUTE 2009**

The Council of La Trobe University makes this Statute under section 30 of the *La Trobe University Act 1964*.

**1. Name and commencement**

- (1) This Statute is the **Library Statute 2009**.
- (2) This Statute comes into full force and effect on 1 July 2009.<sup>i</sup>

**2. The Library and Library Committee**

- (1) There shall be a University Library (the *Library*).
- (2) There shall be a Library Committee.
- (3) The Library Committee shall—
  - (a) be constituted in accordance with a resolution of the Academic Board; and
  - (b) advise the University Librarian on the development of Library services.

**3. Student conduct at Library**

- (1) A student must comply with all reasonable directions of an officer or employee of the University regarding student conduct at the Library.
- (2) A student who fails to comply with a direction given under subsection (1) is guilty of general misconduct.

**Note:**

See section 4 of the **General Misconduct Statute 2009**.<sup>ii</sup>

**4. Fines for overdue loans<sup>iii</sup>**

- (1) The University, acting through the Library, may impose a fine on a person who borrows anything from the Library and fails to return it by the date required by the Library.
- (3) A fine imposed under this Statute—
  - (a) is due and payable on the date specified by the Library for that purpose; and<sup>iv</sup>

- (b) may include—
  - (i) a penalty component of no more than \$50.00;
  - (ii) where relevant, a component which is equal to the cost of replacing the thing borrowed from the Library; and
  - (iii) an amount to cover the reasonable administrative costs of processing the fine.<sup>v</sup>

**Note:**

See section 61 of the Act.<sup>vi</sup>

- (4) A student who fails to pay a fine imposed under this Statute by the date it is due under this section is guilty of general misconduct.

**Note:**

See section 4 of the **General Misconduct Statute 2009**.

- (5) While a fine imposed on a student which is overdue remains unpaid, the student may not, without the written consent of the Vice-Chancellor or the Deputy Vice-Chancellor—
  - (a) enrol or re-enrol in any course, subject or unit;
  - (b) receive the results of any assessments;
  - (c) graduate or be given any academic award;
  - (d) receive a certificate or transcript of academic record.

## **6. Delegation**

- (1) The University Librarian may, by notice in writing, delegate any of his or her powers (other than this power of delegation), duties or functions under this or any other Statute or any regulations to any person or body of persons.<sup>vii</sup>
- (2) A delegation by the University Librarian under this section of a power, duty or function is revocable and does not prevent the exercise of the power, duty or function by the University Librarian.

## **7. Regulations**

- (1) The Council may make regulations—
  - (a) for or with respect to or providing for any matter or thing for the purposes of this Statute; and
  - (b) amending or revoking any regulations made under this Statute.

- (2) The Council must ensure that regulations made under this Statute are promulgated by having the regulations displayed on an official notice board of the University for a period of at least 14 days.
- (3) For the purposes of determining when regulations made under this Statute come into full force and effect within the meaning of section 32(2)(a) of the Act, the regulations are taken to have been promulgated in accordance with sub-section (2) at the start of the first day on which they are displayed on an official notice board of the University.<sup>viii</sup>

## 8. Transitional

- (1) Despite the coming into full force and effect of this Statute, the Old Statute continues to apply to—
  - (a) anything borrowed from the Library at any time before the commencement day which, immediately before the commencement day, had yet to be returned to the Library; and
  - (b) a fine imposed under the Old Statute which, immediately before the commencement day, remained unpaid.
- (2) In this section—

*commencement day* means the day on which this Statute comes into full force and effect;

*Old Statute* means Statute 30 – The Library and the Library Committee, and any regulations made under that Statute, as in force immediately before the commencement day.

## 9. Revocation of earlier University legislation

The following Statute and regulations are **revoked**—

- (a) Statute 30 – The Library and the Library Committee;
- (b) Regulation 30.1 – The Library Committee;
- (c) Regulation 30.2 – Use of the Library.

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### LEGISLATIVE HISTORY

This Statute was approved by the Council on 2 March 2009 and by the Minister on 13 August 2009. It was amended by the **Library (Amendment) Statute 2009** on 14 October 2009 (LS Ref 08/02657) and by the **University Legislation (General Amendments) Statute 2012** on 17 May 2013 (LS Ref 11/02891).

### ENDNOTES

<sup>i</sup> Despite section 1(2), this Statute came into full force and effect on 13 August 2009 (being the day on which the Minister approved the Statute: see section 30(3) of the Act).

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- <sup>ii</sup> Section 3: substituted by the **Library (Amendment) Statute 2009**.
  - <sup>iii</sup> Section 4(2): omitted by the **Library (Amendment) Statute 2009**.
  - <sup>iv</sup> Section 4(3)(a): substituted by the **Library (Amendment) Statute 2009**.
  - <sup>v</sup> Section 4(3)(b): substituted by the **University Legislation (General Amendments) Statute 2012**.
  - <sup>vi</sup> Section 4(3): Note at foot of section inserted by the **University Legislation (General Amendments) Statute 2012**.
  - <sup>vii</sup> Section 6(1): amended by the **University Legislation (General Amendments) Statute 2012**.
  - <sup>viii</sup> Section 7(3): substituted by the **University Legislation (General Amendments) Statute 2012**.