

CURTIN UNIVERSITY OF TECHNOLOGY ACT 1966

LIBRARY RULES

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CURTIN UNIVERSITY OF TECHNOLOGY ACT 1966

LIBRARY RULES

These Rules are made by the Council of the University under the powers conferred on it by section 4 of *Statute No. 11 – Library Statute* gazetted on 24 May 2002 and in accordance with section 34 of the *Curtin University of Technology Act 1966*.

1. PRELIMINARY

1.1. Citation

These Rules, made under *Statute No. 11 – Library Rules*, may be cited as the “*Library Rules*”.

1.2. Commencement

These Rules take effect when they are promulgated in accordance with section 2 of *Statute No. 3 – Rule*.

1.3. Definition

In these Rules –

“the Library” means the University Library, and includes a reference to all Library sites under the management control of the University Librarian.

“Library resources” includes all resources provided by the Library, regardless of format, including books, journals, papers, audio-visual and electronic resources, and other facilities including furniture and equipment, including computer equipment.

“Library user” means an individual authorised by the University Librarian to use library resources and facilities.

“Reciprocal user” means a student or staff member of another educational institution with which the University has current reciprocal library arrangements.

“Affiliated user” means a member of an organisation approved as a library user by virtue of that organisation’s affiliation or association with the University.

2. UNIVERSITY LIBRARIAN

- (1) The University Librarian shall be responsible for the Library, including the supervision of the Library in accordance with these Rules and the implementation of these Rules.
- (2) The University Librarian may –
 - (a) delegate any power or duty conferred by these Rules to any member of the Library staff; and

- (b) authorise any member of the Library staff to act under and for the purposes of these Rules.

3. PERSONS ENTITLED TO USE THE LIBRARY

- (1) Subject to these Rules, the following persons are entitled to use the Library –
 - (a) enrolled students of the University;
 - (b) staff of the University;
 - (c) members of the University Council;
 - (d) Curtin University Fellows;
 - (e) Curtin Emeritus Professors;
 - (f) reciprocal users;
 - (g) affiliated users;
 - (h) other persons approved by the University Librarian. These other persons or institutions to which they belong may be required to pay a fee; or
 - (i) other individuals who do not belong to any of the above categories may enter and make limited use of the Library.
- (2) A person in the Library shall produce evidence of identification on request made by a member of the Library staff.

4. REGISTRATION

- (1) Library users may be registered with the Library and renew the registration in such manner and at such intervals as the University Librarian may prescribe.
- (2) Every registered Library user shall hold an identification card issued by the University or such other identification card as shall be prescribed by the University Librarian as acceptable.

5. LOST CARDS

- (1) If a University identification card is lost, the staff or student should arrange for the replacement of the lost University card with Student Central.
- (2) If the card issued by the Library is lost, the loss shall immediately be reported to the Library who will issue a replacement card. The University Librarian reserves the right to impose a fee for the provision of a replacement card.

6. RESPONSIBILITIES OF LIBRARY USERS

- (1) Every person using the Library shall respect the right of others to use the Library in accordance with these Rules and shall not interfere with their use of the Library.
- (2) Library users will behave in a manner which is not offensive or unduly inconveniences other Library users or which causes or is likely to cause damage to any Library materials or facilities.
- (3) Library users will not consume food or drink in the Library except as determined by the University Librarian from time to time.
- (4) No animals other than guide dogs are permitted in the Library.
- (5) Rights to use the Library and Library cards are non-transferable.
- (6) Any person leaving the Library will present for inspection at the Library exit any materials, bags or receptacles being removed from the Library on request of Library Staff.
- (7) Reservations for seats in a public area of the Library are not permitted.
- (8) Articles left unattended for more than 10 minutes may be removed by Library staff.
- (9) Articles left in public areas at the time the Library closes will be cleared away by Library staff.
- (10) The University, the University Librarian and the Library staff shall have no responsibility for personal belongings in the Library.

7. BORROWING

- (1) Library users entitled to borrow Library materials from the Library must abide by conditions prescribed by the University Librarian, and specifically conditions relating to loan periods, fines and notices.
- (2) No Library materials may be borrowed without prior completion of the appropriate loan procedure.
- (3) Users are responsible for the safe keeping and return of all Library materials issued to them.
- (4) The loan term for borrowed Library materials may be extended if there is no outstanding request for that material by any other person.
- (5) Any item of borrowed Library materials may be recalled by another user.
- (6) An item recalled shall be returned to the Library by the date specified in the recall notice.
- (7) It is the responsibility of every borrower to ensure that they are always in a position to comply with a recall notice.
- (8) Every item borrowed must be returned to the Library by the due date for its return, namely the end of the relevant loan term or the expiration of a recall notice.

- (9) Library records with regard to the borrowing of Library materials, loan terms and recall notices sent out, shall be deemed correct unless the contrary is proved.
- (10) A library user may not borrow Library materials if:
 - (a) they have failed to return overdue Library materials previously issued to them;
 - (b) their borrowing privileges have been suspended because of non-payment of fines;
 - (c) their Library privileges have been suspended for any other reason;
 - (d) they are otherwise in breach of these Rules.
- (11) A library user is liable to compensate the University for the loss or damage to any item of Library material that is on loan in their name.
- (12) The compensation will be determined by the University Librarian, which may be the replacement cost of the item lost or damaged.
- (13) Compensation may be claimed whether or not a fine is payable under Rule 12 and shall be payable in addition to any such fine.
- (14) Any item of Library materials shall be deemed lost if not returned within 42 days after the due date for its return.

8. MATERIALS NOT AVAILABLE FOR LOAN

The University Librarian may prescribe certain Collections held by the Library and other Library materials as not being available for loan or only available for loan on a restricted basis.

9. RESERVED READING AREAS AND STUDY ROOMS

- (1) The University Librarian may set aside and reserve areas within the Library for the use of particular specified Library users and only such persons may use reserved areas.
- (2) Study rooms shall be available for use by such persons and on such conditions as the University Librarian may prescribe.

10. HOURS OF OPENING

The hours during which the Library shall be open shall be prescribed by the University Librarian and communicated to Library Users. Seven days prior notice shall be given of any change in the hours of opening.

11. COPYING

Library materials may be copied within the Library in accordance with the *Copyright Act 1968 (Cth)*.

12. PENALTIES

- (1) A borrower who fails to return any item of Library materials by the due date or time for its return shall be liable to a fine (daily or hourly fine, as applicable) such amount as may be fixed by the Deputy Vice-Chancellor Education from time to time.
- (2) If the item is not returned within 42 days after the due date for its return, the borrower shall be liable for an additional fine as determined by the Deputy Vice-Chancellor Education from time to time and the costs incurred in the recovery of the debt.
- (3) Where an enrolled student does not return any item and pay any fine imposed for late return the Academic Registrar, on advice of the University Librarian, may suspend all or any of that student's rights and privileges within the University.
- (4) Any such suspension shall cease to have effect on return of the item or payment of compensation under Rule 7(11), and payment of any fine imposed.
- (5) Any member of the Library Staff for the time being in charge of the Library may exclude from the Library for a period not exceeding the next 24 hours any person using the Library who commits or threatens to commit a breach of these Rules.
- (6) A member of the Library Staff imposing a suspension under this Rule shall report the matter in writing to the University Librarian as soon as practicable.
- (7) In any case other than one arising under paragraphs (1) to (6) of this Rule, the University Librarian will decide after giving the person concerned an opportunity to be heard, whether there has been a breach of these Rules.
- (8) The University Librarian may impose the following penalties on any person who commits a breach of these Rules or who fails to pay a fine incurred under paragraphs (1) to (4) of this Rule –
 - (a) a fine up to a maximum determined from time to time by the Deputy Vice-Chancellor Education; or
 - (b) suspension of the right to use and borrow from the Library for a period not exceeding 14 days, including suspension of the right to access the Library's electronic resources, and exclusion from the Library premises or any part of such premises; or
 - (c) a penalty under both subparagraphs (a) and (b).
- (9) If a reciprocal, affiliated or other non-Curtin user commits a breach of these Rules, the University Librarian may (in addition to imposing a penalty under paragraph (8) of this Rule) suspend or revoke the right to use the Library.
- (10) The University Librarian may reduce or waive a fine incurred under paragraph (1) to (4) of this Rule or reprimand a person who has committed

any other breach of these Rules instead of or in addition to any other penalty that may be imposed under any paragraph of this Rule.

- (11) The University Librarian shall forthwith -
 - (a) confirm by written notice to the person concerned details of a fine or suspension imposed under paragraph (8) of this Rule; or
 - (b) confirm by written notice to the reciprocal, affiliated or other non-Curtin user details of the suspension or revocation of the right to use the Library under paragraph (9) of this Rule.
- (12) A fine imposed under these Rules and any cost recovery of a fine or any item of Library material shall be a debt due to the University and recoverable accordingly.
- (13) Penalties imposed under this Rule shall not affect or limit any penalty which may be imposed under the *Land and Traffic By-laws 2008* or *Statute 10 - Student Discipline* or the Rules made under that Statute.
- (14) A user upon whom a penalty has been imposed under Rules 12 (1), (2), (3), (4), (8) or (9) may within a period of not more than 14 days from the date of the notice of imposition of the penalty appeal in writing against the decision.
- (15) Enrolled students or staff of the University shall address any appeal to the Deputy Vice-Chancellor Education.
- (16) An appeal under this rule shall be considered within 14 days of its receipt.
- (17) The Deputy Vice-Chancellor Education may sustain, cancel or vary any penalty that has been imposed within the limits prescribed in these Rules.
- (18) Such decision shall be final and shall be advised in writing forthwith to the appellants and the University Librarian.

13. NOTICES

Any notice to be given to a person under these Rules shall be deemed sufficiently given if sent to that person at the address registered with the Library by mail or by electronic communication and shall be deemed to have been received by the person to whom it is addressed in the ordinary course of post or electronic communication, as the case may be.

14. REVOCATION

The Library Rules made by resolution of Council dated 20/6/84 and amended on 26/11/86, 29/3/89 and 26/7/89 are revoked.

CURTIN UNIVERSITY OF TECHNOLOGY

LIBRARY RULES

SCHEDULE OF FEES, FINES AND PENALTIES

Library Rule	Purpose	Amount
5(2)	Replacement of library card (other than Curtin University staff and students).	\$1.00
4(2)	Annual fees for the issue of a library identification card granting borrowing rights. The following categories apply: a) <u>Community Borrowers</u> Covers all members of the public, regardless of their affiliation. b) <u>Special Borrowers</u> Covers: Individuals (e.g. retired Curtin employees, visiting or adjunct staff) who, at the discretion of the University Librarian, may be registered. Corporations who may wish to negotiate special contracts.	\$70.40 for a 6 month rolling period, adjusted every three years in line with Consumer Price Index. Any fees imposed will be adjusted every three years in line with the Consumer Price Index. Fees, conditions and service levels set on a case-by-case basis, at the discretion of the University Librarian and adjusted every three years in line with Consumer Price Index.
12(1) to (4)	(a) daily rate for loans not returned by due date (b) loans from the reserve Collection not returned by due date/time (c) 3 day loans and recalled items not returned by due date (d) Laptop loans not returned by due time (e) administration fine if for loans not returned within 42 days of the due date	\$1.00 \$2.00 per item per hour or part thereof until returned \$4.00 per item per day until returned \$2.00 per hour or part thereof until returned \$15.00
12(8)	Maximum fine that may be imposed by the University Librarian for a breach of the rules	\$25.00

REVISION HISTORY

Revision / Ref. No.	Approved/ Amended/ Rescinded	Date	Committee / Board	Resolution	Document Reference
New	Approved	13/03/2013	Council	C 50/13	Attachment 1 to Confidential Document No 00227/13
	Gazetted	16/09/2005			
	Rescinded	22/06/2005	Council	C 67/05	Document No 00770/05, effective 1 July 2005
	Promulgated	27/02/2001			
	Amended	20/12/2000	Council	C 140/00	Document No URB 71/00
	Promulgated	24/06/1997			Revised Schedule of Fees, Fines and Penalties
	Amended	18/06/1997	Council	C 92/97	Document No UAB 44/97
	Promulgated	??			Revised Schedule of Fees, Fines and Penalties
	Amended	20/12/1989	Council	C 291/89	Document F&SC 3161/89
	Promulgated	02/08/1989			
	Amended	26/07/1989	Council	C 130/89	As per resolution E&GPC 25/89
	Promulgated	03/04/198			
	Amended	29/03/198	Council	C 35/89	Document No 10/89
	Gazetted	19/12/1986			Amending Statute
	Amended	26/11/1986	Council	C 280/86	Via amending Statute No 7 Document No 62/86
	Promulgated	02/07/1984			
	Amended	20/06/1984	Council	C 77/84	Document No 4525/84
	Promulgated	29/04/1983			
	Amended	23/3/1983	Council	C 30/83	Document No 4514/83
	Promulgated	21/12/1982			
	Amended	19/05/1982	Council	C 73/82	
	Promulgated	??			
	Amended	19/11/1980	Council	C 141/80	
	Promulgated	12/1/1978			
	Amended	21/12/1977	Council	C 238/77	Appendix to Secretary's Report of Finance & staffing Committee meeting of 12 December 1977
	Promulgated	18/02/1976			
	Established	18/2/1976	Council	C 4/76	Document No 4502/72 & Appendix to Council minutes
	Amended	06/02/2015	Deputy Vice-Chancellor, Education		Updated Schedule of Fees, Fines and Penalties