

**High Country
Library Corporation**

LOCAL LAW No. 2

LIBRARY REGULATIONS

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**HIGH COUNTRY LIBRARY CORPORATION
LIBRARY REGULATIONS
LOCAL LAW - NO. 2**

PART 1 PRELIMINARY

1.1 TITLE

This Local Law is entitled Local Law No. 2 and referred to below as this Local Law.

1.2 OBJECTIVES OF THIS LOCAL LAW

To regulate the management and control of library services provided by the High Country Library Corporation.

1.3 POWER TO MAKE THIS LOCAL LAW

The power to make this Local Law is contained in Part 5 of the Local Government Act 1989.

1.4 OPERATIONAL DATE

This Local Law operates from the day following publication in the Victoria Government Gazette.

1.5 REVOCATION

Unless revoked earlier this Local Law is revoked on the day which is ten (10) years after the day which is the earliest day on which any provision of this Local Law came into operation.

1.6 SCOPE OF THIS LOCAL LAW

This Local Law shall apply to and have operation throughout the whole of the Alpine Shire, Delatite Shire Council and Wangaratta Rural City.

1.7 WORDS USED IN THIS LOCAL LAW

WORDS	MEANING
Act	The Local Government Act 1989
Authorised Officer	Any person for the time being in charge of any branch, section or portion of the library service.
Board	High Country Library Corporation Board
Book	Includes any and every book, magazine, newspaper, pamphlet, video recording, compact disc, audio tape recording, software program or any other article forming part of the contents of the Library available for borrowing, reference or perusal whether or not the property of the Corporation.
Chief Executive Officer	The person appointed by the Corporation as Chief Executive Officer being in charge of the library service generally.
Corporation	High Country Library Corporation
Library	All the library facilities, resources and activities provided by or under the management or control of the Corporation.
Library Service	All or any Library outlet under the management and control of the Corporation.
Library Service Area	The whole of the municipal districts of Alpine Shire, Delatite Shire Council and Wangaratta Rural City.
Member	A person, school or institution holding a current and valid membership card issued in accordance with this Local Law.
Membership Card	A current and valid card issued to a member by the Library in accordance with this Local Law as an authority to borrow books.
Patron	Any person making use of the library service.
Penalty Units	Means that monetary amount prescribed in the Victorian Penalties and Sentences Act 1986.

PART 2 ADMINISTRATION OF THIS LOCAL LAW

2.1 EXERCISE OF DISCRETIONS

- (1) In exercising any discretion contained in this Local Law the Corporation must have regard to:
 - (a) The objectives of this Local Law; and
 - (b) any guidelines made by the Corporation from time to time.

- (2)
 - (a) The Corporation may from time to time make guidelines for use by the Corporation, its officers and other persons for the purposes of this Local Law.
 - (b) Guidelines made by the Corporation must not be inconsistent with the objectives of this Local Law.

2.2 REGISTER OF DETERMINATIONS

- (1) Any determinations or guidelines made by the Corporation for the purposes of this Local Law must be maintained by the Corporation in the register kept for that purpose.

- (2) The register kept for the purposes of this clause must be made available for inspection at the office of the Corporation during normal office hours.

2.3 POWER OF CHIEF EXECUTIVE

Any person using the library service shall obey the lawful directions of the Chief Executive Officer or an Authorised Officer in charge of the library service generally or any branch, section or portion thereof.

2.4 APPEALS

Any person who is aggrieved by any matter under this Local Law may apply to the Corporation to be heard and may make a written submission for consideration by the Corporation, but this right will not in any way remove that person's obligation to act in accordance with any directions or notices which are applicable under this Local Law.

PART 3 ACCESS AND CONDUCT

3.1 ACCESS

- (1) Subject to the provision of this Local Law any person shall have access to the Library to use services, resources and facilities provided for public use subject to the provisions of this Local Law.
- (2) Persons shall enter only those parts of the Library open for public use, except with the permission of the Chief Executive Officer or Authorised Officer.
- (3) Persons shall have access to the Library on the days and at the times fixed by the Library or at the request of the Chief Executive Officer or Authorised Officer .
- (4) All users shall have access to all books in the Library for consultation on the premises, with the exception of books determined by the Chief Executive Officer or Authorised Officer to be unavailable for lending or on restricted access.

3.2 ADMISSION

- (1) The Chief Executive Officer or Authorized Officer may refuse any person of the public admission to the library if the person is:
 - (a) in a drunken or intoxicated condition, or is under the influence of any prohibited drug;
 - (b) accompanied by an animal, bird or reptile except in the case of a blind person who is in control of a guide dog;
 - (c) carrying a firearm or an offensive weapon;
 - (d) not decently attired;
 - (e) under the age of five (5) years and is not in the apparent care of a responsible person; or

the Chief Executive Officer or Authorized Officer is satisfied that the person:

- (f) may behave in a disorderly manner while within the Library;
- (g) may offend against decency while within the Library, whether by reason of dress or conduct;
- (h) may endanger any other person within the Library;
- (i) may damage or destroy any books, furniture, fittings, fixtures or equipment within the Library; or
- (j) may cause serious inconvenience to any other person in the Library.

BEHAVIOUR

- (1) A person must not, without the authority of the Chief Executive Officer or Authorized Officer:
 - (a) Consume or sell intoxicating liquor to any person within the Library;
 - (b) Eat, drink or smoke in any area of the Library;
 - (c) Place or distribute any advertisements, handbills or notices within the Library;
 - (d) Organise or attend any rally, procession, demonstration or other public gathering within the Library;
 - (e) Sell or offer for sale within the Library any food, drink or other article;
 - (f) Make a collection of money within the Library;
 - (g) Bring an animal, bird or reptile into the Library other than a guide dog accompanying a blind person; or
 - (h) Enter or use any room which had been designated or set aside for persons of the opposite sex unless that person is a child under the age of six (6) years who is in the care of a responsible person.

- (2) A person must not:
 - (a) Behave in a disorderly manner while within the Library;
 - (b) Consume drugs, or supply or sell any drugs to any person within the Library;
 - (c) Create or take part in a fight or disturbance within the Library;
 - (d) Use any offensive, indecent or abusive language while within the Library;
 - (e) Offend against decency while within the Library, whether by reason of dress or conduct;
 - (f) Cause serious inconvenience to any other person in the Library;
 - (g) Remain within the Library after having been lawfully directed to leave by
 - (i) the Chief Executive Officer,
 - (ii) an Authorized Officer, or
 - (iii) a member of the Victoria Police.
 - (h) Endanger any other person or persons within the Library;
 - (i) Willfully or negligently break damage or interfere with a Library's furniture, computer equipment or other equipment;
 - (j) Deface, mutilate, mark or damage any book belonging to, or in the care of the Library; or
 - (k) Intentionally misplace or conceal any book within the Library with the intention of withholding its use from other persons.

PART 4 MEMBERSHIP

4.1 ELIGIBILITY

- (1) Subject to the approval of the Chief Executive Officer or Authorised Officer, the following persons shall be eligible to become members:
 - (a) Any ratepayer of Alpine Shire, Delatite Shire and Rural City of Wangaratta
 - (b) Any resident of Alpine Shire, Delatite Shire and Rural City of Wangaratta
 - (c) Any non-resident who is employed in or who attends an educational institution in the Alpine Shire, Delatite Shire and Rural City of Wangaratta
 - (d) Any temporary visitor eligible to join another Victorian Government subsidised public library.
- (2) All persons in the categories listed in Clause 4.1(1) of this Local Law shall provide proof of eligibility as shall be required by the Chief Executive Officer or Authorised Officer.

4.2 INSTITUTIONAL MEMBERSHIP

Institutional Membership may be extended to any association, society, school, institution, business or agency at the discretion of the Chief Executive Officer or Authorised Officer provided that the applicants premises, predominant area of service, business activity or normal meeting place is situated within the library service area and that the application is signed by an authorized officer.

4.3 APPLICATION

Persons wishing to borrow books shall:

- (a) Complete and sign the appropriate application form, which shall include an undertaking to comply with the provisions of this Local Law; and
- (b) satisfy the Chief Executive Officer or Authorised Officer that he or she is eligible for membership, providing proof of name and current address.

4.4 PERIOD OF MEMBERSHIP

Membership shall be current for a period of three years unless previously suspended or cancelled. Persons whose membership has lapsed may be required by the Chief Executive Officer or Authorised Officer to re-register before borrowing books.

4.5 MEMBERSHIP CARD

- (1) Every member on being issued with a membership card shall:
 - (a) Be responsible for the custody of the card;
 - (b) Produce the card to the Chief Executive Officer or Authorised Officer whenever a book is borrowed;
 - (c) Report the loss of the card to the Chief Executive Officer or Authorised Officer immediately such loss is discovered;
 - (d) Notify any change of address to the Chief Executive Officer or Authorised Officer;
 - (e) Surrender the card to the Chief Executive Officer or Authorised Officer on ceasing to be eligible for membership.
- (2) Membership cards are not transferable.
- (3) A member is responsible for the safe care of every book borrowed on his or her membership card.
- (4) If a membership card is lost or destroyed, the Chief Executive Officer may issue a replacement card to the member upon payment of any fee fixed by Resolution of the Board.

4.6 CANCELLATION

The Chief Executive Officer or Authorised Officer may suspend or cancel the membership of any member who refuses to:

- (a) Return books borrowed;
- (b) Pay overdue, lost or damaged book charges.
- (c) Comply with a policy adopted by the Board or the Chief Executive Officer and communicated to the member; or
- (d) Comply with any lawful request or action of the Chief Executive Officer or Authorised Officer under this Local Law.

4.7 GUARANTEE

Persons under the age of 18 may be required by the Chief Executive Officer or Authorised Officer to have a guarantee to make good the loss or damage to any book whilst in the member's use or possession signed by a parent or guardian.

PART 5 BORROWING AND SERVICES

5.1 BORROWING

Members shall be entitled to borrow books from the Library subject to the provisions of this Local Law.

5.2 MAXIMUM NUMBER OF BOOKS BORROWED

The Chief Executive Officer or Authorised Officer shall make rules from time to time stating the maximum number of books which may be borrowed at any one time.

5.3 PERSONAL DETAILS

Personal details of members, including information held in files outside the Library and in computer files, required for membership registration purposes shall not be made available to outside enquiries except in receiving written consent from the member, in response to a Court Order, or be used by Library staff for any purposes other than follow-up of unreturned books, or for statistical purposes. Membership and circulation statistics shall not be produced in such form as will identify individual members. The Corporation shall not be liable for any loss or damage incurred from the use of information held or provided by the Library and its staff.

5.4 PERSONAL ITEMS

Patrons may, with the consent of the Chief Executive Officer or Authorised Officer, bring into the Library reading or writing materials, bags, parcels or other articles. Large bags and trolleys shall be left in designated areas while their owners are using the Library. The Corporation takes no responsibility for loss or damage to any bag or other article so left. Any container or receptacle brought into the Library may be opened for inspection on the request of the Chief Executive or Authorised Officer as the user leaves the Library.

5.5 USE OF FACILITIES AND EQUIPMENT

- (1) Patrons may use equipment and facilities provided for the use of patrons.
- (2) The Chief Executive Officer or Authorised Officer may determine procedures or guidelines to the use of facilities and equipment by patrons.

PART 6 RETURN OF BOOKS

6.1 DATE OF RETURN

The time for retaining a book and the date for return shall be clearly indicated to the member. However, a member may apply by telephone, post or in person for an extension of time allowed for retaining a book, and where the request has been received prior to the date the books is to be returned to the Library, such extension may be granted if the book has not been reserved by another member.

6.2 RETURNS

No book shall be deemed to have been returned to the Library unless it has been handed to the Chief Executive Officer or Authorised Officer or left in a place or receptacle designated for the return of books, or dispatched to the Library by a means previously approved by the Chief Executive Officer or Authorised Officer.

6.3 REPLACEMENT CHARGES

- (1) Books stolen or lost shall remain the property of the Corporation although replaced or paid for.
- (2) On return of a book upon which a replacement fee has been paid a member is entitled to a refund upon said book. A refund shall only be paid on books returned inside twelve months of the original loan, excluding administration and processing costs.

6.4 BOOKS DAMAGED OR NOT RETURNED

- (1) A member is responsible for reporting to the Chief Executive Officer or Authorised Officer any damage discovered in any book on loan to him or her. This damage shall be reported at the time of issue or immediately on return.
- (2) The Chief Executive Officer may, in his or her absolute discretion, determine the replacement value of any book damaged, lost, stolen or destroyed.
- (3) If a book is not returned, or in the judgement of the Chief Executive Officer or Authorised Officer damaged to the degree warranting withdrawal from the collection, or other partial damage, or if it is stolen from a member, he or she shall at the discretion of the Chief Executive Officer or Authorised Officer pay to the Corporation the full replacement value of such books plus such amount for processing and administration.
- (4) The Chief Executive Officer or Authorised Officer may take such action as is deemed necessary for the recovery of a book or the value thereof at any time after the book becomes overdue and all or any costs associated with such recovery will be charged to the member.

PART 7 FEES AND CHARGES

7.1 SETTING FEES AND CHARGES

- (1) The Corporation may levy charges as determined from time to time which will be listed in the Register of Determinations.
- (2) A member may be required to pay a charge for retaining a book beyond the time allowed. The amount of such charge shall be advised by notice in a manner to be determined by the Chief Executive Officer. The Library shall have no obligation to send an overdue notice or notice of charges incurred and failure to send such notice shall be no excuse for non-payment of such charges or non-return of an item. At the discretion of the Chief Executive Officer liabilities incurred by a member under this clause shall be discharged before any book is issued.

7.2 WAIVER OR ALTERATION TO FEES AND CHARGES

The Chief Executive Officer or Authorised Officer may waive, reduce or alter any fee or charge with or without conditions.

Resolution for making this Local Law agreed to by the Board of the High Country Library Corporation on the 14 August 2000

THE COMMON SEAL of the BOARD }
OF THE HIGH COUNTRY LIBRARY }
CORPORATION was hereunto affixed }
in the presence of: }

..... Member

..... Member

..... Chief Executive Officer

Notice of the confirmation of this Local Law was inserted in the Victorian Government gazette dated on the 24 August, 2000.

A copy of this Local Law was sent to the Minister responsible for Local Government on 11 September, 2000.