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The undermentioned regulations made under the provisions of the Library Board of Western Australia Act, 1951, and amended from time to time prior to 27th February, 1964, are reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,
Under Secretary for Law.

LIBRARY BOARD OF WESTERN AUSTRALIA ACT, 1951.

REGULATIONS FOR THE CONDUCT OF PUBLIC LIBRARIES

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of Regulations Act, 1954, by authority
of the Minister dated 6th April, 1964.

Library Board of Western Australia Act, 1951.

REGULATIONS FOR THE CONDUCT OF PUBLIC LIBRARIES.

1. These regulations may be cited as the Regulations for the conduct of Public Libraries.

2. In these regulations, unless the context otherwise requires—
“Act” means the Library Board of Western Australia Act, 1951;

“Board” means The Library Board of Western Australia constituted pursuant to the provisions of the Act;

“library authority” means a local authority which is a participating body pursuant to the provisions of the Act;

“library” means a library registered as a free library by the Board in pursuance of the Act and includes any rooms, offices, passages, staircases, entrances and exits whatsoever forming part thereof and adjacent thereto;

“book” includes periodical, newspaper, pamphlet, music score, picture, print, photograph, map, chart, plan, manuscript, film, slide, gramophone record, or any other article of a like nature, forming part of the contents of the library, whether or not the property of the Board or of the library authority;

“registered reader” means a person to whom a reader's ticket is issued in accordance with these regulations by a library authority;

“recognised organisation” means any society, association, company, college, school or other organisation whatsoever whether corporate or incorporate, which is permitted to borrow books from a library in accordance with these regulations;

“librarian” means the person for the time being holding the office of librarian of a library or his duly appointed representative.

Added by
G.G. 1/5/62,
p. 1028.

2A. Where in accordance with the provisions of the Local Government Act, 1960 (as amended), a municipality that is a library authority within the meaning of these regulations (hereafter in this regulation referred to as “the former municipality”)—

(a) is included in the district of a new municipality constituted under that Act;

(b) is united with a municipality that is not such a library authority; or

(c) is dissolved and its district is included in that of a municipality that is not such a library authority,

then for the purposes of these regulations the new municipality so constituted, or the municipality formed by the union, or the municipality in which is included the district of the former municipality, as the case may be, shall in respect of the rights and liabilities of the former municipality conferred and imposed by the provisions of the Local Government Act, 1960 (as amended), so far as the same relate to the rights and liabilities of the former municipality as a library authority, exercise those rights and be subject to those liabilities to the same extent and in respect to the same district only as the former municipality could do and was subject to at the time of the constitution, union or dissolution, as the case may be, unless and until the municipality on which those rights and liabilities are so conferred and imposed is declared to be a participating body pursuant to the provisions of the Act.

3. (1) The library authority shall subject to regulation 4 of these regulations open the library on such days and during such hours as it may with the concurrence of the Board from time to time determine.

(2) The library authority shall clearly exhibit and keep so exhibited in or on the library in a conspicuous place a statement of the days and times during which the library will be open.

4. The library authority shall not open the library on a Sunday, Christmas Day, Good Friday or any public holiday.

Amended by
G.G. 1/5/62,
p. 1028.

5. A person who is—

- (a) a ratepayer within the meaning of the expression "ratepayer" in the Municipal Corporations Act, 1906 (as amended), the Road Districts Act, 1919 (as amended), or the Local Government Act, 1960 (as amended);
- (b) enrolled as an elector on the electoral roll for the district or part of the district of the library authority;
- (c) a registered reader of any other library authority in the State;
- (d) over the age of 14 years, not being a ratepayer or an elector and who is normally resident in the district of the library authority;
- (e) a child of compulsory school age who is resident in the district of the library authority, if he is recommended to the library authority by his parent, guardian or a teacher of the school which he attends;

is entitled, subject to the provisions of these regulations and of any condition made by the library authority pursuant to these regulations, to borrow books from the library for home reading.

6. (1) The library authority may subject to these regulations and to any condition made by the library authority pursuant to these regulations lend books to a person who is—

- (a) over the age of 14 years and who is employed within the district of the library authority subject if so required by the library authority to his obtaining a recommendation to the satisfaction of the library authority from his employer;
- (b) not resident or employed in the district of the library authority but who is attending an educational institution within that district, if he obtains the recommendation of the principal of the institution or his representative;
- (c) not normally resident or employed in the district of a library authority if he pays such sum by way of deposit as the library authority with the concurrence of the Board determines;
- (d) not being a registered reader who presents a current reader's ticket or like authority issued by any other public library in the Commonwealth of Australia.

(2) The deposit referred to in paragraph (c) of sub-regulation (1) of this regulation shall be refunded by the library authority to the person who deposited it, when he notifies the librarian that he no longer desires to borrow books and if at the time of the notification the registered reader is not liable to pay the library authority any moneys, has returned all books to the library authority borrowed from it and is not liable for a breach of these regulations.

7. (1) The library authority may permit any association, society or institution established for the study or practice of arts or science, any school, college or educational institution, any business or any department or agency of the Government of Western Australia or of the Commonwealth of Australia to borrow books which are required for the official business of the organisation.

(2) A recognised organisation desirous of borrowing books shall make application on the appropriate form provided by the library authority signed by an authorised officer of the organisation.

8. No charge shall be made for the registration of a reader, for the issue of a reader's ticket or for the loan of books except—

- (a) the library authority may make a charge not exceeding sixpence for the issue of a ticket to replace one reported lost or destroyed by a registered reader;
- (b) the library authority may charge a subscription on a scale to be determined by the authority with the approval of the Board for the loan of books to a person eligible to borrow books under regulation 6 (c);
- (c) as otherwise provided in these regulations.

9. (1) A person who desires to borrow books from the lending library shall make an application on the appropriate form provided by the library authority.

(2) Where an application form is delivered to the librarian if the form is duly completed by the applicant to the satisfaction of the librarian he shall issue to the applicant one general ticket which entitles the registered reader to books of fiction or non fiction and with the approval of the Board one additional general ticket may be issued at the discretion of the library authority; and the librarian may issue three additional tickets which entitle the registered reader to books of non fiction or such greater number of tickets as the librarian to whom the application is made may determine.

(3) General tickets shall not be issued to a recognised organisation other than an educational institution which requires to borrow fiction for the purposes of study.

10. All tickets (except those held by persons paying a subscription) remain in force for a period of two years from the date of issue unless previously surrendered or cancelled.

11. (1) Registered readers shall not transfer their reader's tickets.

(2) Where books are borrowed on a reader's ticket the person in whose name the ticket is issued shall be held responsible for the books.

(3) Where a reader's ticket is lost or destroyed the person in whose name the ticket is issued shall immediately notify the librarian of the library in which the ticket was issued.

(4) Where a person proves to the satisfaction of the librarian that his reader's ticket has been lost or destroyed the librarian may on payment of the prescribed fee issue that person with a reader's ticket in lieu of the one lost or destroyed but the registered reader is responsible for any book borrowed on the ticket lost or destroyed.

12. A registered reader who changes his address or does not intend to use the library in the future shall notify the librarian immediately and forward his reader's tickets for alteration or cancellation.

13. Before a book is borrowed from the library the person borrowing it shall produce and leave with some responsible officer of the library a reader's ticket.

14. The librarian may decline to issue books to messengers whom he may consider too young or unfit to take care of them and he may also refuse to issue books except to the borrower in person.

15. (1) The time allowed for reading a book is fourteen days exclusive of the day of issue unless otherwise determined by the library authority with the concurrence of the Board.

(2) The librarian may decline to change a book on the day on which it was issued.

16. (1) If a book is not required by another reader the period of loan may be extended for a further period.

(2) An application for an extension of the period of the loan may be made by—

- (a) presenting the book at the library from which it was borrowed in order that it may be redated;
- (b) written application giving the name of the author and the title of the book and the date on which it was due to be returned to the library;
- (c) telephone to the librarian giving the particulars referred to in paragraph (b) of this sub-regulation.

17. (1) A registered reader who retains a book beyond the period of fourteen days from the date of issue, or beyond any period of loan which is extended in accordance with regulation sixteen of these regulations shall pay to the library authority a sum (if any) as may be determined by it not exceeding one shilling for each week that the book is retained after the prospective loan period until the book is returned to the library.

(2) The registered reader upon whose reader's ticket a book is borrowed shall pay postage and all other expenses incurred by a library authority in endeavouring to secure the return of the book.

(3) The librarian may at any time refuse to issue books to a registered reader who is in arrear with any payments due under the last preceding regulation without prejudice to the claim of the library authority for payment of any sums then due or to become due.

(4) If a registered reader is frequently guilty of returning books beyond the period of loan the library authority may suspend or cancel his reader's ticket or tickets.

18. The library authority may refuse to permit a registered reader to renew his reader's ticket or may at any time wholly cancel or suspend the ticket, if it deems the holder an unfit person to enjoy the privileges thereby conferred whereupon the ticket shall cease to be in force either wholly or during the period of suspension as the case may be.

19. (1) The librarian may refuse to issue any book to a registered reader who or any members of whose family or household he has reason to believe to be suffering or recovering from any infectious or contagious disorder.

(2) Where a book has been issued to a registered reader if a member of his family or household is suffering from any infectious or contagious disorder, he shall before returning the book notify the librarian of the fact and carry out such direction with regard to the book as the librarian may determine.

20. During the period a book is borrowed from a library by a registered reader he shall—

- (a) keep the book clean;
- (b) not turn down the leaves or make pencil or other marks upon it; and
- (c) protect the book from the weather and in all other ways take precautions to prevent any damage to or loss of value to the book.

21. (1) When and as often as a book is returned to a library the registered reader shall deliver or cause it to be delivered to the librarian of the library from which it was borrowed, at the desk or counter set apart for the purpose or the book may be returned to the library in a prepaid postage package addressed to the librarian.

(2) (a) Where a book is not returned after due notice requesting its return has been given by the librarian or is lost whilst being on loan to a registered reader or being so returned is on examination found to have been damaged or to have sustained

loss of value, the registered reader who borrowed the book may be required to pay the cost of replacement of the book as determined by the Board and if the book is one volume of a set or series and it is found impracticable to replace that volume, to pay the cost of replacement of the whole work or at the direction of the Board to compensate the library authority and the Board for the loss or damage sustained.

(b) The Board's valuation of the cost of replacement of any book the whole of any work or the loss or damage sustained as provided in this regulation shall be final and conclusive.

22. (1) (a) Where a book is issued in a damaged or imperfect condition the registered reader shall report the fact to the librarian before he takes the book from the library.

(b) Where a book receives damage whilst in the custody of a registered reader he shall on returning the book call the attention of the librarian to any injury it has sustained; and any reader who fails to do so may be held responsible for the injury.

(2) Books stolen or lost remain the property of the Board although replaced or paid for.

(3) Nothing in this regulation is to be construed so as to diminish the effect of regulation number 21 of these regulations.

23. (1) Any book in the stock of the library will be reserved for a registered reader by the librarian on the completion of the appropriate application form.

(2) The librarian shall notify the registered reader when the book is available to him.

24. (1) A registered reader may apply to the librarian for a book which is not at the time in the stock of the library and which is required by him for purposes of information or study and the librarian shall inform the Board of the reader's application.

(2) The Board may take such steps as are appropriate to supply the book or the information required.

25. Where a book is provided in the library for reference use only it shall not be borrowed from the library unless in the absolute discretion of the librarian the special circumstances of the case warrant that it should be permitted to be taken from the library.

26. (1) A person entering a library shall deposit umbrellas, sticks, bags, parcels and such other articles in such place as may be directed by a notice posted on the entrance to the library and all articles so deposited shall be reclaimed by the depositor before he leaves the library.

(2) The library authority has the right to open any bags or parcels or any other articles so deposited and if any articles so deposited are not claimed within seven days to forward the same to the Police Department.

(3) The library authority is not responsible for any loss of or damage to any articles deposited in the library in accordance with this regulation.

27. (1) Persons under the age of 14 years are eligible to make use of that part of the library or the books which are provided for adults only at the discretion of the librarian.

(2) Young children may be admitted to the library in the care of an adult who is responsible for their behaviour.

(3) Children who are noisy or ill-behaved may be excluded or removed from the library at the discretion of the librarian.

28. The librarian has the general control and charge of the library and is responsible to the library authority for the safe custody of the books and all other property therein or belonging thereto.

29. A person shall comply with any reasonable direction of the librarian and shall not wilfully obstruct any officer or servant of the library authority or the Board in the execution of his duty or wilfully disturb, interrupt or annoy any other person in the proper use of the library.

30. A person shall not cause or permit any dog or any other animal belonging to him or under his control to enter or remain in the library.

31. A person shall not bring into any part of the library a bicycle or other wheeled vehicle or conveyance except with the permission of the librarian.

32. A person other than an officer or servant of the library authority or the Board shall not enter or remain in any part of the library which is not set apart for the use of the public except with the permission of the librarian.

33. A person shall not spit in any part of the library.

34. A person shall not lie on the chairs, table, floor or any other part of the library or loiter, sleep or partake of refreshment in the library.

35. A person other than an officer or servant of the library authority shall not affix or post any bill, placard or notice to or upon any part of the library.

36. A person who is offensively unclean in person or in dress or who is suffering from an offensive disease shall not enter or use the library.

37. A person shall not give a false name or address for the purpose of entering any part of the library or obtaining any privilege therefrom.

38. A person other than an officer or servant of the library authority shall not offer anything for sale in the library.

39. A person shall not behave in a disorderly manner, use violent, abusive or obscene language, or bet or gamble in the library.

40. A person shall not, after proper warning, remain in the library beyond the hours fixed for the closing of the library.

41. A person shall not carelessly, negligently or maliciously soil, tear, cut, deface, damage, injure or destroy any book or other object forming part of the contents of the library whether within the library or elsewhere.

42. A person shall not make a tracing of any book except through a protective screen and with the permission of the librarian.

43. A person shall not without proper authority take or cause to be taken from the library or receive or be in possession of any book forming part of the contents of the library, whether or not the property of the Board or of the library authority.

44. A person shall not misplace or secrete any book or any record of a book in the library with intent to withhold its use from others.

45. (1) The librarian has the power—

- (a) to suspend the use of a reader's ticket or tickets;
- (b) to refuse books and to deny the use of the library to any person who refuses or neglects to comply with these regulations.

(2) A person who is aggrieved by the decision of a librarian made under this section may appeal against the decision to the library authority whose decision on the matter is final.

46. The librarian may exclude or remove from the library—
- (a) all disorderly persons;
 - (b) any person who appears to be intoxicated;
 - (c) a person who is not using the library for the purposes for which it is intended;
 - (d) a person who has committed a breach of these regulations if it appears likely that his continued presence in the library may lead to a further breach of the regulations.

47. All sums and penalties that are payable under these regulations may be recovered in any Court of competent jurisdiction by the Board or the library authority as the case may be as a deposit due to the Board or the library authority.

48. A person who commits a breach of these regulations is liable to a penalty not exceeding fifty pounds and in addition to any penalty imposed, the amount of any expense incurred in consequence of the breach shall be paid by the person.