



Western Australia

Library Board (State Library) Regulations 1956

Compare between:

[07 Feb 2014, 02-a0-03] and [24 Jun 2017, 02-b0-03]



Western Australia

Reprinted under the
Reprints Act 1984 as
at 7 February 2014

Library Board of Western Australia Act 1951

Library Board (State Library) Regulations 1956

1. Citation

These regulations may be cited as the *Library Board (State Library) Regulations 1956*¹.

[Regulation 1 amended ~~in~~ Gazette 6 Dec 2013 p. 5737.]

2. Terms used

In these regulations, unless the context otherwise requires —

Act means the *Library Board of Western Australia Act 1951* (as amended);

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

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;

librarian means the State Librarian, and includes the person for the time being in charge of any part or section of the library;

library means The State Library of Western Australia and includes any rooms, offices, passages, staircases, entrances,

exits and gardens whatsoever forming part thereof and adjacent thereto.

[Regulation 2 amended-~~in~~: Gazette 6 Dec 2013 p. 5737.]

[3. Deleted-~~in~~: Gazette 6 Dec 2013 p. 5737.]

4. General control vested in librarian

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

[5-10. Deleted-~~in~~: Gazette 6 Dec 2013 p. 5737.]

11. Photocopies

Photographic copies made by the librarian for the personal use of a person shall not be used for further reproduction without the permission in writing of the owner of the copyright and of the Board. The Board may impose conditions on such reproduction and the person shall comply with such conditions.

[12, 13. Deleted-~~in~~: Gazette 6 Dec 2013 p. 5737.]

14. Persons to comply with directions of librarian

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

[Regulation 14 amended-~~in~~: Gazette 6 Dec 2013 p. 5738.]

[15-31. Deleted-~~in~~: Gazette 6 Dec 2013 p. 5738.]

32. ~~Librarian may refuse books or use of library~~

~~(1) The librarian has the power to refuse books and to deny the use of the library to any person who refuses to comply with these regulations or who~~ Persons ~~may be excluded or removed from the library under the provisions of regulation 33.~~

~~(2) A person who is aggrieved by the decision of a librarian made under this regulation may appeal against the decision to the Board.~~

~~(3) The decision of the Board is final, but the librarian's decision or denial as the case may be under subregulation (1) has effect until overruled by the decision of the Board.~~

~~33. Librarian~~ (1) The librarian may exclude ~~or remove persons a~~ person from the library if the person —

~~The librarian may exclude or remove from the library —~~

(a) ~~all is behaving in a~~ disorderly ~~persons; manner; or~~

(b) ~~any person who~~ appears to be ~~intoxicated; affected by~~ alcohol or drugs; or

(c) ~~a person who~~ accesses any indecent, obscene or offensive content on a computer or other electronic device in a public area of the library and continues to do so after being directed to stop by the librarian; or

(d) is not using the library for the ~~purposes~~ purpose for which it is intended; or

~~(d) — a person who~~ (e) _____ has committed a breach of these regulations ~~if~~ and it appears likely that the person's continued presence in the library may lead to a further breach of ~~the~~ these regulations.

(2) The librarian must give a person who is excluded under subregulation (1) a written notice that —

(a) states the person is excluded from the library; and

(b) specifies the period of exclusion; and

- (c) explains the reason for the exclusion; and
- (d) informs the person about the person's right to apply to the Board under subregulation (4)(c) for a review of the exclusion.
- (3) The librarian may determine the period of exclusion for the purposes of subregulation (2)(b) which must not be longer than 2 years.
- (4) A person who is excluded under subregulation (1) —
 - (a) if applicable — must leave the library immediately; and
 - (b) must not enter the library during the period of exclusion; and
 - (c) may apply in writing to the Board for a review of the exclusion.
- (5) On application under subregulation (4)(c), the Board may —
 - (a) confirm the exclusion; or
 - (b) revoke the exclusion; or
 - (c) substitute a different period of exclusion.

[Regulation ~~33~~ amended in ~~32~~ inserted: Gazette ~~6 Dec 2013~~ 23 Jun 2017 p. ~~5738~~3178-9.]

[~~33.~~ Deleted: Gazette 23 Jun 2017 p. 3178.]

34. Use of books from library

- (1) The Board shall conduct the State Library primarily as a reference library. Books from the stock of the State Library may, at the discretion of the Board, be lent —
 - (a) to an approved library;
 - (b) to any department or instrumentality of the Government of Western Australia or of the Commonwealth of Australia, for official use;
 - (c) to other persons or bodies in exceptional circumstances.

- (2) No book shall be removed from the library without the authority of the librarian, who may at his discretion decline to give such authority or impose conditions as to the manner in which the book shall be used, the period of loan, or as to any other matter. A person accepting a book on loan shall be deemed to have assented to any such conditions and shall comply with them.
- (3) In respect of any such loan the *Library Board (Registered Public Libraries) Regulations 1985*² shall apply, in so far as they are applicable, as if the State Library were a registered public library and any person borrowing a book shall comply with those regulations.

35. Recovery of penalties

Any sum or penalty payable under these regulations may be recovered in any court of competent jurisdiction by the Board as a debt due to the Board.

36. Penalty for breach of regulations

A person who commits a breach of these regulations is liable to a penalty not exceeding \$100 and in addition to any penalty imposed, the amount of any expense incurred in consequence of the breach shall be paid by the person.

[Regulation 36 amended ~~by~~ Act No. 113 of 1965 s. 8(1).]

Notes

- ¹ This ~~reprint~~ is a compilation ~~as at 7 February 2014~~ of the *Library Board (State Library) Regulations 1956* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Regulations for the Conduct of the State Library</i> ³	3 Aug 1956 p. 1913-16	3 Aug 1956
<i>Decimal Currency Act 1965</i> assented to	21 Dec 1965	Act other than s. 4-9: 21 Dec 1965 (see s. 2(1)); s. 4-9: 14 Feb 1966 (see s. 2(2))
Reprint of the <i>Regulations for the Conduct of the State Library</i> as at 6 Dec 2002 (includes amendment listed above)		
<i>Library Board (State Library) Amendment Regulations 2013</i>	6 Dec 2013 p. 5737-8	r. 1 and 2: 6 Dec 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Dec 2013 (see r. 2(b))
Reprint 2: The <i>Library Board (State Library) Regulations 1956</i> as at 7 Feb 2014 (includes amendment listed above)		
<i>Library Board (State Library) Amendment Regulations 2017</i>	23 Jun 2017 p. 3177-9	r. 1 and 2: 23 Jun 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Jun 2017 (see r. 2(b))

- ² Under the *Interpretation Act 1984* s. 16(1), a reference to the *Regulations for the Conduct of Public Libraries* may be read as including a reference to the *Library Board (Registered Public Libraries) Regulations 1985*. The reference was changed under the *Reprints Act 1984* s. 7(3)(g). The *Regulations for the Conduct of Public Libraries* were repealed by the *Library Board (Registered Public Libraries) Regulations 1985* r. 32.
- ³ Now known as the *Library Board (State Library) Regulations 1956*; citation changed (see note under r. 1).