

UNIVERSITY OF SYDNEY (LIBRARY) RULE 2011

The University Librarian makes the following rule under Section 37 of the *University of Sydney Act 1989* and Chapter Six of the *University of Sydney By-law 1999*.

Adopted on: 28 February 2011

Effective from: 28 February 2011

Last amended on: 04 December 2018

Last amendment effective from: 04 December 2018 (digital library card amendments)

Name: John Shipp

Anne Bell

Position: University Librarian

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1 Name of Rule

This is the *University of Sydney (Library) Rule 2011*.

2 Commencement

This Rule commences on 28 February 2011.

3 Statement of intent

- (1) This Rule provides:
 - (a) the conditions for use of library resources;
 - (b) the terms on which library resources may be borrowed; and
 - (c) the circumstances in which fees or charges may be charged.
- (2) This Rule repeals all existing rules and regulations relating to the use of the Library and library resources, including the *University of Sydney (Library) Rule 2003*.

4 Application

This Rule applies to all users of the library or library resources.

5 Definitions and interpretation

- (1) In this Rule:

affiliate has the meaning given to it in the University's *Code of Conduct*, which, as at the date of this Rule, is:

clinical title holders; adjunct, conjoint and honorary appointees; consultants and contractors to the University; holders of offices in University entities, members of Boards of University Foundations, members of University Committees; and any other persons appointed or engaged by the University to perform duties or functions on its behalf.

associate means an individual over the age of 16 who wishes to use the Library for independent scholarship and is:

- a graduate of the University and its antecedent institutions;
- a graduate, student or member of staff of an international university approved by the University Librarian;
- a retired staff member of the University;
- a Student-at-Law registered by the Legal Profession Admission Board of NSW; or
- a person awarded a Diploma of Law by the Legal Profession Admission Board of NSW;
- a student or member of staff of another Australian or New Zealand university taking part in collaborative programs approved by the University Librarian;
- a member of staff of a residential college affiliated with the University;



- a member of staff or a senior secondary student of a school taking part in a partnership program approved by the University;
- a student or member of staff of the Conservatorium High School;
- a member of a University centre, institute, foundation or controlled or associated body; or
- a member of the community who wishes to use library resources.

Note: See <https://library.sydney.edu.au/libraries/membership.html> for details of access provided.

digital library card	means an authorised digital version of a library card issued by the University for that purpose
Enterprise Agreement	means <i>The University of Sydney Enterprise Agreement 2013-2017</i> or as amended or replaced from time to time.
Library	means any physical site managed by or on behalf of the University Librarian.
library card	means a physical student card, staff card or library card issued by the University.
library resource	means any item, facility or service (including any online or networked resource or service) available in or through the Library.
misuse	includes use in a manner which breaches any law or licence condition, use for commercial purposes and use in contravention of a direction from Library or security staff.
staff member	means an employee of the University, including a casual employee.
student	means a person who is currently admitted to candidature in an award course of the University or who is enrolled in a unit of study conducted by the University.
University Librarian	means the Director, University Libraries, and in appropriate circumstances, any person authorised to act on behalf of the University Librarian.

- (2) Headings, notes, marginal notes, footnotes or endnotes are not provisions of this Rule.

6 Access to the Library and library resources

- (1) The Library and library resources are provided primarily to facilitate and support the educational and research activities of the University, its staff and students.
- (2) Staff and students of the University have priority of access.
- (3) The University Librarian may determine who else may use the Library and library resources and under what conditions.

7 Suspension or revocation of access

- (1) The University Librarian may suspend or revoke, a user's access to the Library or library resources if the user fails to comply with this Rule.
- (2) The University Librarian may restrict access to library resources by users with outstanding fees or charges, or who have overdue borrowed items.
- (3) A user whose access to the Library or library resources has been suspended or revoked under subclause 7(1) may:
 - (a) seek a review of the decision by lodging a written request with the University Librarian; and
 - (b) if still aggrieved after such a review, seek a further review by lodging a written request with the Provost.
- (4) Upon receipt of a request for review from a user, the University Librarian or Provost (as appropriate) will:
 - (a) provide a written acknowledgement of the request within 10 working days of receiving it; and
 - (b) notify the user in writing of any action taken; and
 - (c) provide reasons for any decisions made.
- (5) A staff member whose access to the Library or library resources has been suspended or revoked under subclause 7(1) may, if the Enterprise Agreement applies to that staff member, seek a review of the decision under the review of actions and decisions provisions of the Enterprise Agreement or invoke the dispute settling procedures of the Enterprise Agreement.
- (6) Where a user applies for a review of a decision to suspend or revoke access, the suspension or revocation will not take effect until the review has been completed.

8 Behaviour in the Library

- (1) All users should be able to work in the Library without unreasonable or unnecessary disturbance or distraction.
- (2) A user must not:
 - (a) unreasonably impede other users, or Library or security staff;
 - (b) behave in a noisy, annoying, dangerous or otherwise unreasonably disruptive manner;
 - (c) unreasonably restrict others' access to, or use of, library resources;
 - (d) unnecessarily divert Library or security staff from carrying out their normal duties; or
 - (e) bring any animal into the Library other than an assistance animal as defined in Section 9 of the [Disability Discrimination Act 1992 \(Cth\)](#).
- (3) A user must:
 - (a) produce a library card or other form of photographic identification upon request by Library or security staff;
 - (b) make any bag, receptacle, or folder brought into a library available for inspection by Library or security staff;



- (c) comply with all notices or signs in the Library or posted on the Library's website, including those relating to:
 - (i) using, borrowing or reserving library resources;
 - (ii) fees or charges;
 - (iii) opening and closing times;
 - (iv) copyright (especially in relation to photocopying, printing or transfer to data storage devices);
 - (v) laws relating to data protection and privacy;
 - (vi) use of electronic or communication devices;
 - (vii) eating or drinking; or
 - (viii) health and safety (including those relating to smoking and emergency evacuation procedures).

9 Use of library resources

- (1) A user must not:
 - (a) misuse, damage or destroy any library resource or library property;
 - (b) use any library resource for a commercial purpose; or
 - (c) use any library resource in a manner inconsistent with the educational and research activities of the University.
- (2) A user must comply with:
 - (a) laws relating to the use of internet and other online or networked resources, including those relating to:
 - (i) copyright and other intellectual property rights;
 - (ii) defamation;
 - (iii) pornography and content classification; and
 - (iv) data protection;
 - (b) any conditions about access to or use of library resources imposed by this Rule, by the University Librarian or the University.
- (3) It is the user's responsibility to make reasonable attempts to become familiar with the laws, rules and conditions referred to in this clause.

10 Who may borrow library resources

- (1) Staff, students, affiliates and associates may borrow library resources.
- (2) The University Librarian may determine other categories of individuals permitted to borrow library resources.

11 What library resources may be borrowed

- (1) The University Librarian may determine what library resources may or may not be borrowed, and on what terms.

- (2) Unless the University Librarian determines otherwise, the following items may not be borrowed:
 - (a) periodicals, including newspapers, University calendars and examination papers;
 - (b) any item marked **Not for Loan**; or
 - (c) items from Rare Books and Special Collections.

12 Library cards

- (1) No user may borrow a library resource without holding and producing a current physical library card or digital library card in that user's name.
- (2) The physical library card for a staff member is their staff card.
- (3) The physical library card for a student is their student card.
- (4) The physical library card for other users is the library card issued to them by the Student Centre according to the procedures determined by the University Librarian.
- (5) A user must notify the Library immediately upon becoming aware that the user's library card has been:
 - (a) lost, stolen or destroyed; or
 - (b) used by another person.
- (6) A digital library card can only be used to borrow library resources in accordance with this clause and cannot otherwise be used as a substitute for a staff card, student card, or library card issued to users who are not staff or students.

13 Borrowing conditions

- (1) A user who borrows a library resource must:
 - (a) keep the borrowed item reasonably safe and secure in the user's possession;
 - (b) return the borrowed item on or before the due return date;
 - (c) return the borrowed item in the same condition as when it was borrowed, subject to reasonable wear and tear; and
 - (d) notify the Library immediately if the borrowed item is lost, stolen, damaged or destroyed.
- (2) If a user's library card has been lost, stolen or destroyed the user will be responsible for the return, replacement or cost of replacement of any library resources borrowed using that library card before it was reported to the library as lost, stolen or destroyed.

14 Loan periods

- (1) The University Librarian may determine loan periods including renewal periods.
- (2) The Library may recall a borrowed item at any time by notifying the borrower.
- (3) If a borrowed item is recalled, the due return date specified in the recall notice becomes the due return date for the item.

15 Fees and charges

- (1) The University Librarian may determine fees, charges and compensation. They may be calculated on a once-only, periodical or user pays basis.
- (2) Membership fees may be charged for associates.
- (3) Fees may be charged for access to, or use of, library resources not normally available to a category of user.
- (4) Charges may be imposed for any of the following:
 - (a) overdue borrowed items;
 - (b) replacing a library card;
 - (c) misuse, loss, damage, destruction, or unauthorised removal of library resources;
 - (d) other breaches of this Rule.
- (5) The University Librarian may require a user to pay compensation for the misuse, loss, damage or destruction of a library resource by that user. A user will be taken to have caused the misuse, loss, damage or destruction if the item was in that user's possession, or borrowed with that user's library card, at the relevant time unless the library card was previously reported as lost, damaged or stolen.
- (6) The University Librarian may waive or suspend a requirement to pay a fee, charge or compensation.

16 Determinations by the University Librarian

- (1) Determinations made by the University Librarian under this Rule must be:
 - (a) made in writing; and
 - (b) posted on the Library's website as soon as practicable after they are made.
- (2) Determinations may be publicised in any additional manner the University Librarian considers appropriate.

17 Library notices

- (1) The default means of communication between the Library and users is email.
- (2) Email for staff or students will be sent to the user's University email address.
- (3) Email for other users will be sent to the email address notified to the University by the user.
- (4) Users are responsible for notifying the University of changes to their contact details.
- (5) The Library will not be held responsible if a user does not receive a notice by a certain time, or at all.



NOTES

University of Sydney (Library) Rule 2011

Date adopted: 28 February 2011

Date commenced: 28 February 2011

Date amended: 24 August 2017 (administrative amendments)
04 December 2018 (digital library card amendments)

Administrator: Director, University Libraries

Review date: 04 December 2019

Related documents: *Copyright Act 1968 (Cth)*
Disability Discrimination Act 1992 (Cth)
Privacy Act 1988 (Cth)

Anti-Discrimination Act 1977 (NSW)

Privacy and Personal Information Protection Act 1998 (NSW)

University of Sydney Act 1989

University of Sydney By-law 1999

University of Sydney (Campus Access) Rule 2009

Bullying, Harassment and Discrimination Prevention Policy 2015

Bullying, Harassment and Discrimination Resolution Procedures 2015

Children in University Workplaces and Premises Policy

Code of Conduct for Students

Code of Conduct – Staff and Affiliates

Disability Action Plan

Privacy Management Plan

Resolution of Complaints Policy 2015

Student Complaints Procedures 2015

AMENDMENT HISTORY

Provision	Amendment	Commencing
Document information	"Librarian of the University of Sydney" amended to read "University Librarian". Name "Anne Bell" included after "John Shipp"	28 August 2017
5(1)	New and amended definitions for "affiliate", "associate", "Enterprise Agreement", "Library", "library card", "library resource", "misuse", "University Librarian".	28 August 2017
6	"the" added before "Library"	28 August 2017
6(3); 7(1); 7(2); 7(3)(a); 7(4); 9(2)(b); 10(2); 11(1); 11(2); 12(4); 14(1); 15(1)15(5); 15(6); 16; 16(1)	"University" added before "Librarian"	28 August 2017
7(1); 7(3); 7(5)	Various amendments for clarification	28 August 2017
7(2)	"individuals" replaced by "users"	28 August 2017
8; 8(1);8(3)(c); 14(2); 17(1)	Capitalisation of "Library"	28 August 2017
8(2)(a); 8(2)(d)-(e); 8(3)(a)-(c)	Capitalisation of "Library" and inclusion of "or security staff" after "Library"	28 August 2017
8(2)(a)-(c); 8(3):c(i)-(vi); 9(1)(a)	"or" removed from end of subclause	28 August 2017
8(3)(a)-(b); 9(2)(a)(i)-(ii)	"and" removed from end of subclause	28 August 2017
11(1)	Phrase "and on what terms" added to end of clause	28 August 2017
11(2)	Subclause deleted; subsequent clause renumbered	28 August 2017



Provision	Amendment	Commencing
11(2)(c); 11(2)(e)	Subclauses deleted; libraries no longer included in University Library.	28 August 2017
12(3)	“campus” removed after student	28 August 2017
12(4)	“Campus Card Centre” replaced with “Student Centre”	28 August 2017
13(1) (b)- (d)	Subclauses re-ordered for clarification	28 August 2017
17(1)-(3)	“Electronic mail” replaced by “email”	28 August 2017
Notes	Administrator changed to Director, University Libraries	28 August 2017
Related documents	Amendments to external and internal policy documents titles and hyperlinks	28 August 2017
5(1)	Added “digital library card” definition	04 December 2018
5(1)	In the definition of “library card”: “any of” deleted, “physical” added before “student card”, “a” deleted where it appears a second time, and “under clause 12” deleted	04 December 2018
12(1)	“physical” added before “library card”	04 December 2018
12(1)	“or digital library card” added before “in that user’s name”	04 December 2018
12(2)-(3)	“physical” added before “library card”	04 December 2018
12(4)	“physical” added before “library card” where it first appears	04 December 2018
12(6)	New subclause added	04 December 2018