

University of Sydney (Library) Rule 2003

Approved by: The University Librarian on 5 September 2003
Date of effect: 10 October 2003

Latest amendment approved by: Senate on 4 May 2009 (concerning definition of a student)
Date of effect: 5 June 2010 (following gazettal of changes to the By-law)

1. Citation and commencement

1.1 Citation

This Rule is made by the University Librarian pursuant to section 37(1) of the Act, and pursuant to Chapter 6 of the *University of Sydney By-law 1999*.

1.2 Commencement

This Rule commences on the day after it is made in accordance with Chapter 2 of the *University of Sydney By-law 1999*.

2. Purpose

This Rule:

- 2.1 Prescribes in Schedule 1 those matters set out in clause 5(3) (a), (b) and (c) of the *University of Sydney By-law 1999*;
- 2.2 Applies to anyone defined as a User in Schedule 1; and
- 2.3 Repeals all existing Library Regulations in force before the commencement of this Rule.

Schedule 1 – New Library Rule

1. Dictionary

In this Rule:

- 1.1 **Borrowed Item** means any Library Resource that can be borrowed from the Library;
- 1.2 **Borrower** means any User who borrows anything from the Library;
- 1.3 **Library** means any library of the University of Sydney;
- 1.4 **Library Resource** means anything or any facility or service (including any on-line or networked resource) available in, from or through a Library to some or all Users;
- 1.5 **Librarian** means the University Librarian, and includes, where appropriate, any person acting in that position or any Library Staff acting as a delegate or agent of the Librarian;
- 1.6 **Library Staff** means staff of a Library;
- 1.7 **Staff** means any person who is a member of the academic or non-academic staff of the University;
- 1.8 **Student** has the meaning prescribed in subclause 3(1) of the *University of Sydney By-law 1999* (as amended), but does not include any full-time member of the staff of the University.
- 1.9 **User** means any person (including Borrowers) who uses a Library.

2. Library Resources generally

Conditions of use

1. Libraries and Library Resources are provided:
 - 1.1 primarily for staff and students of the University, who have priority of access and use at all times;
 - 1.2 to facilitate and assist the educational and research activities of the University and its staff and students.

However, the Librarian may determine from time to time who else may use Library Resources and under what conditions.

2. All Users:

- 2.1 Should be able to work in a Library without unnecessary or unreasonable disturbance or distraction;
- 2.2 Must not do any thing that unreasonably:
 - 2.2.1 Impedes other Users or Library Staff through noisy, annoying, dangerous or otherwise disruptive behaviour;
 - 2.2.2 Restricts or limits other Users or Library Staff from having access to or using Library Resources;
 - 2.2.3 Diverts Library Staff from carrying out their normal duties.
- 2.3 Must, if and when directed by Library Staff to do so:
 - 2.3.1 produce their Library Card or other form of identification;
 - 2.3.2 make any bag, receptacle or folder brought into a Library available for inspection.
- 2.4 Must not bring any animal into a Library – except a guide dog, hearing assistance dog or other animal trained to alleviate the effect of a disability as defined in section 9 of the *Disability Discrimination Act 1992 (Cth)*;
- 2.5 Must not damage or destroy any Library property;
- 2.6 Comply with all notices or signs in a Library or on the Library's website from time to time, including those about:
 - 2.6.1 Use, borrowing or reservation of Library Resources;
 - 2.6.2 Payment of fees, charges and fines;
 - 2.6.3 Opening and closing times;
 - 2.6.4 Copyright (especially in relation to photocopying) and other laws, such as data protection and privacy
 - 2.6.5 Use of mobile phones and other electronic devices;
 - 2.6.6 Eating or drinking in or around a Library;
 - 2.6.7 Occupational health and safety (including smoking and emergency evacuation procedures).
- 2.7 Are expected to make reasonable attempts to familiarise themselves with and must, in any case, comply with:
 - 2.7.1 Laws relating to use of internet and other on-line or networked resources, including copyright and other intellectual property rights, defamation, pornography and data protection;
 - 2.7.2 This Rule and any other conditions imposed by the University about access to or use of Library Resources;
- 2.8 Must not use any Library Resources for:
 - 2.8.1 any commercial use; or
 - 2.8.2 in a way which interferes or is inconsistent with the educational and research activities of the University.

3. Borrowing Library Resources

Prescribed borrowers

1. The following categories of User may borrow Library Resources specified in this Rule or designated by the Librarian from time to time:
 - 1.1 students of the University of Sydney;
 - 1.2 staff of the University of Sydney;
 - 1.3 visiting and adjunct staff, professorial fellows, honorary associates or visiting scholars;
 - 1.4 research assistants working with a University of Sydney staff member;
 - 1.5 all retired staff of the University of Sydney;
 - 1.6 professors emeriti of the University of Sydney;
 - 1.7 Fellows and former Fellows of Senate;
 - 1.8 The following who are regarded as Affiliate Borrowers:

- 1.8.1 Graduates of the University, including those who have received an honorary degree;
 - 1.8.2 Graduates of other universities, or persons with equivalent qualifications first approved by the Librarian;
 - 1.8.3 Students of other Australian universities participating in *University Library Australia*;
 - 1.8.4 Staff of residential colleges of the University;
 - 1.8.5 Staff and students of schools which are members of the University's *SchoolsLink Program*;
 - 1.8.6 Staff of research institutes established by the University, or of which the University is a member;
 - 1.8.7 Staff of foundations established by the University;
 - 1.8.8 Students and staff of the Conservatorium High School (Sydney Conservatorium of Music Library only).
2. Other temporary or permanent categories of Borrowers (including Affiliate Borrowers) are as published on the Library's website from time to time.

Library cards

3. No one may borrow a Library Resource without a Library card.
4. In the case of students, their Library Card is the student card issued to them by the University.
5. All other prescribed Borrowers may obtain Library cards according to the procedure prescribed on the Library website.

Loan periods

6. Loan periods (including renewals) for each category of Borrower are as published on the Library website from time to time.
7. A Library may recall a Borrowed Item early at any time by notifying the Borrower. If this occurs, the due return date specified in the recall notice becomes the due return date.

What may or may not be borrowed

8. Users may borrow Library Resources from the open access collections of the Library, subject to sub-clause 10.
9. Notwithstanding sub-clause 10, the Librarian has discretion to decide what may or may not be borrowed.
10. The following categories of Library Resources items are not available for loan:
 - 10.1 Periodicals, including newspapers, University calendars and examination papers;
 - 10.2 any items marked, **NOT FOR LOAN**;
 - 10.3 Reference Collection items;
 - 10.4 Schaeffer Fine Arts Library Resources;
 - 10.5 Rare Books and Special Collections Library;
 - 10.6 Fisher Library Browsing Collection items;
 - 10.7 Any other Library Resource determined by the Librarian from time to time.

Borrowing conditions

11. Nothing may be borrowed from a Library unless the person intending to borrow:
 - 11.1 falls within a category of Borrower specified in clause 3;
 - 11.2 holds a current Library card; and
 - 11.3 is the person named on the Library card produced.
12. A Borrower remains personally responsible for:
 - 12.1 keeping all Borrowed Items reasonably safe and secure and in his or her possession;
 - 12.2 notifying the Library immediately if a Borrowed Item becomes lost, stolen, damaged or destroyed;
 - 12.3 returning all Borrowed Items on or before their due return date or any earlier date specified in a recall notice;

- 12.4 returning all Borrowed Items in the same condition and repair as that when they were borrowed (subject to reasonable wear and tear);
- 12.5 notifying the Library immediately if his or her Borrower's card:
 - 12.5.1 becomes lost, stolen or destroyed; or
 - 12.5.2 is used by a person other than the Borrower;
- 12.6 the return, replacement or cost of replacement of any Library Resources issued on their Library card before it was reported by the Borrower as lost, stolen or destroyed.

4. Suspension or revocation of Library Resources

1. The Librarian may, in the case of Users who are not students:
 - 1.1 Temporarily suspend or (except in the case of Users who are staff) permanently revoke a User's entitlement to enter a Library, or have access to or use Library Resources if that person does not comply with this Rule;
 - 1.2 require that User to pay an amount decided by the Librarian (which must be reasonable) as compensation for the loss, damage or destruction of any Library Resource by, or in the possession of, that User;
2. Clause 58 of the *University of Sydney By-law 1999*, relating to dealing with allegations of misconduct against students, applies in the case of Users who are students.
3. The University's enterprise agreements allegations of misconduct against staff, applies in the case of Users who are staff.

5. Fees, fines and charges

1. All fees, fines and charges are as published on the Library website, or leaflets or brochures produced by the Library, from time to time. Fees and other charges may be charged on a once-only, periodical or user-pays basis.
2. Membership fees may be charged for Affiliate Borrowers.
3. Additional fees or charges may be imposed for access to or use of Library Resources not normally available to a particular category of User or Borrower.
4. Fines or charges may be imposed for:
 - 4.1 Overdue Borrowed Items (including where recalled early);
 - 4.2 Replacing a Library Card;
 - 4.3 Loss, damage, destruction or unauthorized removal of Library Resources;
 - 4.4 Otherwise doing anything contrary to this Rule.
5. The Librarian may, in his or her absolute discretion, waive or suspend a requirement to pay a fee, fine or charge.

6. Library notices

1. All general notices about Libraries and Library Resources will be available on the Library website.
2. Electronic mail is the default means of communication between the Library and Users. In the case of Users who are staff or students, notices will be sent to their University email address.
3. Users may request notices to be sent by post, however, the Library accepts no responsibility if a User does not receive a particular notice by a certain time or at all.
4. All Users are responsible for notifying the Library promptly about change of email or postal address.
5. The Library accepts no responsibility if a User does not receive a particular notice by a certain time or at all.