

LIBRARY CONDITIONS OF USE

1. Preamble

1.1 These Conditions of Use govern conduct in and use of the Library. Any breach of the Conditions of Use may result in the imposition of fines or penalties.

1.2 These Conditions of Use commence on 9 March 2011.

2. Interpretation

2.1 In these conditions:

“Borrower” means any user who borrows an item from the Library;

“Item” means any Library resource;

“Librarian” means the University Librarian;

“Library” means any of the Victoria University libraries and learning commons;

“Library Facilities” includes materials, buildings, equipment and services;

“Library Staff Member” means any member of staff employed or contracted to work in the Library;

“Regulation 2.7 – Discipline” means the University regulation found at [[Regulation 2.7](#)];

“Regulation 5.2 – The University Library” means the University regulation found at [[Regulation 5.2](#)];

“University” means Victoria University; and

“User” means any person (including Borrowers) who uses Library Facilities or comes onto Library premises.

3. Access to Library Facilities

3.1 All Users of the Library must comply with these Conditions of Use and any other rules and notices published by the Library in accordance with this document.

3.2 A breach of these Conditions of Use may result in the imposition of fines or penalties including borrowing infringement penalties and exclusion from the Library, as provided in these Conditions of Use.

3.3 The following categories are authorised to be Borrowers of the Library:

(a) enrolled students;

(b) members of the University staff;

- (c) members of the University Council; and
 - (d) any person authorised under paragraph 3.4.
- 3.4 The Librarian may authorise any person in the following categories to be a Borrower, on the condition that he or she agrees in writing to comply with these Conditions of Use and pays any fee as determined by the Librarian:
- (a) any member of a University approved reciprocal borrowing scheme;
 - (b) any member of the University Alumni Association;
 - (c) any former staff member who was continuously employed by the University for a period of at least 15 years; or
 - (d) any other person approved by the Librarian under the external borrower's scheme.
- 3.5 No person aged 14 years and under may be a User of the Library unless accompanied and actively supervised by an adult.
4. Hours of Opening
- 4.1 The hours of opening of the Library will be determined by the Librarian. The hours will be made available at the public entrance to the Library and published on the Library website. The hours may also be published using other technology as appropriate (such as via the Library automated phone system).
- 4.2 The Librarian may order the closure of the Library or restrict access to certain areas of the Library in circumstances that he or she deems appropriate, including in an emergency situation.
5. Conduct
- 5.1 All Users must:
- (a) comply with all laws, University statutes, regulations and policies including the University's:
 - (i) copyright, intellectual property and information technology policies which can be found at [\[Copyright website\]](#). More specific obligations in respect of copyright and licensed resources are at clause 5.2; and
 - (ii) Discipline Regulation which can be found at [\[Regulation 2.7\]](#);
 - (b) comply with official notices displayed within the Library at all times;
 - (c) comply with any reasonable direction of a Library Staff Member, including presenting bags for inspections when requested; and
 - (d) not engage in any unacceptable behaviour, as defined in clause 5.3.

5.2 Copyright and licensed resources

For the purposes of this clause “copying equipment” means any device capable of copying text, images, audio or audio-visual material. This includes photocopiers, scanners, computers, fax machines, sound-recording equipment.

- (a) Library Users must comply with:
 - (i) current University policies when using the Library’s copying equipment;
 - (ii) the terms and conditions of use of licensed electronic resources published on the Library website or on relevant resource notifications; and
 - (iii) notices relating to the use of the copying equipment.

5.3 Unacceptable behaviour includes:

- (a) drinking alcohol or being in a state of intoxication;
- (b) playing games;
- (c) bringing food or drink into areas designated as areas where food and drink are not permitted;
- (d) not disposing of rubbish appropriately;
- (e) using mobile phones or other electronic devices in an irresponsible or disruptive manner;
- (f) acting in any way that may cause offence or unreasonable disruption to any other person;
- (g) entering without authorisation a restricted area;
- (h) hawking, selling or advertising any goods or services;
- (i) posting notices without permission;
- (j) obstructing walkways;
- (k) restricting another person from accessing or using Library Facilities;
- (l) intentionally or recklessly causing damage or loss to any of the Library Facilities; and
- (m) any other behaviour determined to be unacceptable by the Librarian.

5.4 Proof of identity

- (a) A Library Staff Member may request any User to produce proof of identity while using the Library or attending the Library where the User

is engaging, has engaged or the Library Staff member reasonably believes the User to be engaging in conduct in breach of these Conditions of Use.

- (b) Proof of identity may include a University identity card.
- (c) If a person does not produce proof of identity upon request that person may be ordered to leave the Library.
- (d) It is a breach of these Conditions of Use to produce false or misleading identification.

6. Borrowing from the Library

- 6.1 Only Borrowers may borrow any Item from the Library.
- 6.2 The Librarian may specify Items or categories of Items that cannot be borrowed.
- 6.3 No person will remove an Item from the Library unless it is properly recorded as a loan to the Borrower.
- 6.4 The Borrower must return every Item in the same condition and repair as it was when borrowed.
- 6.5 If a person ceases to be an authorised Borrower of the Library under clause 3.3 or 3.4 all Items must be immediately returned by the Borrower in accordance with University processes.
- 6.6 A Borrower must immediately notify the Library of any loss, damage, theft or misuse of an Item.
- 6.7 The Borrower is responsible for any loss, damage, theft or misuse of any borrowed Item and may be issued with a borrowing infringement penalty as determined by the Librarian to cover the cost of replacing the Item.

7. Library Borrower card

- 7.1 A Borrower must have a valid Library Borrower card, which is either:
 - (a) a University identity card issued to members of the University staff and enrolled students; or
 - (b) an approved Library Borrower card for all other authorised Users. A Borrower may be required to show accompanying identification.
- 7.2 A Borrower must present his or her Library Borrower card every time he or she wishes to borrow an Item or use restricted Library Facilities.
- 7.3 A Library Borrower card can only be used by the Borrower named on it.
- 7.4 A lost Borrower card must be reported to a Library Staff Member as soon as possible. Upon notification, a lost Borrower card will be cancelled and a replacement arranged.

8. Number of borrowing Items

- 8.1 The Librarian will determine the maximum number of Items and categories of Items which may be borrowed for each category of Borrower. This detail will be published on the Library website.

9. Borrowing periods

- 9.1 The Librarian will determine the maximum period of loan for each category of Item and Borrower. Borrowing periods will be published on the Library website.
- 9.2 The Librarian may extend or vary any borrowing period and the number of Items that may be borrowed for any category of Item or Borrower.
- 9.3 Every Borrower will be issued with a receipt at the time of borrowing containing the due date or time for every Item borrowed.
- 9.4 Every Borrower is responsible for returning Items on or before the due date or time.
- 9.5 The Borrower may return Items (other than equipment) to any of the Libraries.
- 9.6 The Librarian may, at any time, recall any borrowed Item or specify a new date or time for its return to the Library. A Library Staff Member will make reasonable efforts to notify the Borrower of this new information. The Borrower must comply with this new information.

10. Borrowing infringement penalties

- 10.1 The Librarian may prescribe borrowing infringement penalties and these will be published on the Library website.
- 10.2 Infringement notices of any penalties will be issued by the Librarian in a form prescribed by the Librarian.
- 10.3 A Borrower who does not return a borrowed Item by the due date or time will have their borrowing privileges suspended immediately from that date or time and may be issued with an infringement notice.
- 10.4 A Borrower may be required to pay the cost of replacing damaged, lost or unreturned Items in addition to any penalty.
- 10.5 An Item is deemed lost by the Borrower after a period of non return as prescribed by the Librarian.
- 10.6 Borrowing privileges will be reinstated upon return of any overdue Item and/or payment of any outstanding borrowing infringement penalty.
- 10.7 Library Staff Members may waive borrowing infringement penalties where a Borrower has provided evidence of special circumstances that prevent the return of Items by the due date or time.

11. Breach of the Conditions of Use

- 11.1 Any User who breaches these Conditions of Use may:
- (a) be ordered to leave the Library;
 - (b) have his or her borrowing rights suspended;
 - (c) be excluded from the Library for up to one week;
 - (d) be issued with a reprimand;
 - (e) be ordered to pay for damage to Items or Library Facilities; and
 - (f) be ordered to comply with an infringement notice which may include a fine or other monetary payment.
- 11.2 Any order under clause 11.1 may be made in addition to any penalty invoked under other clauses of these Conditions of Use.
- 11.3 Any User who has been excluded from the Library under clause 11.1 may appeal to the Librarian and may enter the Library only for the purposes essential to that appeal. The Librarian will determine the process to apply to any appeal.
- 11.4 The Librarian may make invoke disciplinary action for breach of these Conditions of Use by Users who are students in accordance with University Regulation 2.7 – Discipline.
- 11.5 The University reserves its rights at law to recover sums due to it as a result of loss of or damage to any of its Items or Library Facilities.

12. Failure to comply

- 12.1 Unless the Librarian determines otherwise, a person who fails to comply with clauses 11.1(e) or (f) is not entitled to:
- (a) enrol or reenrol at the University;
 - (b) receive any results of assessment;
 - (c) graduate or receive any confirmation of completion; or
 - (d) receive an academic transcript.

13. Changes to the Conditions of Use

- 13.1 These Conditions of Use may be changed from time to time by the University Librarian with approval of the Education and Research Board. Any changes will be posted on the Library website.

14. Approved version

- 14.1 These Conditions of Use were approved by the Education and Research Board on [insert approval date] in accordance with Regulation 5.2 – The University Library.