

## **Library Byelaws & Regulations**

By becoming a member of Bath & North East Somerset Council's Libraries, you are agreeing to abide by the following rules & regulations. Please familiarise yourself with the following before you join.

BATH AND NORTH EAST SOMERSET COUNCIL

Libraries Byelaws

Made under Section 19 of the Public Libraries and Museums Act 1964

By Bath and North East Somerset Council

1. In these byelaws, unless the context otherwise requires:

a. "The Act" means the Public Libraries and Museums Act 1964;

b. "charge" means any charge imposed in accordance with the Regulations;

c. "child" means a person under the age of 15 years;

d. "emergency situation" includes situations where a library or part of a library is required to be evacuated for security reasons or because of threat from fire or other hazard and practices and false alarms in relation thereto;

e. "last known address" means the last address held on the library authority's records;

f. "the library authority" means the BATH AND NORTH EAST SOMERSET COUNCIL

g. "library" means :

i. any premises which are occupied by a library authority and are premises where library facilities are made available by the authority, in the course of their provision of a public library service, to members of the public;

ii. any vehicle which is used by the library authority for the purpose of providing a public library service to members of the public and is a vehicle in which facilities are made available; and includes any part of such premises or vehicle;

h. "a library officer" means any officer employed by the library authority in connection with its functions under the Act;

i. "library property" includes property owned by, or provided for the use of, the library authority whether or not it is made available by the library authority for use by the public and property obtained by the library authority for the loan to or use of the public;

j. "the Regulations" means The Library Charges (England and Wales) Regulations 1991 S.1.1991/2712;

k. words importing the masculine gender include the feminine, words in the singular include the plural and words in the plural include the singular;

l. expressions used, unless the contrary intention appears, have the meaning which they bear in the Act and Regulations.

2. An act performed in connection with the proper execution of his duty by a library officer shall not be a contravention of these byelaws.

3. No person shall give a false name or address for the purpose of entering the library or for the purpose of using any library facility.

4. No person, who, in the reasonable opinion of a library officer is offensively unclean in person or clothing or both, shall remain in the library, after having been asked by a library officer to leave the library.

5. Except with the consent of a library officer, no person shall:

a. cause or allow any dog (other than a working dog accompanying a disabled person) or other animal belonging to him or under his control to enter or remain in the library;

b. bring into any part of the library a wheeled vehicle or conveyance (other than a wheelchair, pram, pushchair or shopping trolley);

c. enter or remain in any part of the library which a reasonable person would or should know is prohibited to the public; or

d. remain in the library after the time fixed for its closing.

6. No person shall remain the library after an emergency situation has been made known to him.

7. No person shall, unless specifically permitted by a library officer, take or attempt to take any library property from the library or past a check out or security point.

8. No person shall, without lawful excuse, destroy or damage any library property, intending to destroy or damage such property, or being reckless as to whether such property should be destroyed or damaged.
9. No person shall behave in a disorderly manner in the library, use violent, abusive or obscene language therein, or intentionally or recklessly cause or do anything likely to cause injury or offence to any other person or property.
10. No person shall sleep in the library after having been requested not to do so by a library officer.
11. No person shall remain in a library without making proper use of the library's facilities after having been requested, by a library officer, to make such proper use of the facilities.
12. No person shall engage in audible conversation in any part of the library set apart as a reference department, study area, or for reading after having been requested not to do so by a library officer or where such conversation is prohibited by notice or after having been requested not to do so by a library officer.
13. No person shall intentionally or recklessly obstruct any library officer in the execution of his duty or intentionally or recklessly disturb, obstruct, interrupt, abuse or annoy any other person properly using the library.
14. No person shall, without the consent of a library officer, intentionally display, distribute, or leave any bill, placard, notice or other document in the library.
15. No person shall, without the consent of a library officer, offer anything for sale in the library or canvass or seek signatures for petitions.
16. No person having charge of a child shall without the consent of a library officer leave him unsupervised in the library.
17. No person shall smoke, light a match or use a cigarette lighter in the library other than in an area, if any, designated as an area where smoking is permitted.
18. No person in any part of the library shall inhale any toxic substance for the purpose of causing intoxication or take any controlled drug as defined by Schedule 2 of the Misuse of Drugs Act 1971 other than drugs dispensed for and pursuant to prescription issued for him by a doctor under and in accordance with the aforesaid Act.
19. No person shall, except with the consent of a library officer, consume food or drink in the library.

20. No person shall, except with the consent of a library officer, cause or allow any mobile telephone, portable computer, or other electrical equipment, or apparatus for the reception of sound broadcasting or for the reproduction of sound, to be operated in any part of the library to which the public has access.

21. No person who

- a. borrows library property which is returned late or if returned would be returned late, or
- b. fails to pay any charge

shall, unless with the specific consent of a library officer, borrow any other library property.

22.a. Any person who has borrowed library property which if returned would be returned late and who has been served with a notice by the library authority demanding return of the library property shall return the library property (to the library from which it was borrowed) within 14 days from the date the notice was served.

22.b. For the purposes of this byelaw, a notice may be served upon any person by delivering it to him, or by leaving it at his last known address, or by sending it by post addressed to him at that address.

23. Any person who contravenes any of the foregoing byelaws shall be liable to prosecution for contravention of the byelaws by the library authority and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale in respect of each offence. In any case involving breach of byelaws 8 and 18 a prosecution may be brought under the Criminal Damage Act 1971 or the Misuse of Drugs Act 1971 respectively.

24. A library officer may exclude any person who contravenes any of the foregoing byelaws from any library maintained by the library authority under the Act.

25. On the coming into operation of these byelaws, the byelaws relating to libraries which were made by the COUNTY OF AVON on the 6th day of MARCH 1974. and were confirmed by the Secretary of State for Education and Science on the 15th day of MAY 1974 shall be revoked.

Users of the library and library facilities are reminded that the provisions of the general law apply at all times. In particular as regards the activities referred to in byelaws 8 and 18 the library authority draws attention to the existence of the Criminal Damage Act 1971 and the Misuse of Drugs Act 1971.

People who intend to make copies of works are advised that they may only do so in accordance with the provisions of the Copyright Designs and Patents Act 1988 and are liable to prosecution under that Act if they fail to observe its provisions.

## LIBRARY REGULATIONS

### GENERAL

1. In the construction of these Regulations, unless the context otherwise requires:-

a) "the Act" means the Public Libraries and Museums Act 1964;

b) "the Library Authority" means Bath and North East Somerset Council;

c) "library" means:

i. any premises which are occupied by a library authority and are premises where library facilities are made available by the authority, in the course of their provision of a public library service, to members of the public;

ii. any vehicle which is used by the library authority for the purpose of providing a public library service to members of the public and is a vehicle in which facilities are made available and includes any part of such premises or vehicle;

d) "reference library" and "reading room" means any library or part of a library designated for the purpose;

e) "the library officer" means any officer employed by the library authority in connection with its functions under the Act;

f) "library property" includes property owned by or provided for the use of the library authority whether or not it is made available by the library authority for use by the public and property obtained by the library authority for the loan to or use of the public;

g) "item" refers to library property as in "f" above;

h) "library user" means a person who enters the library;

i) "registered borrower" or "borrower" means a person to whom a ticket has been issued in accordance with age limits and these Regulations.

2. The library officer shall have the general charge of the Library, and shall be responsible for the safe custody of the books and all other property belonging thereto.

3. The Library shall be open on such days and during such hours as the Library Authority may from time to time determine.

4. No library user shall bring into the Library any article which in the opinion of the library officer is prejudicial to the service or to the convenience of other library users.

5. The library officer shall have power to lend library property or deny the use of the Library to any library user who neglects or refuses to comply with these Regulations.

6. Entry into the Library shall be deemed to be an assent to the Regulations.

#### LENDING LIBRARY SERVICES

7. Subject to the General Provisions of these Regulations library property may be borrowed by any person of the age of 15 years or over who completes and signs the appropriate form of application provided by the Library Authority and who furnishes such proof of identity as the Librarian may require. Library property may be borrowed by children aged 14 years and below on completion of the appropriate form of application signed by the parent or guardian.

A ticket will be issued to each borrower up to such maximum number as the Library Authority may from time to time determine. Tickets are not transferable and changes of address must be notified immediately to the library officer. A ticket must be produced whenever library property is borrowed and a borrower must pay such charges when requested to do so for items where a charge is levied, as the Library Authority may from time to time determine.

8. Tickets shall remain in force for such period as the Library Authority may from time to time determine.

9. Borrowers will be held responsible for any library property that is issued on their tickets. Borrowers ceasing to use the Library shall return all tickets to the library officer for cancellation. The loss of a ticket must be notified immediately to the library officer. Lost tickets will be replaced but a charge will be levied as the Library Authority may from time to time determine. Any library property issued on the 'lost' ticket prior to the date of notification that the ticket is lost, remains the responsibility of the borrower.

10. The time allowed for retaining a book shall be the period determined by the Library Authority from time to time. Provided however that if a book is not required by another borrower the time may be extended by a further period, up to a maximum of three further periods, from the date on which notice of this effect is given to the library officer. A borrower retaining library property beyond the due date shall pay such charges for retention as the Library Authority may from time to time determine thereafter until the property is returned. The borrower shall pay for postage and other expenses incurred in endeavouring to secure the return of library property. Any liabilities incurred by a borrower in the over-retention of library may lead to the suspension or cancellation of tickets by the Library Authority.

11. When returning library property, all items must be handed to a library officer at the proper desk or counter or by post. If any library property is lost or on examination is found to have

sustained any damage, the borrower will be required to pay the cost of the replacement of the library property, or, at the discretion of the library officer, to compensate the Library Authority for the damage or loss sustained. Items found to be damaged when presented for issue must be reported, otherwise the borrower may be held responsible for such damage. If a borrower neglects to pay the sum due as the result of any loss, damage, or non-return of library property such sum shall be a debt due from the borrower and recoverable at the discretion of the Library Authority.

12 Library property, normally available for available for loan, may be reserved for a borrower on completion of the appropriate form. A charge will be levied for this service.

13. Any society, group, association, or any organisation requiring collections of library property may at the discretion of the library officer. Borrow items for corporate use provided that the appropriate form is completed. Such signatories shall be held personally responsible for the safe custody and return of items borrowed.

#### REFERENCE LIBRARIES AND READING ROOMS

14. Library users shall be held responsible for library property consulted by them, and for any loss or damage such items may sustain. If required by the library officer application for items shall be made on a special form. The library officer shall have discretion to decline to issue any particular book or to lay down conditions under which books may be consulted.

15. No library property shall be retained by any library user for more than ten minutes after the library officer has notified the library user that an application has been made by another library user.