

LIBRARIES ACT 1988

STATE LIBRARY OF VICTORIA BY-LAWS

PART 1: PRELIMINARY

1. Title

These By-Laws may be cited as the State Library of Victoria By-Laws.

2. Objective

The objectives of these By-Laws are:

- (a) to regulate or prohibit admission to or removal from any building or land managed or controlled by the Board; and
- (b) to control the preservation, inspection, copying and lending of Library material; and
- (c) to ensure the care, protection and management of land and buildings owned or under the management or control of the Board, and the safeguarding of the contents of those buildings against theft or damage; and
- (d) to ensure the preservation of good order, personal safety and decency on land and in buildings owned or under the management or control of the Board.

3. Authorising Provision

These By-Laws are made pursuant to section 52 of the Libraries Act 1988.

4. Commencement

These By-Laws come into operation on 3 December 2008.

5. Revocation

The following By-Laws are revoked:

State Library of Victoria By-Laws No. 1 made on 2 February 2006, as amended on 2 April 2008.

6. Definitions

In these By-Laws:

"**Act**" means the Libraries Act 1988;

"**Authorised employee**" means an employee of the Library Board of Victoria authorised by the Board for the purpose of these By-Laws as set out in the Schedule of Delegates;

"**Board**" means the Library Board of Victoria;

"**Chief Executive Officer**" means the Chief Executive Officer of the Library Board of Victoria;

"**employee**" means any member of staff of the Library Board of Victoria;

"**Library**" means the State Library of Victoria;

"Library premises" means any land or buildings managed or controlled by the Board;

"opening hours" means the hours during which the Library or any part of the Library is open to the public.

PART 2: ADMISSION AND REMOVALS

7. Admission and Access

- 7.1 Members of the public who enter the Library must comply with these By-Laws.
- 7.2 The Chief Executive Officer may determine from time to time which parts of the Library are public areas or general reading rooms.
- 7.3 Members of the public may enter all public areas and general reading rooms during opening hours.

8. Conditions of entry

- 8.1 A person must not bring into the Library any newspaper, food or drink, other than water in a sealed container, without the approval of an authorised employee.
- 8.2 The Chief Executive Officer may determine from time to time the size of any bag that can be brought into the Library.
- 8.3 The Chief Executive Officer may determine from time to time in which parts of the Library food or drink may be consumed.
- 8.4 Any person may be asked by an authorised employee to present a bag or other article for inspection when on Library premises.
- 8.5 Children under the age of 12 years must be in the company of an adult or authorised employee.

9. Conduct on Library Premises

A person must not -

- (a) wilfully disturb, annoy, offend, or obstruct any other person in the proper use of the Library; or
- (b) wilfully disturb, annoy or obstruct any employee in the execution of their duties; or
- (c) damage, or destroy or interfere with any Library material, exhibit, equipment or article under the control of the Library; or
- (d) without the approval of an authorised employee, remove from Library premises any Library material, equipment, exhibit, or any material on loan to the Library; or
- (e) consume any food or drink, other than water in a sealed container on Library premises unless in a place designated for that purpose by the Chief Executive Officer in accordance with section 8.3; or
- (f) cause or permit an animal belonging to them or in their charge, other than a guide animal accompanying a blind, deaf or otherwise disabled person, to enter or remain on Library premises; or
- (g) enter into any non-public areas of Library premises without the approval of an authorised employee; or
- (h) deface, damage or destroy any part of a building, notice, structure, or plant on Library premises; or

- (i) without lawful excuse, bring into or possess on Library premises any projectile, firearm, weapon, flammable or explosive substance, or any offensive or dangerous substance or article;
- (j) without the approval of the Board or an authorised employee, offer for sale or hire any article produced by an external body; or
- (k) without the approval of the Board or an authorised employee, display any sign, leaflet or other document on Library premises on behalf of an external body; or
- (l) without the approval of the Board or an authorised employee, conduct a commercial business or solicit money from individuals on Library premises; or
- (m) without the approval of the Board or an authorised employee, recruit or solicit or attempt to recruit or solicit any persons on Library premises for any type of charity, religion, political party or other organisation, group, or company whatsoever, and whether such recruitment or solicitation is for a commercial or non-commercial purpose; or
- (n) smoke tobacco or any other substance on Library premises; or
- (o) without the approval of an authorised employee, take a photograph or film in a reading room for commercial purposes; or
- (p) without the approval of an authorised employee, take a photograph or film in the Keith Murdoch Gallery; or
- (q) without the approval of an authorised employee use any equipment that disturbs other members of the public; or
- (r) engage in skateboarding, in-line skating, or riding of bicycles on Library premises; or
- (s) if under the age of 12, access the Internet, using the Library's computer equipment, unless supervised by a parent or guardian; or
- (t) leave unattended baggage in the Library's public areas without the approval of an authorised employee.

PART 3: COLLECTIONS - PRESERVATION, INSPECTION, COPYING AND LENDING

10. Use of Library Material

A person who uses any Library material in the State collection or under the control of the Board –

- (a) must comply with any special conditions for the use and handling of that material determined by an authorised employee; and
- (b) must not write in or on, or mark, damage or interfere with any Library material, or handle any Library material in a way likely to cause damage to that material.

11. Copying and Publication

- 11.1 A person must not publish any item from the State collection unless permission is first obtained from an authorised employee.
- 11.2 A person must not reproduce any material from the State Collection by photocopying, photography, digital scanning, or any other means if the reproduction of that material is prohibited by an authorised employee.

PART 4: ENFORCEMENT

12. Contravention of By-Laws

- 12.1 If a person contravenes any of these By-Laws an authorised employee may -
 - (a) prohibit entry by the person to the Library premises indefinitely or for a specified period; or
 - (b) direct the person to be removed from Library premises; or
 - (c) deny the person use of Library material indefinitely or for a specified period of time.
- 12.2 A person who contravenes any of these By-Laws is liable to a penalty not exceeding 2 penalty units.

13. Infringement Notices

- 13.1 Where an authorised employee considers that a person has contravened any By-Law, the authorised employee may serve on that person an Infringement Notice in or to the effect of the form prescribed in the Schedule 1 to these By-Laws.
- 13.2 A person served with an Infringement Notice may pay the fixed penalty specified in the Notice to the State Library of Victoria, at one of the addresses shown on the Notice.
- 13.3 A fixed penalty specified in the Infringement Notice must be paid within 28 days from the date of the service of the Notice.
- 13.4 If a person fails to pay the fixed penalty within the period specified in clause 13.3 above, the Board or authorised employee may institute proceedings or take any other actions necessary to recover such amounts.

14. Signage requirements

- 14.1 For the purposes of enforcing these By-Laws, the Library will include references to the By-Laws on its signage at or within the main Swanston Street entry.

PART 5: DIRECTIONS

15. Authorised employee may give directions to comply

- 15.1 If an authorised employee believes on reasonable grounds that a person has not complied with any clause of these By-Laws, the authorised employee may direct a person to comply with that clause.
- 15.2 A person must comply with any direction given under clause 15.1.
- 15.3 A failure to comply with any direction given under clause 15.1 is a contravention of the By-Laws.