



Library Byelaws

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

1. In these Bye-laws, unless the context otherwise requires:

- a) "the Act" means the Public Libraries and Museums Act 1964;
- b) "the library authority" means the County Council of Durham;
- 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) "library officer" means the librarian or any other person employed by the library authority for the purposes of its functions under the Act;

e) In these Bye-laws words importing the masculine gender include the feminine, words in the singular include the plural and words in the plural include the singular;

f) "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;

g) "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 a member or members of the public;

h) "loan period" means the period for which the library authority has permitted a person to borrow an item of library property;

i) "the sum" means a sum determined by the library authority (or, where the relevant library property is not owned by the library authority, by the person or institution to whom the library property belongs) to be reasonable in the circumstances, although such sum may not exceed the cost of replacing the library property (or similar property where the library property is no longer available);

j) "the Regulations" means The Library Charges (England and Wales) Regulations 1991 S.I.1991/2712 (or any amendment thereto);

k) "library apparatus" and "library material" have the meanings ascribed to them in the Regulations;

l) "last known address" means the last address held on the library authority's records;

m) "child" means a person under the age of 8 years.

2. An act necessary for the proper execution of his duty by a library officer shall not be deemed to be a contravention of these Bye-laws.

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.

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 where the public are not permitted to enter;

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

6. No person shall remain in 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 who

a) borrows library property which is returned late or if returned would be returned late;

b) fails to pay any charge; or

c) fails to pay the sum imposed in respect of library apparatus, library material or any other equipment or thing used in providing the library service which is lost, damaged, or destroyed by, or whilst on loan to, the person paying the charge shall, unless with the specific consent of a library officer, borrow any other library property.

10.(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.

(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.

11. 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 to any other person or property in the library.

12. No person shall, after warning by a library officer, persist in sleeping in the library, or remain in it without making use of the library's services.

13. No person shall engage in audible conversation or speech 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.

14. 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 in the proper use of the library.

15. No person shall, without the consent of a library officer intentionally display, distribute, affix or post any bill, placard or notice in, to or upon the library.

16. No person shall, without the consent of a library officer, offer anything for sale in the library.

17. No person having charge of a child shall without the consent of a library officer leave him unsupervised in the library.

18. 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.

19. 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 (or any amendment thereto) other than drugs dispensed for and pursuant to prescription issued for him by a doctor under and in accordance with the aforesaid Act.

20. No person shall, except with the consent of a library officer, partake of refreshment in the library.

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

22. No person shall intentionally use a computer upon the library premises (whether or not the computer is library property) to access, view or download any material or image of a pornographic nature that would be likely to cause offence to the general public.

23. Any person who contravenes any of the foregoing Bye-laws shall be liable to prosecution 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 a case involving breach of Bye-laws 8 or 19, 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 Bye-laws from any library maintained by the library authority under the Act.

25. On the coming into operation of these Bye-laws, the Bye-laws relating to libraries which were made by the County Council of Durham on the 4 day of January 1967 and were confirmed by the Secretary of State for Education and Science on the 20 day of January 1967 shall be revoked.

THE COMMON SEAL of THE COUNTY COUNCIL OF DURHAM was hereunto affixed BY ORDER: in the presence of:



L. M. Walker

ASSISTANT CHIEF OF CORPORATE
AND LEGAL SERVICES

The foregoing bye-laws are confirmed on behalf of the Secretary of State for Culture Media and Sport and shall come into force one month after the date of the signature below.

Janet Kane

8 March 2002

NOTE

This note is not part of the Bye-laws

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 Bye-laws 8 and 19 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 work 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.