

NEW ZEALAND STANDARD

Model general bylaws

CHAPTER 15

PUBLIC LIBRARIES

Superseding NZS 791, Part 4

STANDARDS ASSOCIATION OF NEW ZEALAND
WORLD TRADE CENTER, 15-23 STURDEE STREET, WELLINGTON
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REQUEST FOR NEXT AMENDMENT

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COMMITTEE REPRESENTATION

This chapter of the model general bylaws was prepared under the supervision of the Local Government Sectional Committee (92) for the Standards Council established under the Standards Act 1965. The sectional committee consisted of representatives of the following:

- Department of Health.
- Department of Internal Affairs.
- Fire Service Council.
- *Municipal Association of New Zealand.
- New Zealand Counties Association.
- *New Zealand Institute of County Clerks.
- New Zealand Institute of County Engineers.
- *New Zealand Institute of Town Clerks and Municipal Treasurers.
- New Zealand Institution of Engineers (Municipal Division).

The Miscellaneous Bylaws Committee (2/8/13) was responsible for the drafting of this chapter, and consisted of representatives of the organizations marked with an asterisk (*) in the foregoing list.

FOREWORD

NZS 791 Part 4, *Public libraries*, was first published in 1952. This standard supersedes that edition.

The committee was assisted in drafting this standard by two representatives of the New Zealand Library Association.

The few alterations that have been made to the 1952 edition include the addition of definitions for "borrower" and "borrower's card" and the definition of "document" has been extended to cover documents on loan to the library.

Throughout the model bylaw the librarian has been given discretionary powers not contained in the 1952 edition, and a new clause (1514.1) has been included to permit the local authority to exclude persons from the library for breaches of the bylaw.

The word "charges" has been substituted for "fines", as there is no legal power to impose a fine for the non-return of library books.

NEW ZEALAND STANDARD
MODEL GENERAL BYLAWS*Chapter 15***PUBLIC LIBRARIES****1501 Interpretation**

1501.1 In this Part of this bylaw, unless inconsistent with the context —
BOOK includes magazine, newspaper, periodical, pamphlet, or manuscript or other article of a similar nature, or any part thereof respectively;

BORROWER means any person to whom the local authority has by registration or otherwise granted any licence or privilege to borrow;

BORROWER'S CARD means any card issued by the librarian as a means of identification of any borrower from the library;

DOCUMENT means any map, picture, or piece of music including a gramophone record or sound recording tape, broadsheet, card, cutting, photographic or negative film, or photocopy, whether the property of the local authority or for the time being under the control of the local authority;

LIBRARIAN includes any person for the time being appointed to control or manage (or to assist in the control and management of) the library;

LIBRARY means any library established and carried on for the time being by the local authority for use by the public or any section of the public, and includes every portion of any building used for such purposes, and includes a mobile library;

MAP includes a chart or plan or other article of a similar nature;

PICTURE includes an engraving, etching, print, or photograph or other article of a similar nature, and includes any rental picture available for hire.

1502 Availability

1502.1 Subject to the provisions of this Part of this bylaw relating to subscriptions and charges for the borrowing of documents, the library and any specified part or parts thereof shall be open and available to the public free of charge at such times as the local authority may from time to time by resolution direct:

Provided always that the local authority shall have power to vary any such resolution by wholly closing the library or any part thereof for any such period or periods as it may think fit.

1503 Offences

1503.1 No person shall—

- (a) Enter or remain in the library except when it is open and available to the public, except with the express permission of the librarian;
- (b) Consume or cause to be consumed in the library any intoxicating liquor or offer to any person in the library any such liquor;
- (c) While in a state of intoxication, or under the influence of drugs, or unclean in person or dress, or suffering from any communicable disease, enter, remain in, or use the library;
- (d) Lie on any bench, chair, table, or floor in the library or sleep in the library;
- (e) Interfere in any way with any other person lawfully using the library;
- (f) While using the library fail to comply with all reasonable requests of any librarian;
- (g) Speak to any person or persons in any reading room or reference room so as to cause annoyance to others or read aloud in any such room or behave in a noisy or offensive manner in any part of the library;
- (h) Consume refreshments, whistle, smoke or use tobacco, spit, or strike a light in any part of the library;
- (j) Suffer, cause, permit, or allow any dog or other animal under his control to enter the library. If any dog or other animal enters the library, the person under whose control the animal is for the time being, and if no person is in control of the animal, the owner thereof shall be guilty of an offence under this Part of this bylaw;
- (k) Bring any wheeled vehicle or conveyance into the library without the consent or permission of a librarian;
- (m) Having brought into the library any article which in the opinion of a librarian or other official of the library unduly interferes with the use of the library by the public, fail to remove such article immediately upon the request of such librarian or official;
- (n) Enter any part of the library set apart for the use of the staff without the permission of a librarian;
- (o) Make any mark on, soil, damage, mutilate, or deface any book or document belonging to the library;
- (p) Make any tracing of any book or document belonging to the library without the permission of a librarian;
- (q) Turn down or extract any leaf or page of any book or document belonging to the library;
- (r) Remove any number, label, or mark of ownership from, or cause or permit any damage or injury to, any book or document belonging to the library;
- (s) Soil, damage, mutilate, or deface any portion of any library or any

furniture or fitting thereof or any property of the local authority connected therewith;

- (t) Take any book or document out of any part of the library, whether to another part of the library or elsewhere, without the permission of a librarian; or
- (u) While in the library fail at any time at the request of a librarian to give his correct name and address and if under the age of 18 years to give also his correct age at the request of a librarian.

1504 Rules for control

1504.1 The local authority may from time to time by resolution make rules —

- (a) For the internal control, management, and use of the library;
- (b) For determining the number of books or documents to be lent to any one borrower to be held at one time;
- (c) For determining the times and hours during which the library shall from time to time be open and the holidays, days, and times upon which it may be closed;
- (d) For determining the hours during which any book or document may be borrowed from any specified portion or department of the library;
- (e) For determining the time to be allowed for the return of any book or document;
- (f) For maintaining good order and conduct within the library; and
- (g) For fees and charges payable by persons using the services of any department of the library.

1505 Unauthorized use of borrower's card

1505.1 Any person who is not named in any borrower's card, or duly authorized by the person so named, who shall make use of any such card for the purpose of obtaining any book or document from the library shall be guilty of an offence against this Part of this bylaw.

1506 Borrowing

1506.1 No person shall be entitled as of right to borrow any book or document specified as a reference book or document:

Provided, however, that a librarian may at his discretion permit any such book or document to be borrowed by any holder of a borrower's card subject to compliance with any conditions laid down by the librarian.

1506.2 No person shall take or borrow any book or document from a library except with the knowledge of a librarian.

1507 Damage to books

1507.1 If any book or document be lost or be returned torn, cut, soiled, written in, or with leaves turned down or otherwise injured, the borrower shall pay to the local authority such a sum of money as will replace such book or document or as will be a full compensation for any damage or loss occasioned to the local authority thereby.

1508 Unpaid money

1508.1 No person owing any money to the local authority in connection with any library shall take out or borrow any book or document, and any librarian may impound the borrower's card of any such person.

1509 Change of address

1509.1 Every holder of a borrower's card shall notify any change in his address to a librarian.

1510 Communicable disease

1510.1 No person suffering from any communicable disease shall borrow, read, or use any book or document from the library.

1510.2 No person having a book or document from the library shall permit the same to be used by any other person suffering from any communicable disease.

1510.3 If any book or document from the library shall be in the possession of any person suffering from any communicable disease, the borrower of such book or document shall at once give notice to the Health Inspector who shall cause the book or document to be disinfected and thereafter returned to the library.

1511 Newspaper reading

1511.1 Every person who shall in any library be in possession of any newspaper belonging to such library shall, after being required by another person or by a librarian to deliver such newspaper to him, so deliver up the same within 10 minutes after being so required, and every person failing so to deliver up such newspaper shall be guilty of an offence against this Part of this bylaw.

1512 Unauthorized taking of books

1512.1 Any person taking or attempting to take (other than as a borrower) any book, document, or other article from a library, and any person knowingly pledging, pawning, selling, or purchasing or advancing money on any

such book, document, or article or attempting to do so, shall be guilty of an offence against this Part of this bylaw.

1513 Expulsion of offenders

1513.1 Any librarian may require any person guilty of disorderly conduct in the library, or any person who is not *bona fide* using the library for the purpose for which it is intended, to remove himself therefrom, and any refusal on the part of the offender so to do will constitute an offence against this Part of this bylaw in addition to any other offence of which such offender shall be guilty.

1514 Breach

1514.1 Where in the opinion of the local authority any person has contravened any of the provisions of this Part of this bylaw relating to the library or has otherwise acted in an unlawful manner in the library, the local authority may exclude that person from the library for such period of time as the local authority may specify.

1514.2 Any person offending against, contravening, or committing or permitting or suffering a breach of any of the aforesaid provisions shall be guilty of an offence against this Part of this bylaw.