

NORTHERN TERRITORY OF AUSTRALIA

DARWIN INSTITUTE OF TECHNOLOGY  
(LIBRARY) BY-LAWS

By-law

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NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1986, No. 26\*

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By-laws under the *Advanced Education and Darwin  
Institute of Technology Act*

The Northern Territory Council of Advanced Education, in pursuance of section 42 of the *Advanced Education and Darwin Institute of Technology Act*, at a meeting held on the thirtieth day of June, 1986, made the following By-laws and, for the purposes of section 63(2)(a) of the *Interpretation Act*, authorized Nancy Giese, its Chairman, to sign them.

Dated this fourteenth day of July, 1986.

N. GIESE  
Chairman

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DARWIN INSTITUTE OF TECHNOLOGY  
(LIBRARY) BY-LAWS

1. CITATION

These By-laws may be cited as the Darwin Institute of Technology (Library) By-laws.

2. COMMENCEMENT

These By-laws shall come into operation at the expiration of 14 days from the date on which the making of the By-laws is notified in the *Gazette*.

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\* Notified in the *Northern Territory Government Gazette* on 30th July, 1986.

3. DEFINITIONS

In these By-laws -

"Chief Librarian" means the person holding the office of Chief Librarian of the Institute, and includes any person for the time being acting in or performing the duties of that office, and any officer of the Institute for the time being authorized by the Director in writing to act as Chief Librarian for the purposes of these By-laws;

"Library" means the Darwin Institute of Technology Library as from time to time constituted or located, and, except where the context otherwise requires, includes all Library materials and all machines, equipment and other facilities provided by or available at the Library;

"Library materials" includes all books, manuscripts, journals, pamphlets, records, periodicals, newspapers, music scores, pictures, prints, photographs, microforms, maps, charts, plans, films, slides, sound recordings, video recordings and other articles of a like nature held by the Library.

4. LIBRARY HOURS

(1) The usual hours during which the Library will be open shall be prescribed by the Chief Librarian and posted on a notice board at the entrance to the reading areas.

(2) Notice of any alteration in the usual hours shall be similarly posted not less than 7 days before the alteration takes effect.

(3) Clause (2) does not prevent the closing of the whole or any part of the Library without due notice if that appears to the Chief Librarian to be necessary or expedient for any reason whatsoever.

5. PERSONS WHO MAY USE LIBRARY

(1) Subject to clauses (2) and (3), and to any exclusion or suspension imposed under these or any other By-laws, the following persons (referred to collectively as authorized users) have the right to use the Library:

(a) any member of the Council or staff of the Institute;

(b) any student of the Institute;

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- (c) any person holding a Library card issued to him under by-law 8; and
- (d) any other person having the permission (which may be given orally, and subject to any conditions or restrictions) of the Chief Librarian or any member of the staff of the Library authorized by the Chief Librarian to give permission on his behalf.

(2) The Chief Librarian may reserve any part or parts of the Library for the exclusive use of a restricted category of authorized users.

(3) The Chief Librarian may allow the exclusive use of any room or rooms in the Library to any persons, whether or not consisting of or including authorized users, for any purpose approved by him and on such conditions as he thinks fit.

6. GENERAL CONDUCT IN LIBRARY

(1) A person shall not conduct himself in the Library so as to interfere with its proper use by other persons, or to cause damage or the risk of damage to any Library materials or facilities.

(2) Without prejudicing the generality of clause (1), a person shall not -

- (a) smoke, eat or drink in any part of the Library except a part specifically set aside for the purpose by the Chief Librarian;
- (b) bring any animal into the Library (but so that this shall not prevent a blind or partially sighted person from being escorted, if the member of staff in charge of the Library consents, by a guide dog);
- (c) offer anything for sale in the Library without the permission of the Chief Librarian; or
- (d) put up any bill, placard or notice in the Library without such permission.

(3) A child who has not attained the age of 14 years shall be admitted to the Library only if he is accompanied by an adult who is an authorized user within the meaning of by-law 5(1) and who undertakes to be responsible for him, and if the Chief Librarian considers that the child's behaviour is causing disturbance to others he may require the adult and the child to leave the Library.

(4) A person on Library premises shall comply at all times with any reasonable direction given to him by any member of the staff of the Library.

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(5) A person shall not remove any Library materials from the Library otherwise than by borrowing them in accordance with the procedures prescribed under by-law 7, and shall not do anything intended to hinder others in finding materials they may wish to use.

(6) If the Chief Librarian so requires, a person entering the Library with any case, bag, parcel or similar item shall deposit it at his own risk in a place set aside for the purpose.

(7) Without prejudice to clause (4), a person who has brought any case, bag, parcel or similar item into the Library shall, if so requested by a member of the staff of the Library, allow it to be inspected before he leaves the Library.

(8) No person may reserve a seat in any part of the Library that is open to all authorized users within the meaning of by-law 5(1), and any personal belongings that are left unattended in any such part for more than 45 minutes, or when the Library closes, may be removed by any member of the staff of the Library and stored at their owner's risk as the Chief Librarian may direct.

7. BORROWING

(1) Library materials other than any for the time being classified by the Chief Librarian as not available for loan may, subject to subclause (3) and any suspension or exclusion imposed under these or any other By-laws, be borrowed by any person holding a current Library card issued to him under by-law 8.

(2) The procedure for borrowing Library materials and the conditions on which they are borrowed, including conditions as to the number of items that a borrower may have on loan at any one time and the duration and renewal of loans, shall be such as are prescribed by the Chief Librarian, and the Chief Librarian may prescribe different conditions for different classes of borrowers and in relation to different classes of materials.

(3) The Chief Librarian may direct that the borrowing of any specified materials be restricted to borrowers of a specified class or classes.

(4) A borrower may be required to return any item to the Library by a date earlier than that on which his loan would otherwise expire by a notice issued by or on behalf of the Chief Librarian and posted to his address shown on the Library records.

(5) A borrower who fails to return any item by the date on which it is due (whether by reason of the expiry of his loan or the giving of a notice under clause (4)) shall, subject to clause (6), be liable to a charge for each day that the item is overdue of an amount from time

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to time fixed by the Council, and the Council may fix different amounts for different descriptions of items.

(6) Charges under clause (5) shall cease to accrue after 30 days or, if earlier, on the day on which the Chief Librarian receives written notice from the borrower that the item concerned is lost, and the total charges for which a borrower may be liable under that clause shall not in any event exceed an amount from time to time fixed by the Council for items of the description in question.

(7) Where an item has been overdue for more than 30 days or (if earlier) the borrower has notified the Chief Librarian that the item is lost, the borrower -

- (a) shall be liable to pay to the Institute a sum equal to the cost, as assessed by the Chief Librarian, of replacing the item, together with a processing fee of an amount from time to time fixed by the Council; or
- (b) may instead, with the approval of the Chief Librarian, provide the Library with a replica of or replacement for the item.

(8) A borrower who complies with clause (7) as respects any item does not by so doing acquire any property in the item, and if the item is subsequently returned to the Library, the Chief Librarian may at his discretion direct the repayment to the borrower of the whole or part of any sum paid by him or the return of any replica or replacement provided by him.

(9) Where an item borrowed from the Library is damaged otherwise than by fair wear and tear, the person in whose name it was borrowed shall be liable to pay to the Institute on demand an amount equal to the cost of repairing the item or, if the Chief Librarian considers it necessary that the item be replaced, the replacement cost as assessed by him.

(10) The Chief Librarian may at his discretion reduce or waive any charges, fees or other amounts which a person has become liable to pay under this by-law.

(11) The Chief Librarian shall provide for the keeping of records with respect to borrowings of Library materials, and details duly entered in the records of any item borrowed, of the person in whose name and the date on which it was borrowed, of the original loan period and any renewal, or of any notice issued with respect to the item under clause (5), shall, for the purposes of these By-laws, be taken to be correct unless the contrary is shown.

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(12) Copies of the conditions for the time being prescribed by the Chief Librarian under clause (2), and details of any directions for the time being in force under clause (3) and of the amounts for the time being fixed by the Council for the purposes of clauses (5), (6) and (7)(a), shall be available in the Library at all times.

8. LIBRARY CARDS

(1) Any person wishing to borrow Library materials may apply to the Chief Librarian for the issue of a Library card.

(2) An application shall be in accordance with a form prescribed by the Chief Librarian, who shall if it appears to him that the applicant is a fit and proper person issue a card on payment of the appropriate fee.

(3) The form of application prescribed by the Chief Librarian shall include -

(a) an undertaking by the applicant to comply with all By-laws and Rules for the time being in force with respect to the Library, and all conditions and directions for the time being in force with respect to the borrowing of Library materials; and

(b) an undertaking by the applicant or, if he has not attained the age of 18 years, by a parent or guardian of the applicant or some other person acceptable to the Chief Librarian to pay all charges, fees and other amounts for which the applicant may become liable under any such By-laws or Rules.

(4) The period for which a Library card is valid shall be fixed by the Chief Librarian, and different periods may be fixed for cards issued to different classes of borrowers.

(5) A Library card is not capable of transfer from one person to another.

(6) The holder of a Library card that is lost shall report the loss to the Chief Librarian, who shall issue a replacement card on payment of the appropriate fee.

(7) The holder of a Library card shall notify the Chief Librarian of any change of address.

(8) A Library card issued to a person whose application was in a false name or stated a false address is invalid.

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(9) References in clauses (2) and (6) to the appropriate fee are references to the fee from time to time fixed by the Council, and different fees may be fixed in relation to cards issued to different classes of borrowers.

9. ENFORCEMENT

(1) The member of staff for the time being in charge of the Library may exclude therefrom, for a period not exceeding 24 hours from the time of the exclusion, any person appearing to him to be behaving, or likely to behave, in a disruptive or destructive manner, and shall record any such incident in a book provided by the Chief Librarian for the purpose.

(2) Where -

(a) a person has contravened or failed to comply with any By-law or Rule relating to the Library, or any condition or direction relating to the borrowing of Library materials; or

(b) any charge, fee or other amount for which a person is liable under by-law 7 has not been paid pursuant to the undertaking given in his application for a Library card,

the Chief Librarian may suspend any right of that person to use the Library or to borrow Library materials, or both such rights.

(3) A suspension imposed under clause (2) shall be for a period specified by the Chief Librarian or, if it is imposed for a failure to pay money, until payment has been made in full.

(4) Where the Chief Librarian has imposed a suspension on any person under clause (2), he shall notify him of the suspension by a notice posted to his address shown on the Library records, and -

(a) the person suspended may within a period of 14 days beginning with the date of the notice appeal in writing to the Director; and

(b) the Director -

(i) shall consider the appeal within 14 days after receiving it;

(ii) may uphold the suspension, cancel it, or vary any period for which it was imposed; and

(iii) shall give notice of his decision to the Chief Librarian, and to the applicant at his address on the Library records.



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(5) The power of suspension conferred on the Chief Librarian by clause (2) is without prejudice to his power to prefer a charge against a student under the Darwin Institute of Technology (Student Discipline) By-laws, but he shall not prefer such a charge on the grounds specified in clause (2)(b) unless the amount for which the student is liable exceeds an amount from time to time determined by the Council.

(6) Where it appears to the Chief Librarian that a person has persistently failed to return borrowed items on the due date, or has lost an unreasonable number of items he has borrowed, he may at his discretion suspend that person's right to borrow for such period as he thinks fit or withdraw his Library card altogether.

10. POWERS OF DIRECTOR

The Director may give to the Chief Librarian directions (general or specific in nature) with respect to the exercise of his powers under these By-laws, and the Chief Librarian shall exercise those powers in conforming with any directions so given.

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