

## Wakefield Metropolitan District Council Public Library Byelaws

The byelaws are made by the Council in exercise of its powers under Section 19 of the Public Libraries and Museums Act 1964 in respect of libraries within the Wakefield District

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 16 years unless otherwise stated.
  - 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 Wakefield Metropolitan District Council Library Service;
  - 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. "the 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.I.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;

- I. 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 enter or use 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 under training for the purpose of being able to accompany 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 or other mobility aid, pram, pushchair or wheeled shopping basket]
  - 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 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, be intending to destroy or damage such property or be 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 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 persistent 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 or affix such items on a library building externally.
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 under the age of 8 years 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.
18. Spitting is not acceptable in the Library.
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* 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 where facilities exist and/or with the consent of a library officer, partake of refreshment in the library.
21. Use of computer equipment within the library must be in accordance with the following two Wakefield Council library authority policies:
  - a. Wakefield Council library authority Acceptable Use Policy: Computer Internet Use / Adult or equivalent.
  - b. Wakefield Council library authority Acceptable Use Policy: Computer Internet Use / Children Under 16 or equivalent.
22. Usage of the computers in the library will be suspended if the borrower violates library byelaws.
23. Portable electronic equipment including computers/laptops usage must be in accordance with the Wakefield Council library authority Acceptable Use Policy: Use Of Private Portable Equipment or equivalent.
24. People who intend to make copies of works in the library must 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.

25. No person shall, except with the consent of a library officer, cause or allow any mobile telephone, 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.

26. No person who

a) fails to arrange to pay for overdue items.

b) fails to pay any charge outstanding on their account.

shall, unless with the specific consent of a library officer, borrow any other library property or use computing facilities until the matter is settled.

27.a. Any person who has been served a notice by the library authority for the return of an overdue item borrowed from the library shall return such item to any library within the authority within 14 days of the notice being served, unless otherwise stated by the library officer,

27. 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.

28. In the event of an item being lost, defaced or damaged when on loan the borrower will be subject to paying full re-acquisition costs, at the discretion of the library officer.

29. Any person who contravenes any of these byelaws shall be liable to prosecution by the library authority for contravention of the byelaws, 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 or 19, a prosecution may be brought under the *Criminal Damage Act 1971* or the *Misuse of Drugs Act 1971* respectively.

30. 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.

31. On the coming into operation of these byelaws, the byelaws relating to libraries, which were made by Wakefield Metropolitan District Council on the 17th day of September 1975 and were confirmed by the local Government Board, the Secretary of State for Education and Science on the 17th day of September 1975, shall be revoked.

### **Official seal of local authority**

The Common Seal of Wakefield Metropolitan District Council was here unto affixed in the presence of Jacqueline A Pepperell, Service Director: Legal and Democratic Services.

**This section to be completed once the Byelaws are approved following public consultation of one month from date of publication in local press**

The foregoing Byelaws are confirmed on behalf of the Secretary of State for Culture, Media and Sport by the Head of Libraries and Communities Division, Department for Culture, Media and Sport and shall come into force on 30<sup>th</sup> September 2007.

Keith Nichol

30.08.07

Head of Libraries and Communities Division  
Department for Culture, Media and Sport

**This note is not part of the byelaws**

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 19 the library authority draws attention to the existence of the *Criminal Damage Act 1971* and the *Misuse of Drugs Act 1971*.