

Gold Coast City Council



Subordinate Local Law No. 4.1 (Libraries) 2008

It is hereby certified that this is a true and correct copy of
Subordinate Local Law No. 4.1 (Libraries) 2008 made, in accordance with the *Local Government Act 1993*, by
the Council of the City of Gold Coast
Joe McCabe
Acting Chief Executive Officer

Gold Coast City Council Subordinate Local Law No. 4.1 (Libraries) 2008

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Gold Coast City Council Subordinate Local Law No. 4.1 (Libraries) 2008

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 4.1 (Libraries) 2008*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 4 (Libraries) 2008*.

3 Object

The object of this subordinate local law is to assist in the implementation of *Local Law No. 4 (Libraries) 2008*.

4 Definitions

The dictionary in the Schedule defines particular words used in this subordinate local law.

Part 2 Library membership

5 Classes of membership

For the purposes of section 7 (Classes of membership) of *Local Law No. 4 (Libraries) 2008*, the following are classes of membership—

- (a) adult permanent residents; and
- (b) persons under 18 years of age who are permanent residents being—
 - (i) adult (16 to 18 years of age); or
 - (ii) young adult (12 – 15 years of age); or
 - (iii) junior (under 12 years); and
- (c) temporary residents.

6 Membership criteria

For the purposes of section 9(3)(b) (Grant of membership) of *Local Law No. 4 (Libraries) 2008*, the membership criteria for each class of membership is—

- (a) for an adult permanent resident, the production of suitable personal identification that demonstrates that the person is a permanent resident; and

- (b) for a permanent resident under 18 years of age—
 - (i) the production of suitable identification that demonstrates that the person is a permanent resident; and
 - (ii) the signature on the rear of the membership card, executed in the presence of an authorised person, of an adult who is a member, or who is eligible for a membership and who accepts liability for the obligations of membership, under *Local Law No. 4 (Libraries) 2008*; and
 - (iii) when required by an authorised person, the completion of a prescribed form as required by an authorised person, signed by an adult who is a member, or who is eligible for a membership and who accepts liability for the obligations of membership under *Local Law No. 4 (Libraries) 2008*; and
- (c) for a temporary resident, the production of suitable identification that demonstrates that the person is a temporary resident.

7 Terms of membership

- (1) For the purposes of sections 14(1) (Terms of membership) of *Local Law No. 4 (Libraries) 2008*, the terms of membership for each class of member is to be as follows—
 - (a) a member may use their membership card at any public library in the local government area; and
 - (b) a member wishing to borrow a library item must present their membership card; and
 - (c) a member must notify the local government within 7 days of becoming aware that their membership card is lost or stolen; and
 - (d) a member may have a membership card which is lost or stolen replaced on—
 - (i) the presentation of documentation sufficient to prove the identify of—
 - (A) the member; and
 - (B) the responsible person for the member if the member seeking to have their membership card replaced is a minor or a legally incapacitated person; and
 - (C) the payment of the prescribed charge; and

- (e) a member must ensure that all library items are recorded in the library management system prior to removal from the library premises; and
 - (f) a member is responsible for all library items borrowed using their membership card; and
 - (g) a member must comply with the obligations of their membership; and
 - (h) a parent or guardian is responsible for the selection and use of library resources by a person under 18 years of age; and
 - (i) the responsible person for a member who is a minor or legally incapacitated person—
 - (i) is responsible for the selection and use of library resources and information technology resources and the return of library items within the loan period by the member; and
 - (ii) must ensure that the member otherwise complies with the terms of the membership; and
 - (j) the number of library items that may be borrowed by a member is to be as determined by the local government; and
 - (k) the loan period for library items that are available for borrowing is to be 14 days or as otherwise determined by the local government; and
 - (l) a library item which is borrowed by a member must be returned within the loan period unless otherwise determined by the local government; and
 - (m) library items that have been borrowed may (unless otherwise determined by the local government) be renewed for one further loan period; and
 - (n) library resources designated as “Not for loan” is only to be used within the library premises unless otherwise approved by the local government; and
 - (o) the local government accepts no liability for any claim arising from a person’s use of library resources; and
 - (p) the use of library resources and facilities within the library premises may be limited as determined by the local government; and
 - (q) all outstanding fees and charges due by a member are to be paid in full before the member is entitled to borrow any further library items.
- (2) In this section, **public library** means a library operated by the local government.

8 Application for a membership

For the purposes of section 8(2)(c) (Application for membership) of *Local Law No. 4 (Libraries) 2008*, an application for a membership must (unless otherwise required by an authorised person) be accompanied by—

- (a) the name, street address, telephone number and email address of—
 - (i) the person seeking membership; and
 - (ii) the responsible person if the person seeking the membership is a minor or a legally incapacitated person; and
- (b) 2 forms of written documentation which are sufficient to prove the identity and street address of—
 - (i) the person seeking membership; and
 - (ii) the responsible person if the person seeking membership is a minor or a legally incapacitated person; and
- (c) if the person seeking membership is a minor or a legally incapacitated person, written notice, in the form specified by the local government, by a person undertaking to be a responsible person for the minor or legally incapacitated person for the purpose of *Local Law No. 4 (Libraries) 2008*.

9 Term of a membership

For the purposes of section 10(1)(b) (Term of a membership) of *Local Law No. 4 (Libraries) 2008*, the term of a membership is—

- (a) for a temporary resident, a term of 6 months; and
- (b) for all other members, a term of 2 years.

Part 3 Library policy and rules

10 Library policy

For the purposes of section 5 (Administration of library service) of *Local Law No. 4 (Libraries) 2008*, a person must—

- (a) use information technology resources in accordance with the guidelines determined by the local government; and
- (b) use photocopying printing and other data retrieval facilities so as to ensure that there is no breach of copyright; and
- (c) use a library resource in accordance with the guidelines determined by the local government from time to time; and

- (d) pay all outstanding fees or charges before borrowing any further library items; and
- (e) accept that the local government does not act as a censoring authority in respect of the use of library resources.
- (f) comply with all laws relating to the use of a library resource.

11 Library rules

For the purposes of section 18 (Direction to comply with library rule) and the Schedule (Dictionary) of *Local Law No. 4 (Libraries) 2008*, whilst in the library premises, a person must not (unless authorised by an authorised person)—

- (a) consume alcohol; or
- (b) consume food, or any beverage other than in an area designated for that purpose; or
- (c) administer, consume or smoke tobacco or any other drug; or
- (d) use an electronic recording or transmitting device or a mobile phone; or
- (e) use audio visual materials or an audio or visual recording device without the prior written approval of the local government¹; or
- (f) undertake fund raising activities (including the sale of raffle tickets); or
- (g) distribute a petition; or
- (h) conduct a survey; or
- (i) place a publication on a community information board; or
- (j) leave a child who is a minor unattended in the library premises; or
- (k) transfer library items between library members; or
- (l) operate a business; or
- (m) retain a library item that is a newspaper or periodical for more than 15 minutes after being advised by a Council officer that it is required by another person.

¹ The written approval of the local government can be applied for under the provisions of *Local Law No. 3 (Administration) 2008*.

Schedule Dictionary

section 4

local government area has the meaning given in the *Local Government Act 1993*.²

membership card means a card or other form of identification issued by the local government who has been granted a membership of the library.

permanent resident means a person who has been living continuously in the local government area for more than 3 calendar months and includes a person who is eligible to use the library resources in another local government area which local government is a party to a reciprocal library membership agreement with the local government.

temporary resident means a person who is—

- (a) visiting the local government area; and
- (b) not a permanent resident.

² **local government area** is defined in Schedule 2 (Dictionary) of the *Local Government Act 1993* as a part of the State that is established as a local government area under the *Local Government Act 1993*.