

# **Libraries**

## **BYELAWS**

**Made under**

**Section 19 of the Public Libraries and Museums Act 1964**

**By the**

**Merthyr Tydfil County Borough Council**

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 13 years;
  - 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 Merthyr Tydfil County Borough Council;
  - g. “library” means:
    - 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;
    - 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 vehicles;
  - 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 the use by the public and property 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 SI 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;
  - l. 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 persons 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 is 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 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 intending to destroy or damage such property or being 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 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.
  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 consent of a library officer, intentionally display, distribute, or leave any bill, placard, notice or other document in the library.

15. No person shall, without consent of the chief library officer, offer anything for sale in the library or canvass or seek signatures for petitions.
16. No person having charge of a child 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 or library entrance and exit points.
18. 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.
19. No person shall, except with the consent of a library officer, partake of refreshment in the library.
20. No person shall, except with the consent of a library officer, 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.
21. No person who
  - a. Has in his possession library property after the date on which it should have been returned, and
  - b. Fails to pay any chargeshall, unless with the specific consent of a library officer, borrow any other library property.
22. Any person who
  - a. 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 on which 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.
23. Except as regards byelaws 8 and 18, any person who
  - a. Contravenes any of the foregoing byelaws 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 on respect of each offence.
  - b. In any case involving a breach of byelaws 8 and 18, a prosecution may be brought under the Criminal Damage Act 1971 or the Misuse of Drugs Act 1971 respectively.
24. Anyone using the library's computer facilities does so under the library's Acceptable Use Policy.
25. Anyone who contravenes the Acceptable Use Policy shall be:
  - a. 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, or

- b. Liable to be reported to the Police without notice in the case of serious or criminal abuses of the computer and / or internet facilities.
26. A library officer may exclude any person who contravenes any of the foregoing byelaws from any library maintained by the authority under the Act.

For the avoidance of doubt, on the coming into operation of these byelaws relating to libraries which were made by the Mayor, Alderman and Burgesses of the County Borough of Merthyr Tydfil on the 29<sup>th</sup> day of May 1958, shall be revoked.

THE COMMON SEAL of MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

was hereunto affixed in pursuance of a Resolution of the Council held on ... day of ... 2005

Authorised Signatory

.....

Gareth W Chapman  
Deputy Chief Executive and Director of Customer Corporate Services  
Civic Centre  
Castle Street