

LIBRARIES

BYELAWS

**made under Section 19 of the
Public Libraries and Museums Act 1964
by
Warwickshire County 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 16 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 Warwickshire County Council;
 - (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) “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 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 a duty by a library officer shall not be a contravention of these byelaws. (Or the act of a library officer in connection with the proper execution of a duty of that 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 remain in the library after having been asked by a library officer to leave 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 or under the control of that person 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/her.
 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 or where such conversation is prohibited by notice.
13. No person shall intentionally or recklessly obstruct any library officer in the execution of that officer's 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.
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 shall without the consent of a library officer leave the child unsupervised in the library.
17. No person shall smoke, light a match or use a cigarette lighter in the library other than in an area (if any) designated as an area where smoking is permitted.
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 that person 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 may intentionally interfere with any hardware or software of a library computer, or intentionally use such a computer to gain unauthorised access to the network, or to create, access, download or distribute any material which is illegal, indecent or obscene. In the event that such material is unintentionally accessed or downloaded, the image must be removed from the computer screen immediately and a library officer informed.
22. No person who
 - (a) borrows library property which is returned late or if returned would be returned late, or
 - (b) fails to pay any charge

shall, unless with the specific consent of a library officer, borrow any other library property.

23. (a) Any person who 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 within 14 days from the date the notice was served.
- (b) For the purposes of this byelaw, a notice may be served upon any person by delivering it to the person, or by leaving it at the person's last known address, or by sending it by post addressed to the person at that address.
24. 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 18, a prosecution may be brought under the Criminal Damage Act 1971 or the Misuse of Drugs Act 1971 respectively.
25. 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.
26. On the coming into operation of these byelaws, the byelaws relating to libraries which were made by Warwickshire County Council and confirmed by the Secretary of State for Education and Science on the 16 day of October 1981 shall be revoked.

The foregoing byelaws are confirmed on behalf of the Secretary of State for Culture, Media and Sport by the Head of Museums, Libraries and Archives Division, Department for Culture, Media and Sport and shall come into force on the 28th day of April 2005.

Ray C.A. Smith

Head of Museum, Libraries and Archives Division
Department for Culture, Media and Sport

The COMMON SEAL of)
WARWICKSHIRE COUNTY)
COUNCIL was hereunto affixed)
in the presence of:-)

A. Greta Needham
Designated Officer



150/2005

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

People who intend to make copies of works are advised that they may 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.