

University Rules: Library Rules

1. The Edith Cowan University (Library) Rules are hereby made and come into operation on the day after the day on which they receive Council approval.
2. The Rules provide as follows:
 1. These Rules are made pursuant to Statute 4(1)(a).
 2. Definitions
 1. "**Director**" means the Director, Knowledge and Information Technology Services Centre from time to time or the successor to that position or a person acting in that position.
 2. "**Manager**" means the Manager, Knowledge Access Services from time to time or the successor to that position or a person acting in that position.
 3. "**University Library**" includes each and all of the University's libraries on each of its campuses.
 3. Authorised Users
 1. The Manager may permit or deny access to, or use of, all or any of the University Library's services, facilities or resources to particular persons or classes of persons including without limitation students, members of the University's staff, members of the University Council and other external persons, organisations or bodies.
 2. Subject to sub-rule 3.3, the Manager may determine that certain persons, classes of persons, organisations or bodies, other than students and staff of the University, must pay a fee or fees in respect of access to, or use of, all or any of the University Library's services, facilities or resources or may waive the fee in respect of all or certain persons.
 3. The Manager may require students and staff of the University to pay a fee for ancillary services provided by the University Library including photocopying, printing, laminating and inter-library loan procurement or may waive the fee in respect of all or certain persons.
 4. Conditions of Use
 1. The Manager may impose conditions on authorised users' access to, or use of, all or any of the University Library's services, facilities or resources including without limitation:
 - a. the times during which the University Library may be accessed by authorised users;
 - b. the requirement to obtain a library card;
 - c. the requirement to pay a fee in respect of obtaining or replacing a library card;
 - d. the requirement to produce the library card at certain times; and
 - e. the conduct to be observed by library users at all times or at specified times within all or any specified part of the University Library.
 5. Borrowing
 1. The Manager may impose conditions upon, and determine the terms on which, authorised users may borrow items from the University Library including without limitation:
 - a. prohibiting or restricting the borrowing of certain items or classes of items;
 - b. requiring borrowers to maintain borrowed items in good condition and repair;
 - c. restricting borrowers' use of borrowed items;
 - d. requiring borrowed items to be returned within certain periods determined by the Manager from time to time;
 - e. recalling borrowed items prior to expiry of the otherwise applicable borrowing period;
 - f. restricting the number of items which a borrower may borrow; and
 - g. determining whether or not, and on what conditions, a borrower may remove a borrowed item from the University Library or the State.
 6. Penalties
 1. The Director may from time to time, subject to sub-rule 6.2, determine the nature and quantum of penalties which may be imposed upon students or other authorised users who fail to comply with an obligation or requirement imposed by these Rules or pursuant to these Rules, including without limitation penalties in the nature of monetary fines, restriction or suspension of library borrowing and/or access rights, payment of the costs of repairing any damage caused to University Library property or payment of the replacement cost of the relevant unreturned item (["Library Penalty Schedule"](#)).



2. If the Library Penalty Schedule authorises the imposition of penalties upon students, such penalties may not exceed the limits specified in Statute 22 Rule 5 or any other relevant limitation specified in the Act, a Statute, Rule or By-law.
 3. The Manager may:
 - a. impose penalties upon students in accordance with the Library Penalty Schedule as amended from time to time; and
 - b. take, or procure the taking of, all reasonable steps to enforce penalties imposed upon students in accordance with the Library Penalty Schedule.
 4. The Manager should take reasonable steps to ensure that copies of the Library Penalty Schedule are accessible by students, for example by posting on the University's website, making copies available for collection in the University Library and/or putting copies on display in the University Library.
7. Incidental Powers
1. The Manager may take, or procure the taking of, such action as is reasonably incidental to the exercise of the powers conferred under these Rules.
8. Appeal Procedures for Students
1. If a student wishes to appeal against any penalty imposed on the student pursuant to these Rules, the student must utilise the appeal procedures described in Statute 22 Rule 6 (as may be amended from time to time).
9. Appeal Procedures for Other Persons
1. By these Rules, a Committee of Appeal shall be constituted and empowered to hear and adjudicate upon an appeal by a person other than a student against any penalty imposed on the person pursuant to these Rules.
 2. The Committee of Appeal will comprise the following members:
 - a. a Pro Vice Chancellor nominated by the Vice Chancellor, who will act as chairperson of the Committee of Appeal; and
 - b. two members of the University's academic staff nominated by the Academic Services Committee (which nominees need not be members of the Academic Services Committee), and which members will serve on the Committee of Appeal for a period of two years, or such longer period for which the members may be re-nominated in accordance with Rule 9.3. A quorum of the Committee of Appeal shall be all three members, all of whom must have been present throughout a hearing.
 3. Members of the Committee of Appeal shall continue to serve as members for a period of two years. The Vice-Chancellor and the Academic Services Committee shall nominate members to serve on the Committee of Appeal for each subsequent two year period, which members may be persons who have already served or are currently serving on the Committee of Appeal.
 4. If a vacancy exists on the Committee of Appeal, either the Vice Chancellor or the Academic Services Committee, as appropriate, shall nominate a new member to fill the vacancy. Such new member shall serve on the Committee for the balance of the retiring member's two year term.
 5. A decision of the Committee of Appeal shall be final and conclusive.
 6. The provisions of sub-Rules 2, 4, 8, 12, 14, 20, 21, 22, 23 and 24 of Statute 22 Rule 6 (as amended, substituted or replaced from time to time) shall apply, mutatis mutandis, to the proceedings of the Committee of Appeal, however the Committee of Appeal shall otherwise determine the manner for conduct of appeals under this Rule 9.

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