

BYELAWS

**Made in pursuance of
Section 19 of the
Public Libraries and Museums Act 1964**

**MB Kenny LL.B.,
Borough Secretary
Town Hall
Barnsley
S70 2TA**

INTERPRETATION OF TERMS

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 14 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 Council of the Metropolitan Borough of Barnsley;
- (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 user of the library authority whether or not it is made available 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 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.

CONDUCT OF PERSONS USING LIBRARY FACILITIES

1. An act performed in connection with the proper execution of his duty by a library officer shall not be a contravention of these byelaws.
2. 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
3. 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
4. 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.
5. No person shall remain in the library after an emergency situation has been made known to him
6. 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
7. 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
8. 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
9. No person shall sleep in the library after having been requested not to do so by a library officer

10. No person shall remain in the library without making proper use of the library facilities after having been requested by a library officer to make such proper use of the facilities
11. No person shall spit in the library
12. No person shall engage in audible conversation in any part of the library 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
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 shall lie down on the floor of the library, or anywhere else in the library, except with the consent of a library officer
17. No person having charge of a child shall, without the consent of a library officer, leave him unsupervised in the library
18. No person shall smoke, light a match or use a cigarette lighter 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 partake of refreshment in the library without the consent of a library officer, except in an area designated as a coffee bar or in any other area in which the library authority authorises the partaking of refreshments when it is being used for an educational, cultural or any other event referred to in Section 20 of the Act
21. 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.

REGULATION OF USE OF LIBRARY FACILITIES

1. No person who
 - a. Borrows library property which is returned late or if returned would be returned late, or
 - b. Fails to pay any chargeShall, unless with the specific consent of a library officer, borrow any other library property
2.
 - 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 (to the library from which it was borrowed) within 14 days from the date the notice was served
 - b. For the purpose 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.

PENALTIES

- 1 Except as regards byelaws 7 and 19 in respect of which a prosecution may be brought under the Criminal damage Act 1971 or the Misuse of Drugs Act 1971 respectively, any person who contravenes any of the foregoing byelaws shall be liable to prosecution for contravention of the byelaws by the library authority and shall be liable on summary conviction to a fine not exceeding level 2 of the standard scale in respect of each offence.
- 2 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.

REVOCATION

On the coming into operation of these byelaws, the byelaws relating to the libraries which were made by the Council of the Metropolitan Borough of Barnsley on the Twenty fifth day of June One thousand nine hundred and seventy four and were confirmed by the Secretary of State for Education and Science on the Thirtieth day of August One thousand nine hundred and seventy four shall be revoked.

THE COMMON SEAL of Barnsley Metropolitan Borough Council was hereunto affixed the 12th day of February One thousand nine hundred and ninety eight in the presence of

No. 1355
IN REGISTER

(Signature affixed)

Deputy Borough Secretary

The foregoing byelaws are confirmed on behalf of the Secretary of State for Culture, Media and Sport by the Head of Library Division, Department for Culture, Media and Sport and shall come into force on 30 April 1998

(Signature affixed)

Head of Libraries Division
Department for Culture, Media and Sport
30.3.98

NOTE

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 7 and 19 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