

# Library

## Terms and Conditions of Entry



### CONDITIONS OF ENTRY

These terms and conditions of entry apply to the four Mareeba Shire Library premises including the immediate vicinity of the buildings. This means that anybody entering these premises, or its immediate surrounds agree to follow these conditions upon entry.

### STANDARDS OF BEHAVIOUR

Mareeba Shire Libraries welcome all people and ask that patrons of the library follow standards of behaviour to ensure that:

- a. the security and safety of people and property is respected;
- b. due regard is shown for the needs, interests, and rights of others, and
- c. the designation of areas for specific purposes is respected.

### AUTHORISED ACTIVITIES

Those entering the library, or its immediate surrounds must:

- a. act in a courteous and respectful manner
- b. make property available for inspection by Council staff if requested
- c. maintain reasonable dress and hygiene standards
- d. abide by reasonable directions given by Council staff
- e. leave if directed to do so by Council staff, and
- f. only enter the premises when authorised

### PROHIBITED ACTIVITIES

Those entering the library, or its immediate surrounds must not:

- a. cause distress or fear to persons
- b. assault, threaten, intimidate, or harass
- c. disrupt others or the library operations
- d. present in a manner to suggest prior use of alcohol or illicit drugs
- e. consume or administer alcohol or illicit drugs
- f. smoke tobacco or use vaping devices within the legislated distance from entrances
- g. leave personal possessions unattended
- h. undertake fund raising without prior consent, including the sale of raffle tickets

- i. use audio or visual recording devices without approval
- j. take photographs or other imagery of a person without the person's consent
- k. operate or solicit a business
- l. leave an unattended minor
- m. display offensive or objectionable material including pornography, expressions of hatred or representations of violence
- n. display any notice, pamphlet or promotional material not approved by library staff
- o. use library systems, property, assets, or processes inappropriately
- p. make excess noise in quiet study areas

### FEES AND CHARGES

Council will adopt a schedule of fees and charges each year for library activities and services and other related library resources. All fees and charges must be paid upfront and in full.

### DRESS CODE AND HYGIENE REQUIREMENTS

To ensure the comfort, safety and family-friendly environment of the library Council requires at a minimum:

- a. singlet top, shorts, skirt, or dress
- b. footwear
- c. cleanliness
- d. personal hygiene that does not disrupt use of the library

### ASSISTANCE ANIMALS

- a. In accordance with *The Guide, Hearing and Assistance Dogs Act 2009* (Qld), library customers must not bring a dog or animal into the library (including foyer), except for certified Guide, Hearing or Assistance dogs.
- b. The *Disability Discrimination Act 1992* (Qld) recognises that a suitably trained Assistance Animal is a tool facilitating the functioning of a person with a disability.
- c. The owner of an Assistance Animal should, on request, be able to present documentation

showing that it is qualified, accredited, and serving the person they are with.

- d. An Assistance Animal will have a jacket with branding from the organisation that qualified it.
- e. All Assistance Animals must be securely restrained.
- f. Pets must not enter the library and must be securely restrained away from walkways, outdoor activity areas and the immediate vicinity of the buildings.

## RESPONSE TO BREACHING THE CONDITIONS OF ENTRY

Mareeba Shire Council reserves the right to:

- a. remove a person from the libraries who is in breach Council policies;
- b. cancel or suspend library memberships; or
- c. resort to public prosecution if required.

The initial response to breaching the conditions of entry will be to alert the offending person to the fact that their behaviour is contrary to the conditions. A warning or direction may be given.

Failure to comply with a direction by library staff or repeated breaches of the conditions may result in a ban from entry and use of library resources. A written notice of intention to ban will be issued to persons in breach of the conditions together with the opportunity to respond.

So that the nature of the breach is fully understood, specific details of the breach will be included in the notice of intention to ban. The delegated Council officer will consider any response received and decide on the proposed ban.

In the case of dangerous or unlawful behaviour an immediate ban can be imposed.

A person who enters any Mareeba Shire Council Library premise while they are under a ban is trespassing and may be removed by Queensland police officers.<sup>1</sup> A person who is trespassing may also be prosecuted under Queensland law.<sup>2</sup>

## RECORD KEEPING

Records will be maintained at Council's offices and managed in accordance with *Public Records Act 2002*

(Qld) and standard record keeping practices. Records may be amended to remove or correct inaccuracies.

## ACCESS TO YOUR INFORMATION

Under Queensland information privacy law, you are entitled to access any personal information that Mareeba Library holds about you, and to ask us to update personal information we hold about you.

## COPYRIGHT

To comply with Australian copyright law, the National Library of Australia has negotiated document delivery provisions for Australian libraries however copyright restrictions will still apply.

Under Australian copyright law, a person can copy a "reasonable portion" of a work for purposes of research or study or for use by a member of parliament.<sup>3</sup>

## DEFINITIONS

**Certified Assistance Animals:** All certified dogs have passed the Public Access Test (PAT) which sets a minimum standard for certification. Dog owners must work with an approved trainer or training institution to train a dog, conduct a PAT test, and certify the dog.

**Library** for purposes of copyright a Library is defined as a library that makes its collections available to the public.

**Reasonable portion** for copyright legislation can be described as:

- I. Journals - 1 article per issue, or 2 or more articles per issue if those articles relate to the same subject matter
- II. Other published works - a reasonable portion (defined as the greater of 10% or 1 chapter from a book of 10 or more pages).

## ASSOCIATED FORMS & DOCUMENTS

- *National Library of Australia copyright and document supply for libraries*
- *Getting certified- Public access tests and certification*
- *State Library of Queensland Information privacy and website security*

<sup>1</sup> See Criminal Code s 277. See also *Police Powers and Responsibilities Act 2000* (Qld) s 48.

<sup>2</sup> See *Summary Offences Act 2005* (Qld) s 11.

<sup>3</sup> See *Copyright Act 1968* (Cth) s 50.