

# **LIBRARY REGULATIONS**

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## **1.0 Title and Commencement**

### **1.1 Authority and Title**

Acting under authority delegated by the Council of The Open Polytechnic of New Zealand (the Polytechnic) on 30 November 2001 under Section 222 of the Education Act 1989 (the Act) and pursuant to Section 194 of the Education Act 1989, the Academic Board of the Polytechnic made the following Statute called the “The Open Polytechnic of New Zealand Library Regulations”.

### **1.2 Effective Date**

This Statute was made on 21 November 2001 and will come into force on 1 January 2002.

### **1.3 Disclaimer Re Changes**

The Academic Board reserves the right to amend these Regulations at any time.

## **2.0 Authorised Users**

### **2.1 Authorised Library users.**

The following are authorised users of the Polytechnic Library:

Polytechnic staff and students as follows:

- Members of the Polytechnic’s Academic Board and its subcommittees.
- Members of the Polytechnic’s Council.
- Enrolled students of the Polytechnic, except where they are subject to contracts providing library services for them at another organisation.
- Employees of the Polytechnic, including off-campus staff and contractors

Others:

- Other libraries through Interloan and other cooperative agreements.
- Members of organisations which have contracted for library services with the Polytechnic.
- Other persons at the discretion of the Library Manager.

## **3.0 General Regulations**

### 3.1 Recording of Loans

No person shall remove any Library material from the Library without first having the loan properly recorded by Library staff.

### 3.2 Restrictions on Borrowing

Certain collections or materials in high demand may be made reference-only or issued for short periods only.

Students may only borrow material related to their field of study.

### 3.3 Conditions of Borrowing

No borrower shall lend or lease any Library material to a third party.

### 3.4 Requirements for Returns

The following are the requirements for returning library material:

- All material borrowed from the Library shall be returned on or before the due date and in good condition.
- All material issued on loan shall be returned by the borrower to the Open Polytechnic.
- Where material is returned by courier, the borrower shall retain the numbered tracking label as proof of despatch. In the case of an enquiry, a borrower without such proof may be deemed not to have returned the material

### 3.5 Lost Material

The loss of any Library material shall immediately be reported to Library staff.

Borrowers are liable for the full replacement cost of any lost Library material, which remains the property of the Open Polytechnic and must, if found, be returned to the Library whether replacement charges have been paid or not. Reimbursement of paid charges will be considered on application. Administration fees will not be refunded.

### 3.6 Library Manager's Rights

The Library Manager retains the right to:

- Withhold or restrict the circulation of any Library material.
- Limit the number of items in the possession of a user at any one time.
- Recall borrowed Library material at any time.
- Vary loan periods.

### 3.7 Recalls

Where Library material has been recalled to the Library, it shall be returned to the Library not later than the date specified on the recall notice.

### 3.8 Overdue Material

The Library is under no obligation to notify borrowers when material is overdue or charges have been incurred.

Penalties and charges on overdue material will accrue to the borrower in whose name the material is issued.

The Library Manager reserves the right to:

- Invoice any borrower for the full replacement cost of any item not returned by the due date, and

- To suspend any borrower from use of the Library until outstanding items are returned and/or any charges incurred are paid.

### 3.9 Damaged Material

Borrowers are liable for any damage sustained while Library material is on loan to them.

The Library Manager reserves the right to:

- Charge full replacement cost of any Library material, and
- To suspend borrowers from use of the Library, until charges have been paid.

## 4.0 Student Penalties - Damaged or Non-returned Material

### 4.1 Student Penalties

Students suspended from use of the Library under Regulation 3.8 or 3.9 may be reported to the Academic Registrar who may impose further penalties in accordance with the Student Conduct Statute.

## 5.0 Copyright

### 5.1 Copyright Act Applies

Every person who uses a copying machine in the Library shall observe the requirements of *The Copyright Act, 1994*, and amendments.

### 5.2 Photocopying as an Enrolled Student

Students are reminded that materials supplied to them by the Library are to be used only for their research or private study and for no other purpose.

All material supplied by the Library complies with the Act or the Copyright Licensing New Zealand (CLNZ) Licence, and other licences held by The Open Polytechnic. This includes material supplied by the Library using electronic means.

Single copy copying by enrolled students for private study or for research must meet the fair dealing requirements of S 43 of *The Copyright Act*. No amount is specified. Using sections 51 and 52 as a guide one article of a periodical and a reasonable proportion of a book would be a practical maximum. A reasonable proportion of a book must not exceed a chapter and may in some cases be less.

### 5.3 Photocopying as a Staff Member

Fair dealing applies to staff members of the Polytechnic making a single copy for their own research or private study.

All multiple copying of published material for any purpose whatsoever must first be cleared.

## 6.0 Use of Electronic Resources

### 6.1 Compliance with License Agreements

Electronic resources (including online databases, electronic documents, e-books and e-journals) provided by the Library are subject to license agreements and to copyright restrictions. Authorised Library users are responsible for ensuring that their use of resources complies with these license agreements and the relevant copyright legislation. General guidelines are available at [http://library.openpolytechnic.ac.nz/screens/Copyright\\_license.html](http://library.openpolytechnic.ac.nz/screens/Copyright_license.html).

## 6.2 Restrictions on Sharing Logins and Passwords

Username and passwords used to access the Library's electronic resources must not be shared with anyone.

## 6.3 One Copy Only

No more than one copy of any individual document accessed from the Library online may be downloaded by a user at a given time.

## 6.4 Prohibition on Subsequent Copying and Distribution

In most cases use of material accessed from the Library online and downloaded by a user is limited to private study and research.

No such material may be subsequently copied or distributed by any means.

### **Amendment 1**

These Regulations were amended by the Academic Board on 2 August 2002. The following changes take effect from 1 January 2003 and have been incorporated into these reprinted Regulations.

- Minor editing changes to S3.2, S3.3 and S3.8.
- S4 now provides for students suspended from use of the Library to be reported to the Academic Registrar, who may impose further penalties in accordance with the Student Conduct Statute.

### **Amendment 2**

These Regulations were amended by the Academic Board on 1 July 2005. The following changes take effect from 1 July 2005 and have been incorporated into these reprinted Regulations.

- S3.4 has been amended to include when the material is returned by courier, the numbered tracking label to be retained by the borrower as proof of dispatch to produce in case of an enquiry.

### **Amendment 3**

These Regulations were amended by the Academic Board on 3 August 2018. The following changes take effect from 3 August 2018 and have been incorporated into these reprinted Regulations.

- Minor amendments to S2.1, S3.2, S3.4, S3.5, S4.1, S 5.1 and S5.2.
- S6.0 has been renamed Use of Electronic Resources.
- S6.1 has been amended to clarify the responsibilities of authorised Library users.
- S6.2 has been added to clarify the use of logins and passwords.
- S6.3 and S6.4 have been renumbered.

## ***End of Regulations***