

SOUTH AUSTRALIA

LIBRARIES REGULATIONS, 1987

REGULATIONS UNDER THE LIBRARIES ACT, 1982

Libraries Regulations, 1987

being

No. 126 of 1987: *Gaz.* 25 June 1987, p. 1644¹

as varied by

No. 259 of 1996: *Gaz.* 23 December 1996, p. 2262²

¹ Came into operation 1 July 1987: reg. 2.

² Came into operation 3 February 1997: reg. 2.

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.

2.

Short title

1. These regulations may be cited as the *Libraries Regulations, 1987*.
2. These regulations will come into operation on 1 July, 1987.

Revocation of earlier regulations

3. All regulations previously made under the Act (see *Gazette* 17 February, 1983, p. 390; 27 February, 1986, p. 428) are revoked.

Interpretation

4. In these regulations, unless the contrary intention appears—

"**the Act**" means the *Libraries Act, 1982*:

"**authorized officer**" means a person who is an authorized officer by virtue of regulation 4:

"**library**" means a library or a branch of a library that is under the control of the Board:

"**library grounds**" means an area adjacent to a library that is under the control of the Board:

"**library premises**" means the premises of a library and includes any adjacent land or structure that is under the control of the Board:

"**loading zone**" means a part of a parking area marked by signs or lines (or a combination of both) as a loading zone:

"**no parking area**" means an area marked by signs or lines (or a combination of both) as a no parking area:

"**parking area**" means a part of library grounds marked by signs or lines (or a combination of both) as a parking area (including any area marked as a no parking area within or adjacent to such an area):

"**permit parking area**" means a part of a parking area marked by signs or lines (or a combination of both) as a permit parking area.

Authorised officers

5. (1) The following are authorized officers:

- (a) the person who is for the time being in charge of a library;
- (b) any person appointed by the Board to be an authorized officer.

(2) The Board may appoint such authorized officers as it thinks fit and may revoke any such appointment.

3.

(3) An authorized officer appointed by the Board shall be issued with a certificate of authority.

Rules of conduct

6. (1) A person shall not be in library premises while intoxicated or so much under the influence of alcohol or a drug as to be visibly affected by it.

Penalty: \$500.

(2) A person, while in a library, shall not behave in a disorderly or offensive manner or so as to disturb the concentration, or interfere with the comfort or convenience, of others.

Penalty: \$500.

(3) A person shall not smoke in library premises except in a part of the library set aside for that purpose.

Penalty: \$200.

(4) A person shall not consume food or a beverage in a library except in a part of the library set aside for that purpose.

Penalty: \$200.

(5) A person shall not bring a bag, book or other article into a library contrary to a prohibition exhibited at or near the entrance to the library.

Penalty: \$200.

(6) A prosecution for a breach of subregulation (5) must not be brought unless the prohibition has been exhibited at or near the entrance to the library for at least 14 days.

Rules affecting vehicular traffic

7. (1) A person shall not park in library grounds except in a parking area.

Penalty: \$50.

Expiation fee: \$20.

(2) A person shall not drive a motor vehicle in library grounds at a speed exceeding 10 kilometres per hour.

Penalty: \$200.

Expiation fee: \$20.

(3) A person shall not drive a motor vehicle in library grounds in a dangerous or careless manner or without reasonable consideration for other persons.

Penalty: \$500.

Expiation fee: \$20.

4.

(4) A person shall not drive a motor vehicle in library grounds so as to cause undue noise to be emitted from the vehicle.

Penalty: \$200.
Expiation fee: \$20.

(5) A person shall not park a motor vehicle in a no parking area.

Penalty: \$100.
Expiation fee: \$20.

(6) A person shall not park a motor vehicle in a permit parking area unless that person—

(a) is the holder of a current parking permit issued by the Board;

or

(b) has obtained the prior permission of an authorized person to do so.

Penalty: \$100.
Expiation fee: \$20.

(7) A person shall not park a motor vehicle in a loading zone except—

(a) for a period not exceeding 30 minutes while the motor vehicle is being used in taking up or setting down goods;

or

(b) while a person is entering or alighting from the motor vehicle.

Penalty: \$100.
Expiation fee: \$20.

(8) A motor vehicle shall be deemed to be in a loading zone, no parking area or permit parking area if any part of the motor vehicle is within the zone or area.

Power to require suspected offender to state name and address

8. (1) If an authorized officer has reasonable cause to suspect that a person has committed, is committing, or is about to commit an offence against the Act or these regulations, the authorized officer may require that person to state his or her name and address.

5.

(2) A person who—

(a) refuses or fails to comply with a requirement under subregulation (1);

or

(b) makes a statement in response to such a requirement that is false or misleading in a material particular,

is guilty of an offence.

Penalty: \$500.

Power to exclude from library premises

9. (1) If an authorized officer—

(a) has reasonable cause to suspect that a person has committed or is committing an offence against the Act or these regulations;

and

(b) believes that it would be desirable to exercise the powers conferred by this subregulation in order to prevent continuance or repetition of the offence, or the commission of further offences,

the authorized officer may order that person to leave the library premises.

(2) A person—

(a) who refuses or fails to comply with an order under subregulation (1);

or

(b) who returns to the library premises within 24 hours after being ordered to leave,

is guilty of an offence.

Penalty: \$500.

(3) If the Board has reasonable cause to suspect that a person has committed an offence against the Act or these regulations and is of the opinion that it would be desirable to exercise the powers conferred by this subregulation in order to prevent the commission of further offences, the following provisions apply:

(a) the Board may give notice personally or by post to the person requiring him or her to appear before the Board or a nominee of the Board at a place and time specified in the notice to show cause why he or she should not, for reasons specified in the notice, be excluded from library premises or a specified part of library premises;

6.

(b) if the person does not appear in response to the notice or does appear but fails to convince the Board that it should not act under this paragraph, the Board may, by order served personally or by post, prohibit the person from entering library premises, or a specified part of library premises, for a period specified in the order.

(4) A person who enters library premises in contravention of an order under subregulation (3) is guilty of an offence.

Penalty: \$500.

(5) A person against whom an order has been made under subregulation (3) may apply to a court of summary jurisdiction for review of the order.

(6) If the court is satisfied on an application for review that the order was made without proper grounds, the court may cancel the order.

* * * * *

*Continued application of the Libraries and Institutes Act,
1939 (see section 28(4) of the Libraries Act)*

11. The provisions of the repealed *Libraries and Institutes Act, 1939*, that are relevant to the constitution, administration, operation, control and dissolution of institutes continue to apply to institutes subject to the following exclusions and modifications:

(a) *Section 36*

Strike out this section and substitute the following section:

36. The name of any institute dissolved in accordance with this Act shall be removed from the first schedule to the *Libraries Act, 1982*;

(b) *Section 49*

Strike out "fifteen" and substitute "ten";

(c) *Section 105(1)(a)*

Strike out "not less than three fourths" and substitute "a majority";

(d) *Section 106(1)II*

Strike out "connected with education" and substitute "connected with library services";

(e) *Section 106(1)III*

Strike out "connected with education" and substitute "connected with library services".

7.

APPENDIX

LEGISLATIVE HISTORY

Transitional Provisions

(Transitional provision from Regulation No. 259 of 1996, reg. 4)

4. A regulation varied or revoked by these regulations will continue to apply (as in force immediately prior to the variation or revocation coming into operation) to an expiation notice issued under the varied or revoked regulations.

Legislative History

Regulation 7(1) - (7):	varied by 259, 1996, reg. 3 (Sched. cl. 14)
Heading and regulation 10:	revoked by 259, 1996, reg. 3 (Sched. cl. 14)