



Jersey

PUBLIC LIBRARY (JERSEY) REGULATIONS 2007

Arrangement

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PUBLIC LIBRARY (JERSEY) REGULATIONS 2007

*Made**22nd November 2007**Coming into force**29th November 2007*

THE STATES, in pursuance of the Loi (1836) sur la bibliotheque publique¹, have made the following Regulations –

1 Interpretation

- (1) In these Regulations –
- “function” includes power, authority and duty;
 - “Jersey Library” and “Library” mean the public library service of Jersey;
 - “Library Code” means a code adopted by the Chief Librarian under Regulation 10;
 - “library materials” includes books, periodicals, other printed matter, sheets of music, maps, plans, charts, pictures, audiotapes, compact discs, videotapes, other recordings, films and electronic publications and any other things that in accordance with contemporary library practice (as practised from time to time) are lent or provided by a library service to members of the public;
 - “Minister” means the Minister for Education, Sport and Culture;
 - “premises” includes mobile facilities;
 - “staff” means the Chief Librarian appointed under Regulation 4 and the other staff appointed under Regulation 5;
 - “States’ employee” has the same meaning as in the Employment of States of Jersey Employees (Jersey) Law 2005²;
 - “States Employment Board” means the States Employment Board to which Article 4 of the Employment of States of Jersey Employees (Jersey) Law 2005 refers.
- (2) In these Regulations, a reference to the Library’s doing anything shall be a reference to the doing of that thing by the Chief Librarian or by a member of the Library’s staff.

2 Public library service

- (1) There shall continue to be a public library service of Jersey called the Jersey Library.
- (2) It shall be the duty of the Minister –
 - (a) to provide, by means of the Jersey Library, a comprehensive and efficient facility for persons who live, work or study in Jersey; and
 - (b) to promote the improvement of the Library.
- (3) The Minister shall be responsible for the safe keeping of the library materials of the Jersey Library, and the other records and property that are owned or held by the Library or are otherwise in its possession or control.
- (4) The Minister shall have the general charge of the Jersey Library.

3 Considerations to which Minister must have regard

- (1) In discharging his or her duties under Regulation 2, the Minister shall have regard to the desirability of securing –
 - (a) by the keeping of adequate stocks;
 - (b) by arrangements with other library services; and
 - (c) by any other appropriate means,that facilities are available for the purposes specified in paragraph (2).
- (2) Those purposes are the borrowing of or reference to library materials that are sufficient in number, range and quality to meet the general requirements, and any reasonable special requirements, of adults and children.
- (3) In discharging his or her duties under Regulation 2, the Minister shall also have regard to the desirability of the following –
 - (a) encouraging both adults and children to make full use of the Jersey Library;
 - (b) providing advice as to the use of the Library;
 - (c) making bibliographical and other information available to users of the Library.

4 Chief Librarian

- (1) The States Employment Board shall appoint a person under the Employment of States of Jersey Employees (Jersey) Law 2005 as the Chief Librarian.
- (2) The Chief Librarian shall be the administrative head of the Jersey Library, and is responsible to the Minister for its proper management.

5 Other staff

- (1) The States Employment Board may appoint States' employees, and other employees, to assist the Chief Librarian.

- (2) The employees so appointed shall perform such duties as the Chief Librarian may direct.

6 Delegation of functions and powers

- (1) The Chief Librarian may delegate any of his or her functions under these Regulations, or under any other enactment, to any States' employee.
- (2) Such a delegation of a function does not prevent the Chief Librarian from discharging the function.
- (3) The Chief Librarian may at any time revoke such a delegation.

7 Application of funds

- (1) The Minister may apply any funds at his or her disposal (whether derived from the States or otherwise) to the purposes and expenses of the Jersey Library.
- (2) In particular, the Minister may apply the funds to –
 - (a) the purchase of library materials;
 - (b) the payment of any fees for the Library's membership of, or affiliation to, any other organizations; and
 - (c) the payment of other expenses in connection with the administration of the Jersey Library.
- (3) Paragraph (2) shall not limit the operation of paragraph (1).

8 Library open to public, but fees and undertakings may be required for certain matters

- (1) The members of the public shall be admitted to the Jersey Library's premises free of charge during the hours of opening fixed by the Minister.
- (2) The Jersey Library may make reasonable charges –
 - (a) for the reservation or use of meeting rooms on the Library's premises;
 - (b) for admission to a spectacle, lecture, or other event, held on those premises;
 - (c) for the use of computers or other electronic equipment, or for the use of any equipment or material provided by the Library for use for copying or reproducing anything;
 - (d) as deposits for the borrowing by visitors to Jersey of library materials;
 - (e) for the reservation of library materials;
 - (f) for the cost of replacing or (where appropriate) reinstating library materials that are lost or damaged when on loan;
 - (g) for library materials on loan that are overdue for return;
 - (h) for the replacement of lost library cards;

- (i) for any other services or facilities provided by the Library.
- (3) This Regulation does not authorize a charge for –
 - (a) access, on any of the Library's premises, to library materials; or
 - (b) the borrowing of library materials that consist of books, or other printed matter, belonging to the Library,by persons who live, work or study in Jersey.
- (4) The Library may require a person who uses equipment, material, services or facilities referred to in this Regulation to give an undertaking as to the person's use of those things or an undertaking that the person shall adhere to conditions of use set out in the undertaking.
- (5) Paragraph (1) shall not affect the operation of Regulation 11.
- (6) Paragraph (2) shall not limit the operation of paragraph (1).

9 Lending

The Jersey Library may lend library materials to be taken away from the Library's premises.

10 Library Code

- (1) The Chief Librarian may from time to time adopt as a Library Code a set of rules for the guidance of people who use the Library or work there.
- (2) A Library Code may make provision for any of the following –
 - (a) the registration of persons who wish to borrow library materials;
 - (b) the issue of library cards to those persons;
 - (c) the conditions on which library materials may be used on the Library's premises;
 - (d) the conditions on which library materials may be borrowed and removed from the Library's premises;
 - (e) one or more of the charges referred to in Regulation 8(2);
 - (f) any other procedure adopted by the Library in relation to the use of its resources or materials;
 - (g) any other matter relating to reasonable use or reasonable enjoyment of the Library or to reasonable conduct on the Library's premises.
- (3) A copy of any current Library Code shall be kept at each of the Jersey Library's premises to which the public has access, and shall be available (without charge) for inspection there on request by any person present on the premises.

11 Exclusion of persons from Library premises

- (1) If a person contravenes a provision of a Library Code or a provision of an undertaking given under Regulation 8(4), any member of the Jersey Library's staff may, despite Regulation 8(1), require the person to leave

the Library or refuse the person admission to the Library or access to any part of the Library or to any of its resources or materials.

- (2) A person so required to leave shall do so immediately.
- (3) A failure to do so shall itself be a contravention of the relevant provision.
- (4) Paragraph (3) shall not limit the consequences of failing to comply with such a requirement.

12 Repeal

The Public Library (Jersey) Regulations 2003³ are repealed.

13 Savings

A person who, immediately before the commencement of these Regulations, is employed as the Chief Librarian or as another member of staff of the Jersey Library shall from the commencement of these Regulations continue to be so employed, and on the same terms and conditions of employment as applied to the person immediately before the commencement.

14 Citation and commencement

- (1) These Regulations may be cited as the Public Library (Jersey) Regulations 2007.
- (2) These Regulations shall come into force 7 days after they are made.

M.N. DE LA HAYE

Greffier of the States

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- ¹ *chapter 10.200*
² *chapter 16.325*
³ *chapter 10.200.30 (R&O.87/2003)*