



University of Technology, Sydney

Pursuant to clause 44 in division 3, part 4 of the By-law, the following rule changes made by the Council take effect immediately.

### **RULE CHANGES APPROVED BY COUNCIL**

At its meeting 07/4 on 15 August 2007, Council resolved

#### **COU/07-4/81**

- .4 the amendments to Rule 11.21.2 of the Student and Related Rules – Appeal Against Enrolment Cancellation or Suspension, as detailed in Attachment 3 to Document 8.1, be approved;

Attachment 1 reads:

(Additions underscored and deletions in ~~striketrough~~.)

#### **11.21.2 Appeal against discontinuation of candidature**

11.21.2 Under normal circumstances an appeal against discontinuation of candidature must reach the Registrar within ~~three (3)~~ four (4) weeks of the date of official notification.



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At its meeting 07/4 on 15 August 2007, Council resolved

#### **COU/07-4/81**

- .3 the amendments to Rule 13.2.1 (3) of the Student and Related Rules – Posthumous Awards, as detailed in Attachment 2 to Document 8.1, be approved;

Attachment 1 reads:

(Additions underscored and deletions in ~~striketrough~~.)

#### 13.2.1 Coursework

(3) "Where, as a result of death or permanent incapacity, a student ~~fails to complete the assessment requirements for subjects in which the student was enrolled and which if successfully completed, would have satisfied requirements for an award,~~ fails to complete the course requirements, but has completed a substantial proportion of them, the relevant Faculty Board may recommend to Academic Board that the student be deemed to have completed requirements of a course. Such a recommendation would normally be made within two (2) years of the student's last enrolled teaching period and must be supported by relevant documentary evidence."



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## RULE CHANGES APPROVED BY COUNCIL

At its meeting 07/4 on 15 August 2007, Council resolved

### COU/07-4/81

- .2 the amendments to the Student and Related Rules (Section 18) – Use of the University Library, as detailed in Attachment 1 to Document 8.1, be approved;

Attachment 1 reads:

(Additions underscoring and deletions in ~~striketrough.~~)

### 18.1 Definitions

18.1.1 The Rules in this Section shall be referred to collectively as the Rules relating to Use of the University Library.

18.1.2 In the Rules relating to Use of the University Library:

**client** means any person who borrows, accesses or otherwise uses UTS Library resources, services and facilities.

**ID Card** means either:

- (1) the official student identification card issued by the University (refer Rule 2.2.1 Student Identity Card) which includes a barcode for the purposes of facilitating loans; or
- (2) the official staff identification card issued by the University which includes a barcode for the purposes of facilitating loans; or
- (3) other registration cards issued by the UTS Library.

**Inter-Library Loan** means an item borrowed from another library by the UTS Library on behalf of a client, or by the client through a UTS Library system, which for the duration of the loan shall be treated as being a UTS Library item and be subject to the same Rules as UTS Library items.

**patron barcode** means a machine readable label which gives the client a unique identification number.

**patron record** means an official Library system record which shows the client's current registration and borrowing status.

**Insearch Ltd** is a wholly owned subsidiary of UTS and provides accredited language and academic programs which may lead to university study.

### 18.2 General

18.2.1 The Rules relating to Use of the University Library apply to the use of the Library of the University of Technology, Sydney. The University Library, comprising the Blake Library (City Campus), the George Muir Library (Kuring-gai Campus), ~~the Gore Hill Library (St Leonards Campus)~~, any other service locations approved by the University

Librarian and all electronic facilities provided by the University Library is hereinafter called the UTS Library.

18.2.2 The UTS Library is provided primarily for the use of current students, staff, professors emeriti and members of the Council of the University.

18.2.3 The University Librarian may approve other clients or categories of clients. Persons granted UTS Library use under the Rules relating to Use of the University Library may be requested to show good reason for use at any time to the University Librarian, who may deny use if not satisfied that the use is for a purpose which has been approved.

18.2.4 The University Librarian may determine the services offered by the UTS Library, and the clients to whom these services may be provided. The University Librarian has the right to require a client to produce proof of identity or entitlement to use the UTS Library at any time.

### **18.3 Requirements-Communication**

~~18.3.1 Any person who enters the UTS Library or uses its electronic or other facilities must comply with the Rules relating to Use of the University Library.~~

~~18.3.2 Clients will be expected to maintain an acceptable standard of conduct at all times while on UTS library premises and/or using UTS Library facilities.~~

~~18.3.3 The fees and penalties listed in Rule 18.6 will apply to any breach of the Rules relating to Use of the University Library.~~

~~18.3.4 Clients must at all times act in accordance with instructions authorised by the University Librarian which are displayed in the locations and facilities identified in Rule 18.2.1 or in the UTS Library's official print and electronic publications.~~

~~18.3.5~~ Email is the UTS Library's official mode of communication with clients. Any notices to be given to clients under the Rules relating to Use of the University Library will be deemed to have been given, if emailed to the UTS email address assigned to them upon enrolment or appointment or, in the case of non-UTS clients, registered with the UTS Library. A notice may be mailed to a client's postal address registered with the UTS Library if no email address is available or disability prevents email access and will be deemed to have been received by the client on the second day following the date of posting for onshore students and on the tenth day following the date of posting for offshore/overseas students.

### **~~18.3.6~~ 18.4 Responsibilities of clients**

~~18.3.4~~1 Any person who enters the UTS Library or uses its electronic or other facilities must comply with the Rules relating to Use of the University Library and any other relevant UTS Rules or Policies.

~~18.3.4~~2 Clients will be expected to maintain an acceptable standard of conduct at all times while on UTS library premises and/or using UTS Library facilities.

~~18.3.3~~ The fees and penalties listed in Rule 18.6 will apply to any breach of the Rules relating to Use of the University Library.

~~18.3.4~~3 Clients must at all times act in accordance with instructions authorised by the University Librarian which are displayed in the locations and facilities identified in Rule 18.2.1 or in the UTS Library's official print and electronic publications.

18.4.4 In particular, c Clients shall be responsible for:

- (1) ensuring, before they leave the UTS Library, that any UTS Library item that they remove from the premises of the UTS Library has been registered for borrowing;
- (2) the safekeeping and return of items borrowed on their ID Card;
- (3) returning UTS Library materials by the date or time due, which is shown on the docket issued at the time of the loan and on the web catalogue;
- ~~(4) any activity, transaction or publication of information electronically which originates from their UTS access password or any password or access code allocated to them by UTS Library;~~

- (5) (4) familiarising themselves with the relevant Library rules and borrowing policies which are available on the UTS Library website and in printed publications.

### **18.3.7-18.5 Restrictions**

18.5.1 Unless authorised by the University Librarian (or nominee) clients shall not:

- (1) be permitted to borrow without their ID Card;
- (2) lend their ID Card to any other person for the purposes of borrowing UTS Library items or accessing the Library where card access is required;
- (3) return materials from other libraries, with the exception of Inter-Library Loans, to UTS.

### **18.4 6 Borrowing**

#### **18.4.6.1 Availability**

- (1) All materials in the UTS Library's collections are normally available for loan with the exceptions listed below. The University Librarian (or nominee), may approve items from the categories listed below for lending in special circumstances:
  - (a) serials, including newspapers, calendars, examination papers;
  - (b) items marked as 'Not For Loan';
  - (c) Reference Collection items;
  - (d) Microform Collection items;
  - (e) CD-ROM Collection items;
  - (f) rare books, valuable books, and books vulnerable to mutilation which are stored in closed access;
  - (g) Higher degree theses;
  - (h) some non-book materials.
- (2) Items from the Closed Reserve Collection may be borrowed for use in the UTS Library only, unless available for overnight loan or in special circumstances.

#### **18.4.6.2 Borrowing process**

Clients shall:

- (1) register with the UTS Library prior to borrowing;
- (2) present items for borrowing at the service desk together with their ID Card or use a self-service loan machine if available;
- (3) report to UTS Library staff if items are damaged prior to borrowing;
- (4) return UTS Library materials only via a designated UTS return chute.

#### **18.4.6.3 Reciprocal borrowing**

Where the UTS Library has reciprocal service arrangements with other educational institutions, authorised members of such institutions may register for borrowing privileges at the UTS Library provided that they are:

- (1) either students currently enrolled in an award course of academic study, or current employees of the institution; and
- (2) in good standing with their home institution.

#### **18.4.6.4 Service agreements**

- (1) Where the UTS Library has entered into a service agreement with an institution or organisation, other than a reciprocal arrangement in accordance with Rule 18.4.6.3, authorised members of such institutions or organisations may register for borrowing and other associate member privileges at the UTS Library provided they continue to be eligible and are in good standing with their home institution or organisation.
- (2) Service fees may be levied for associate membership of UTS Library. Fees shall be as determined by the University Librarian from time to time and as displayed on the UTS Library website.

#### **18.4.6.5 Closed Reserve/Electronic Reserve**

Only members of UTS as described in Rule 18.2.2 and students and staff of Insearch Ltd are eligible to use Closed Reserve/Electronic Reserve.

#### **18.4.6.6 Borrowing privileges**

- (1) Borrowing privileges will be as detailed on the UTS Library website and in official UTS Library printed publications.
- (2) All loan periods are reduced ~~to one week~~ if an the item is required for Closed Reserve or requested by another client. If there is a request queue on an item at the time of borrowing, the loan period will be one week. If an item is already on loan, a notice will be sent to the borrower recalling the item with a new due date of one week from the date the notice was issued or two weeks from the original date of the loan, whichever is longer.

#### **18.5.7 Offences and breaches of the Rules**

18.5.7.1 It is an offence to:

- (1) mutilate, damage or modify UTS Library property or facilities; or
- (2) leave or attempt to leave the UTS Library:
  - (a) with any UTS Library item which is not registered in the borrower's name; or
  - (b) with only part of any UTS Library item, such as pages from a book or journal, without the permission of the UTS Library;
- (3) use a computer or any other equipment provided by the UTS Library for any unauthorised purpose;
- (4) disclose any UTS password or access code associated with access to electronic information to any other person or allow any other person to use their account;
- (5) engage in any act which may impede the safety of other clients or their ability to study or work effectively in the UTS Library.

18.5.7.2 Where a student of the University breaches the Rules relating to Use of the University Library, is discovered committing an offence or is believed by the University Librarian on reasonable grounds to have committed an offence the University Librarian may:

- (1) exclude the student from the Library or facilities in accordance with Rule 16.10 (Exclusion from facilities and/or participation in activities); or
- (2) refer the matter to the Registrar to be handled in accordance with Rule 16.15 (Student Misconduct and Appeals).

18.5.7.3 Where a staff member of the University breaches the Rules relating to Use of the University Library, is discovered committing an offence or is believed by the University Librarian on reasonable grounds to have committed an offence:

- (1) the University Librarian may refer the matter to the Vice-Chancellor for action in accordance with Rules relating to staff discipline; and
- (2) the Vice-Chancellor shall advise the staff member and the University Librarian of his or her decision.

18.5.7.4 Where a student of another university or other institution breaches the Rules relating to Use of the University Library, is discovered committing an offence or is believed by the University Librarian on reasonable grounds to have committed an offence, the University Librarian may:

- (1) exclude the student from the Library or facilities; and
- (2) refer the matter to the student's home university or institution.

18.5.7.5 Where a member of the general public, other than those provided for under Rules 18.5.7.2, 18.5.7.3 or 18.5.7.4, breaches the Rules relating to Use of the University Library, is discovered committing an offence or is believed by the University Librarian on reasonable grounds to have committed an offence, the University Librarian will take appropriate action, including but not limited to excluding that person from the Library.

## **18.6.8 Penalties, fines and fees**

### **18.6.8.1 General**

(1) The fees and penalties listed in this section will apply to any breach of the Rules relating to Use of the University Library.

(2) In the Rules relating to Use of the University Library any reference to an amount approved by the Vice-Chancellor from time to time refers to an amount which will be published on the UTS Library website.

### **18.6.8.2 Failure to return**

(1) Failure to return a borrowed item by the due date, or failure to return an item requested by another client or otherwise recalled by the UTS Library within one (1) week of the request, will incur a fine.

(2) The fine is calculated on each overdue item at a rate approved by the Vice-Chancellor from time to time.

~~(3) No fines are payable until the total reaches a threshold value approved by the Vice-Chancellor from time to time.~~

~~(4)~~ (3) All borrowing and renewal privileges will be suspended if the total fine on a client's record reaches or exceeds a threshold value approved by the Vice-Chancellor from time to time. Such privileges will be reinstated when all fines are paid in full or brought under the threshold amount.

### **18.6.8.3 Replacement**

(1) A client who fails to return a borrowed item within four (4) weeks of the due date will receive a Bill for Replacement containing a replacement fee and/or a service fee.

(2) The replacement fee will be the average current market replacement cost of material in the format of the unreturned item.

(3) The service fee will be such amount as the University Librarian may determine from time to time.

(4) A client who returns an item in response to a Bill for Replacement will be liable for the larger amount of either the outstanding fine, or the service fee, but not for the replacement fee.

(5) A client who replaces an item with the same or a later edition in response to a Bill for Replacement will be liable for the larger amount of either the outstanding fine, or the service fee, but not for the replacement fee.

### **18.6.8.4 Damage or mutilation**

Where an item is damaged or mutilated beyond repair or further use, the client will be required to pay both the replacement fee and the service fee and the damaged item shall remain the property of the UTS Library.

### **18.6.8.5 Incorrect return**

(1) A borrowed item returned to another library will be viewed as being out on loan to the client until the item is returned to the UTS Library. The client will be required to pay for any postage or courier charges that may be incurred in obtaining the return of an item from another library, in addition to a service fee and any other charge that may be payable.

(2) A client who breaches Rule ~~18.3.75.1~~ (3) will be required to pay all costs incurred in returning the item to the originating library as well as the service fee.

### **18.6.8.6 Debts to the Library**

Where students have debts to the UTS Library with a total which reaches or exceeds an amount approved by the Vice-Chancellor from time to time, or to any other library where the student has exercised reciprocal borrowing privileges, the University may act in accordance with the provisions of Rule 4.4 Failure to pay.

## **18.7.2 Payment of fines, service fees and replacement fees**

~~18.7.2.1~~ Fines, service fees and replacement fees are payable to the University Library within

fourteen (14) days of the date of the notice requesting payment.

18.7.9.2 Any outstanding fine, service fee or replacement fee shall be a debt to the University.

**18.8.10 Reviews of decisions**

18.8.10.1 A client who disputes the imposition of a penalty, fee or fine under Rule 18.68 or who seeks leniency may in the first instance lodge a claim with the designated Library officer and in the prescribed manner approved by the University Librarian from time to time.

18.8.10.2 A client may request a review of a decision made pursuant to 18.8.10.1.

18.8.10.3 A request for a review of a decision must be made in writing and lodged with the University Librarian within thirty (30) days after notice of the decision has been sent to the client.

18.8.10.4 The University Librarian (or nominee) shall consider any such request within fourteen (14) days of lodgment of the request and provide the decision to the client in writing. The decision of the University Librarian (or nominee) is final.

**18.9.11 Waiving of penalties or fees**

18.9.11.1 Notwithstanding the provisions of Rules 18.68 and 18.79, the University Librarian has a discretion, in cases where there are extenuating circumstances, to vary or remit, in whole or in part, any penalty, fine or fee imposed as a consequence of the operation of Rules relating to Use of the University Library.