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**THE LOCAL AUTHORITIES ORDINANCE, 1996**

**THE CITY OF KUCHING NORTH (LIBRARY) BY-LAWS, 2002**

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THE LOCAL AUTHORITIES ORDINANCE, 1996  
THE CITY OF KUCHING NORTH (LIBRARY) BY-LAWS, 2002

(Made under section 91(e))

In exercise of the powers conferred by section 91(e) of the Local Authorities Ordinance, 1996 [*Cap. 20*], the Commission of the City of Kuching North has, with the approval of the Yang di-Pertua Negeri, made the following By-laws:

**Citation and commencement**

1. These By-laws may be cited as the **City of Kuching North (Library) By-laws, 2002**, and shall come into force on the 1st day of August, 2002.

**Interpretation**

2. In these By-laws—

“borrower” means a person who has been registered as a borrower under by-law 5 or otherwise granted a permission or privilege to borrow from the library;

“collection” means the present and future collection of the libraries of the Commission of books, pamphlets, periodicals, manuscripts, paintings, drawings, prints, maps, music scores, photographs, films, school records, audio and video magnetic tapes or discs, computer discs and software recording or presenting knowledge or information by, on or in any medium or manner;

“Commission” means the Commission of the City of Kuching North established under section 4 of the City of Kuching North Ordinance, 1988 [*Cap. 49*];

“librarian” includes any person for the time being appointed to control or manage or to assist in the control or management of a library or any part thereof;

“library” means any library established and maintained by the Commission for use by the public or a section of the public, and includes every portion of a building used for that purpose, any branch of any such library and a mobile library;

“library card” means a card issued by a librarian as a means of identification of a borrower.

**Use of library**

3.—(1) The resources and services of a library may be made available to the general public on such days and during such hours as the Commission may from time to time determine.

(2) The Commission may by notice direct that a library or any part thereof be closed for any specified period.

#### **Application to become a borrower**

4. Any person desiring to become a borrower in a library shall—

(a) complete and sign the appropriate application form supplied by the librarian for that purpose; and

(b) produce his identity card or other means of identification to support the accuracy of any particulars submitted in his application:

Provided that a person under eighteen years of age shall not be permitted to become a borrower unless his parent or guardian agrees to act as a guarantor for him.

#### **Library card**

5.—(1) Upon approval of the application submitted by a borrower under by-law 4 and on payment of the prescribed fee, a librarian shall issue such number of library cards to him as may be determined from time to time by the Commission.

(2) Subject to these By-laws, a borrower may borrow any document from the collection in a library.

(3) A library card shall be used for the purpose of borrowing any document from the collection only by the person named on the card.

(4) A library card issued to a borrower under these By-laws is not transferable and shall only be valid for such period as may be specified on the card.

(5) No person shall be permitted to borrow, take or remove any document from the collection in a library except by means of a valid library card presented to a librarian or otherwise with the knowledge and permission of a librarian.

(6) A borrower shall immediately notify a librarian of the loss of any library card issued to him or of any change of any of the particulars required to be furnished in the application form.

(7) Where a borrower has lost any library card, a new library card may be issued to him upon payment of the prescribed fee.

#### **Borrowing of reference material**

6. Except with the permission of a librarian, no person shall borrow or remove from the collection in a library any document which is specified as being for reference only.

**Loss or damage to document borrowed**

7. If any document borrowed from the collection is lost or returned torn, cut, soiled, written in, or with leaves turned down or otherwise damaged, the borrower shall pay to the Commission such fee or compensation as may be prescribed for replacing the document or for the damage, as the case may be.

**Misuse of collection items**

8. No person shall knowingly pledge, pawn, sell, or purchase or advance money on any document of the collection or attempt to do so.

**Unpaid money**

9. No borrower owing any money to the Commission under these By-laws shall take out or borrow any document from a library.

**Rules**

- 10. The Commission may from time to time make the following rules:
  - (a) for the internal control, management and use of a library;
  - (b) for determining the maximum number of document from the collection which may be lent to a borrower at any one time;
  - (c) for determining the days on which and hours during which a library shall be opened or closed;
  - (d) for determining the hours during which documents from the collection may be borrowed from any specified part or department of a library;
  - (e) for determining the time to be allowed for the return of any document borrowed from the collection;
  - (f) for maintaining good order and conduct within a library;
  - (g) for prescribing the procedure for borrowing of documents from the collection in a library.

**Prohibitions**

- 11. No person shall—
  - (a) other than a member of the library staff, enter or remain in a library or within the library compound when it is closed to the public except with the permission of a librarian;
  - (b) while in a state of intoxication under the influence of drugs, unclean in person or who suffers from any contagious disease, shall enter or remain in or use the library;

- (c) consume or offer for consumption to any person in a library any liquor;
- (d) lie on any bench, chair, table, or floor or sleep in a library;
- (e) interfere with a person lawfully using a library;
- (f) while using a library, fail to comply with all reasonable requests of a librarian;
- (g) speak to a person in a reading room or reference room so as to cause annoyance to others, or read aloud in that room or behave in a noisy or offensive manner in any part of a library;
- (h) consume food or other refreshments, or smoke or use tobacco in a library;
- (i) cause or permit a dog or other animal under that person's control to enter a library and if a dog or other animal not under any person's control enters a library the owner of the dog or other animal commits an offence under these by-laws;
- (j) having brought into a library an article which in the opinion of a librarian interferes with the use of the library by the public, fail to remove that article immediately upon the request of a librarian;
- (k) except with the permission of a librarian, enter any part of a library set apart for the use of the staff;
- (l) mark, soil, mutilate, deface or otherwise damage an item of the collection;
- (m) remove a number, label or mark of ownership from an item of the collection;
- (n) soil, damage, mutilate, or deface any part of a library or any furniture fitting or property of the Commission in a library;
- (o) except with the permission of a librarian, make a tracing from an item of the collection;
- (p) take or attempt to take (other than as a borrower) any document or part thereof from a library;
- (q) take any document out of any part of library whether to another part of a library or elsewhere without the permission of a librarian;
- (r) bring or cause to be brought into a library any inflammable spirits or dangerous goods without the written permission of a librarian; and

(s) solicit any donation of money or goods or signatures on any petition or offer any goods for sale.

**Loan of documents**

12.—(1) Any person borrowing any document from a library shall return the document within such period as a librarian may from time to time specify.

(2) If any document is not returned in accordance with this by-law the borrower shall pay the prescribed fee for the whole of the period during which the document is so retained.

(3) Any borrower returning any document to a library may borrow that document for a further period subject to that document not being required by any other borrower, or by a librarian for any library purpose.

(4) No person shall at any time have in his or her possession more documents than those which the Commission may from time to time specify.

**Reservation**

13. If any borrower wishes to have a document reserved, a librarian may as soon as convenient after such document is returned to a library, notify the borrower and shall hold such document for that borrower for such period as the librarian deems reasonable. The librarian may at any time exclude any document from the operation of this by-law. The librarian may from time to time impose a limit on the number of documents that may be reserved by a borrower at anyone time.

**Replacement of library card**

14. The prescribed fee shall be paid for the replacement of any library card which may be damaged, lost or destroyed and the original card shall then become invalid.

**Library function rooms**

15. A librarian may allow any person to hire the library function rooms subject to such conditions and the payment of such fees as the Commission may determine from time to time.

**Newspaper reading**

16. Every person who is in possession of a newspaper belonging to a library shall, after being requested by another person or by a librarian to deliver the newspaper to that other person, so deliver it after he has read the newspaper.

### Expulsion of offender

17. A person who breaches any provisions under these By-laws shall, if requested by a librarian immediately leave the library but may nevertheless be liable to prosecution under these By-laws in respect to that breach.

### Fees

18. The fees or fines payable to the Commission for the services or matters specified in column (1) of the Schedule shall be as specified opposite thereto in column (2).

### Penalty

19. Any person who contravenes any of the provisions of these By-laws shall be guilty of an offence. Penalty, a fine not exceeding five hundred ringgit, and in addition, there shall be paid to the Commission any of the fees or fines payable under by-law 18.

### SCHEDULE

(By-law 18)

(1)	(2)
<i>Services/Matters</i>	<i>Fees/Fines</i>
1. Issue of library card:	
(a) Adult and Junior (annual)	RM5.00 per person per year
(b) New members	RM6.00 per person (RM5.00 for annual subscription fee, RM1.00 for processing of new library card)
2. Fines for overdue books or other documents	RM0.10 per day per book or other document overdue
3. Replacement of library ticket (Desa Library)	RM1.00 per ticket
4. Replacement of library card	RM5.00 per person (plus photos)
5. Loss of book or other document on loan	Original price of book or other document, plus 50% service charge
6. Use of locker	RM0.40 per usage
7. (a) For member:	
(i) Photostat A3 paper	RM0.20
(ii) Photostat A4 paper	RM0.10
(iii) Photostat F4 paper	RM0.10
(b) For non-member:	
(i) Photostat A3 paper	RM0.25
(ii) Photostat A4 paper	RM0.15
(iii) Photostat F4 paper	RM0.15



## 8. Use of internet facilities:

(a) For member:

RM0.13 per min plus 20% service charge

RM0.30 - black and white print out

RM0.50 - coloured print out

(b) For non-member:

RM0.13 per min. plus 40% service charge

RM0.30 - black and white print out

RM0.50 - coloured print out

Made this 19th day of March, 2002.

MADEHI HJ. KOLEK,  
*Commissioner,*  
*City of Kuching North*

Approved by the Yang di-Pertua Negeri this 23rd day of May, 2002.

By Command,

DATUK PATINGGI  
TAN SRI (DR) HAJI ABDUL TAIB MAHMUD,  
*Chief Minister, Sarawak*

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