

LIBRARY TERMS OF USE

USERS

Subject to these Terms of Use, the facilities of the Monash University Library (the 'Library') are available to members of Council, members of staff and students of the University and other persons determined by the University Librarian who are collectively referred to as 'users' in these Terms of Use.

CONDUCT

All users of the Library have a right to pursue their research or study without unnecessary disturbance or distraction and have an obligation to respect the rights of others. The Library manages a suite of materials, services, activities, programs and facilities to enable users' study and research.

USERS OF MONASH UNIVERSITY LIBRARY MUST:

- Respect the right of others to study, learn and research in the Library's facilities. This includes, but is not limited to, the following requirements –
 - No hot, smelly or messy food is allowed in Library facilities. Cold, packaged snack food is allowed except in special collections and other signed areas.
 - Plain water and drinks with lids are allowed except in special collections and other signed areas.
 - Waste items are to be disposed of using the appropriate landfill or recycling bins.
 - A moderate level of noise is permitted except in signed quiet study areas and during periods of study for exams when only quiet study is permitted.
 - Mobile phones are to be set to vibrate or silent on entry to signed quiet study areas and phone conversations are not allowed.
 - Personal items may not be left on computers, desks or other spaces to reserve them. Such items may be removed by Library staff if left unattended for 30 minutes or longer. Removed items will be available for collection at the Information Point.
- Show or surrender their Monash University ID card, Library Membership card, Reciprocal Borrower's card or other form of photo ID when requested by a member of Library staff;
- Present all materials, contents of bags and cases for inspection on request by a member of Library staff, or when the security alarm indicates that an item may have been incompletely loaned;
- Comply with all laws, University statutes, regulations, policies and terms of use. These include the University's Information Technology use policies and the provisions of the Copyright Act 1968, the Copyright Amendment (Digital Agenda) Act 2000 and other amendments and regulations currently in force;
- Comply with official notices displayed within the Library's facilities and on the Library's online services;
- Comply with any reasonable direction made by a member of Library staff.

USE OF LIBRARY MATERIALS

TERMS OF USE FOR ELECTRONIC RESOURCES

The Library's electronic resources are governed by licence agreements which restrict use to the Monash community and to walk-in users who must be responsible for limiting use to non-commercial academic research or learning purposes and must not systematically download, distribute, or retain substantial portions of information. Copyright and proprietary notices must not be removed from any printed or downloaded material and all material used must be cited appropriately. The use of unauthorised scripts, agents or robot software is prohibited and may result in the loss of access to the resources for the user and/or the entire Monash community. Users are also legally required to comply with any additional terms of use specified in an electronic resource. Further information is available from the University's **Access to and Use of Electronic Resources Licensed by the Library Policy** and **Procedure**.

Staff should note that any use of electronic resources for teaching purposes must comply with the contractual terms of use of the electronic resource from which the material was sourced.

Users found to be in breach of these terms of use will be suspended from access to all purchased and subscribed electronic resources, and may suffer additional penalties in accordance with the University's **Information Technology Acceptable Use Policy**.

TERMS OF USE FOR OTHER MATERIALS

A person must not remove from the Library –

- Library materials designated as not for loan; or
- any other Library material –
 - unless a loan has been recorded in accordance with current Library procedures; or
 - without permission from a member of Library staff.

BORROWING MATERIALS

For materials that can be borrowed the University Librarian will determine:

- the number of items that a user may have on loan; and
- the period for which the materials may be borrowed.

During the period of a loan, the user who borrowed the materials is responsible for their care and safekeeping.

Library materials on loan must be returned –

- to the Library on or prior to the specified time and date; or
- in response to a notice or request to the user by the Library.

FEES AND FINES

The University Librarian determines and publishes fines for late return of borrowed materials. In a case of late return, a notice requiring payment of the resulting fine will be sent to the user.

Where Library materials are not returned or are returned in a damaged state, a fee determined by the University Librarian to be the cost of replacing or repairing the Library materials, including a processing charge, may be applicable. This is in addition to any overdue fines the user may be required to pay.

Any amount payable must be paid by the user. Failure to do so may result in encumbrance of a user's account by the University. Where the user is a student, a restriction on the student obtaining an academic transcript or having a degree conferred upon them will also be imposed in accordance with the *Monash University (Vice-Chancellor) Regulations*.

EXCLUSION

A member of Library staff who is of the opinion that a user has caused a disturbance or failed to comply with these Terms of Use may request the user to produce their user identification and may order the person to leave the Library's facilities.

Where a user has repeatedly:

- returned Library materials after the due return date; or
- returned Library materials in a damaged state; or
- failed to return Library materials; or
- refused to comply with a request or order; or
- not paid fees or fines within the time required; or
- engaged in a combination of the above actions,

after giving the user reasonable opportunity to be heard, the University Librarian may forbid the user to enter Library facilities or to make use of Library resources and collections for such period and under such conditions as the University Librarian determines.

Failure to comply with the above may also result in a student's account being encumbered by the University.

Where a user who is also a student engages in the above conduct, a member of the Library staff may also report an allegation of general misconduct in accordance with the *Monash University (Council) Regulations*.

DELEGATION

The University Librarian may delegate all or any of the powers and functions of the University Librarian to any other member of Library staff.

COMMUNICATION

Any communication with or notice for a user will be sent to the email address recorded in the user's record on the Library's management system.

Official notices, directed to the whole user community, will be displayed within the Library and online.

Questions and feedback regarding the Library's Terms of Use are welcome through **ask.monash** or by discussion with Library **Branch Managers**. Users who are unhappy with the Library's processes or with their treatment by Library staff may make a **formal complaint**.