

CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

**DRAFT AMENDMENTS TO THE CULTURE AND RECREATION BY-LAWS
RELATING TO LIBRARY AND INFORMATION SERVICES**

The Municipal Manager of the City of Johannesburg Metropolitan Municipality hereby, in terms of Section 13(a) of the Local Government: Municipality Systems Act, 2000 (Act No. 32 of 2000) publishes the amendments to the Culture And Recreation By-Laws Relating to Library and Information Services of the City of Johannesburg Metropolitan Municipality (as published under Notice 830 dated 21 May 2004), as approved by its Council, as set out hereunder.

1. AMENDMENT TO DEFINITIONS

(1) Section 1(1) is amended as follows:

- (a) insert the definition of “borrowing member” under the definition of “audio visual material”

“borrowing member” means a person or organisation who has been granted membership for the purpose of borrowing library materials from the library, which membership also entitles the member to use the library’s electronic services subject to signing of the prescribed application form;”

- (b) delete the definition of “child”.

- (c) after the definition of “Director” insert the following definition of “electronic services”:

“electronic services” means the library’s computer facilities provided for public use and access to the Internet;”

- (d) delete the definition of “indigent person”.

- (e) in the definition of “library week” after the word “which ”insert the words “library and”;

- (f) after the definition of “member” insert the following definition:

“minor’ means a person younger than 18 years old;”

- (g) in the definition of “organisation” replace the words “a non-profit making” by the word “an”;

- (h) after the definition of “visitor” insert the following definition of a “young adult” before section 1(2):

“young adult’ means a person older than fourteen years but younger than eighteen years who has never been married.”

2. ADMISSION TO LIBRARY BUILDINGS

- (1) Section 2(1) is amended as follows:
 - (a) Insert the words “or use electronic services” after the expression “library material”.
 - (b) After the expression “a member of the library” replace the words “pay the prescribed fee for membership” with the words “in the applicable membership category”.

3. MEMBERSHIP

- (1) Section 3(2) is amended as follows:
 - (a) In section 3(2)(a) delete the words “(i) pay the prescribed fee for membership and”
 - (b) In section 3(2) (b) replace the word “child” with the word “minor” in both instances in the paragraph;
 - (c) In section 3(2) (c) replace the word “on” with the words “upon payment of a prescribed fee and subject to such other” and insert the words “as may be” after the word “conditions”.
 - (d) In section 3(2)(d) Insert the words “three months” after the word “than”.
 - (e) In section 3(2)(d)(i) insert the word “and” after the expression “person;”.
 - (f) In section 3(2)(d)(ii) delete the word “and” after the expression “fee;”
 - (g) Delete section 3(2)((d)(iii);
 - (h) Delete section 3(2)(e);
- (2) Section 3(3) is amended as follows:
 - (a) In section 3(3)(a) insert the following phrase at the end of the paragraph – “or to make use of the library’s electronic services;”.
 - (b) Replace Section 3(3)(b) with the following: “(b) upon request a member may borrow such additional number of library materials as determined by the Council from to time subject to the payment of an annual user fee.”
- (3) Section 3(4) is amended as follows:
 - (a) Replace the words “to the date of expiry stated thereon” with the words “for a period determined by the Council.”

- (b) Replace the words “the expiry of that period” with the word “expiry.”
- (4) In section 3(5) (c) insert the words ” if he/ she is a borrowing member,” before the word “simultaneously” and replace the word ”librarian” with the word “library”.
- (5) In section 3(6) after the word “concerned” replace the word “is” with the word “shall” and delete the phrase “read with necessary changes”
- (6) In section 3(7) replace the word “Director” with the word ”librarian”.
- (7) In section 3(8) replace the word “a” with the word “the”.
- (8) In section 3(8)(b) replace the words “any duplicate card” with the word “it” and delete the word “and” at the end of the sentence.

4. LOAN OF LIBRARY MATERIAL

- (1) Section 4 is amended as follows:
 - (a) In section 4(1) delete words “in any reference or special library”.
 - (b) In section 4(2)(a) replace the word ”is” with the words “becomes the”.
 - (c) In section 4(2)(c) in the first line delete the word “damaged” before the word library and also in the first line insert the words ”in a damaged condition” after the word “material”.
 - (d) In section 4(4) delete the words ”may be lent out” and after the words “which is available” insert the words “ for lending”.
 - (e) In section 4(5) insert the word “specified” before the word “student” and replace the word “service” with the word “collections”.

5. OVERDUE LIBRARY MATERIAL

- (1) Section 6 is amended as follows:
 - (a) In section 6(1) in the first line after the words “If a member fails” insert the word “to”.
 - (b) In section 6(1)(b) delete the words ”library week or other”.
 - (c) In section 6(2) delete the words “rules and”.

LOST AND DAMAGED LIBRARY MATERIAL

- 6. (1) Section 8 is amended as follows:
 - (a) In section 8(1) delete the words “It must be stated on every membership

card that”.

- (c) In section 8(3) replace the words” entered on a central register of unreturned library material” with the words” recorded centrally.”
- (d) In section 8(3) insert the word “and” after the words “material concerned”, after the words “by the member” replace the word “and” with a full stop and commence a new sentence with the words “Such particulars”.
- (f) In section 8(5) replace the word “incurred” with the word “prescribed”.

EXPOSURE OF LIBRARY MATERIAL TO NOTIFIABLE AND INFECTIOUS DISEASES

- 7. (1) Section 10 is amended as follows:
 - (a) In section10 (2) replace the words “a child” with the word “anyone”.
 - (b) In section10 (3) replace the words “with examples of notifiable medical conditions” with the words “drawing the attention of the public to the provisions of this section”, and insert the word “the” before the word “library”.

LIBRARY MATERIAL FOR SPECIAL AND REFERENCE PURPOSES

- 8. (1) Section 11 is amended as follows:
 - (a) In section 11(2) insert the words “or specialised sections” after the word “reference ”.

REPRODUCTION OF LIBRARY MATERIAL AND OBJECTS AND USE OF FACSIMILE FACILITIES

- 9. (1) Section 12 is amended as follows:
 - (a) In the heading to section 12 delete the words ”and use of facsimile facilities”.
 - (b) In section 12(1) delete the words ”facsimile and” before the word “photocopier”.
 - (c) In Section 12(2) add the word “the” before the word “librarian”.

USE OF LIBRARY FACSIMILE TRANSMISSION FACILITIES

10. (1) After section 12 insert the following heading and section 12A:

“USE OF LIBRARY FACSIMILE TRANSMISSION FACILITIES

12A (1) Any person may request a librarian to send a facsimile on his or her behalf subject to payment of the prescribed fee.

(2) The library shall not receive any facsimile on behalf of any person.”

HIRE AND USE OF AUDITORIA AND LECTURE ROOMS OR LIBRARY SPACE

11. (1) Section 14 is amended as follows:

(a) In section 14(1) after the words “a library complex” insert the words “for such purposes as determined by the Council,”.

(b) In section 14(1) delete all the words from the words “the purpose of holding a lecture” to the words “use of library material”.

(2) In section 14(2) replace the words “in writing to the Director” with the words “on the prescribed application form to the librarian”.

(3) In section 14(3) delete paragraph “(a) to any organisation supporting the provision of library services” and the expression “(b)” at the commencement of paragraph “(b)”.

INTERNET VIEWING STATIONS/ ELECTRONIC SERVICES

12. (1) Above section 15 replace the heading “INTERNET VIEWING STATIONS” with the heading “ELECTRONIC SERVICES”.

(2) Section 15 is amended as follows:

(a) In section 15(1) after the words “any person” add the words “who is not already a borrowing member”.

(b) In section 15(1) after the word “utilize” replace the words “an internet viewing station “ with the words “electronic services” and insert the word “that” after the word “provided”.

(c) In section 15(1) replace paragraph (a) with the words “(a) Registers as an electronic services member”.

(d) In section 15(1) replace paragraph (b) with the words “(b) signs the required Use Agreement”.

DRAFT

ANNEXURE B

- (e) In section 15(1) replace paragraphs (c) to (e) with the following paragraph (c):
 - “(c) agrees to and does observe the Council's Policy on Public Access to the Internet and Electronic Information Resources, which must be displayed at each public access computer workstation.”
- (2) After section 15(1)(c) insert the following subsection 15(2):
 - “(2) Any borrowing member may utilize electronic services at a library where such facilities are made available by the Council, provided that he or she
 - (a) Signs the required Use agreement;
 - (b) Agrees to and does observe the Council's Policy on Public access to the Internet and Electronic Information Resources.”
- (3) After section 15(2) insert the following subsection 15(3):
 - “(3) Electronic services membership may be granted to a minor subject to his or her parent or guardian consenting thereto in writing and observing the conditions in section 15(1) if the child is not a borrowing member and the conditions in section 15(2) if the child is already a borrowing member.”

PERFORMING ARTS LIBRARY

- 13. In Section 17(2) replace the words “school libraries” with the word “schools”.

**MAVELA DLAMINI
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DRAFT

ANNEXURE B