

Royal Faculty of Procurators in Glasgow Library Rules



The Library Rules, which were amended by the Library Committee on 2 May 2013, replace the previous Library Rules.

1. Definitions

In these Rules:

- "Authorised User" means partners or (as the case may be) members of a Practice Unit Member and the employees (librarian, paralegal, messenger, researcher or other employee) nominated by a Practice Unit Member.
- "Book" includes all material and resources held in or subscribed to by the Library. For the avoidance of doubt this includes journals, maps, prints, artefacts, CD-ROMs and other electronic information resources.
- "Faculty Librarian" means the chief librarian of the Royal Faculty of Procurators in Glasgow.
- "Individual Member" means a member of the Royal Faculty of Procurators in Glasgow who pays an individual subscription.
- "Library" includes any place within the Royal Faculty's properties wherein books or other information sources are stored, including where appropriate the part thereof located in the building of the Sheriff Court of Glasgow and Strathkelvin in Glasgow.
- "Library Staff" includes the Faculty Librarian, Assistant Librarians and part-time library staff.
- "Messenger" means individuals collecting books, who may be in partnership with a Member, employed by a Member or Member's practice unit, or engaged by a Member to collect the item.
- "Record" includes a written record or any other form of storage of data such as magnetic tape or computer disk.

Otherwise, all words in these Rules shall be defined and interpreted according to the Bye-Laws.

2. Conduct, Use of Equipment and Areas

2.1

All users of the Library shall behave in an orderly and proper fashion. Without prejudice to the foregoing generality the following particular Rules shall apply:

2.2 Conversation

Generally, silence should be the rule in the library. Conversation should be conducted in the coffee room or other rooms provided for the purpose.

2.3 Smoking

There is no smoking allowed in the Library and elsewhere in the Royal Faculty Building.

2.4 Eating and Drinking

There is no eating and drinking allowed anywhere in the Library.

2.5 Personal Computers and Printers

Personal Computers and printers may be used in the Library subject to their being reasonably quiet. For example, the tapping of keys is acceptable but beeping noises should be silenced.

2.6 Mobile Phones and dictation equipment

Mobile phones and dictation equipment should not be used in the Library on the first floor of the Royal Faculty Building and in the said Sheriff Court Building, but may be used elsewhere in the Royal Faculty Building provided that they cause no inconvenience to others.

2.7 Dress

Users should dress according to the nature of their use in such a way as to be in harmony with the scholarly and professional environment of the Library.

3. Library Users and their Rights

3.1 The Staff

3.1.1 - Library Staff

Library Staff are entitled to access to all parts of the Library, and to borrowing rights, subject to the requirements of Members of all categories and other borrowers. The rights and duties of the staff are specifically set out in their respective contracts of employment. The Library Committee may grant rights of access and/or borrowing to former members of the Library Staff who are not Authorised Users.

3.1.2 - Other Staff

Other staff employed by the Royal Faculty are entitled to access to those parts of the Library as they require to carry out their work.

3.2 Members of all Categories

3.2.1 - Individual and Practice Unit Members

By virtue of Bye-Laws 4 and 5 a Member is entitled to use the Library and to borrow books therefrom for his own use in accordance with these Rules. As regard the use of the Library, Practice Unit Members are responsible for the actions of Authorised Users employed by them or acting for them.

3.2.2 - Retired Members

By virtue of Bye-Law 6.2.1 Retired Members may use the Library and borrow books as if they were a Member.

3.2.3 - Honorary Members

By virtue of Bye-law 7.2.3 Honorary Members may use the Library and borrow books as if they were a Member.

3.2.4 – Student Members

On paying the appropriate subscription Postgraduate and Diploma students may use the Library for study and reference but are not entitled to borrow resources from the library, practitioner members having prior call on resources.

3.3 Other Library Users

3.3.1 Advocates

On paying the appropriate subscription Advocates may use the Library and borrow books as if they were Members.

3.3.2 - Authorised Users of Practice Unit Member Firms

Authorised Users may use the Library and borrow books as if they were Members.

3.3.3 - Messengers of Members paying individual subscriptions.

Messengers sent or instructed by Individual Members may only borrow books provided a mandate is submitted on behalf of the Members, as detailed in Rule 4.3.

3.3.4 – Couriers

Couriers engaged by a Member of any category may only borrow books provided a mandate is submitted on behalf of Members in the same practice unit, as detailed in Rule 4.3.

3.4 Miscellaneous

3.4.1 - Judges

Judges of Superior Courts throughout the World may use the Library and borrow books as if they were Members.

3.4.2 - Sheriffs

Sheriffs may use the Library and borrow books as if they were Members.

3.4.3 - Court Officials

Court Officials at Glasgow Sheriff Court have rights of use in respect of the Sheriff Court Library only. The Sheriff Clerk at Glasgow Sheriff Court shall be responsible for the actions of those exercising these rights.

3.4.4 - Social Workers

Social Workers at Glasgow Sheriff Court have rights of use in respect of the Sheriff Court Library only. The Head of the Social Work Department shall be responsible for the actions of those exercising these rights.

3.4.5 - Procurators Fiscal

Procurators Fiscal at Glasgow Sheriff Court have rights of use in respect of the Sheriff Court Library only. The Regional Procurator Fiscal shall be responsible for the actions of those

exercising these rights.

3.4.6 - Scottish Courts Administration

Scottish Courts Administration staff at Glasgow Sheriff Court have a right of access to use the Sheriff Court Library only. The Accommodation Officer at Glasgow Sheriff Court (or equivalent) shall be responsible for the actions of those exercising this right.

3.4.7 - Non - member Solicitors and Solicitor-Advocates

Non-member Solicitors and Solicitor-Advocates may be allowed one free visit to both the main Library and the Sheriff Court Library. Thereafter they are required to pay a Membership subscription.

3.4.8 - Non - member Scholars

Non - member Scholars may be granted access to the Library at the Faculty Librarian's discretion, subject to the provision of suitable identification and references.

3.4.9 - The rest of the general public

(a) Other members of the general public shall be granted access to the Library on Open Days, specially arranged visits and any other such special occasions. At the Faculty Librarian's discretion, contact information, such as the successors to former legal firms, may be provided in answer to enquiries by members of the general public.

(b) The Committee has power to grant use of the Library to any person approved by them for consulting and reference purposes, levying such charges as are deemed fit. . In cases of urgency and upon a report being made by the Faculty Librarian, the powers of the Committee in regard to Library usage may be exercised by the Convenor of the Library Committee.

(c) At the Faculty Librarian's discretion, use of the Library may be granted to Members of the Scottish Law Librarians' Group and such other bodies as may be approved by the Library Committee from time to time.

4. The Working of the Library

4.1 Library Cards

Access to and use of the Library is only by way of Library Card, subject to the discretion of Library Staff as regards the identity and entitlement of the person in question. Following a request by a member of the Library Staff, the Member or user must produce his Library Card. No Member or user shall on any pretext whatever lend or give use of the card to another person. Any Member or user contravening this regulation shall be liable to such penalty as may be determined by the Library Committee. In the event of a Library Card being lost or damaged the Member or user shall be liable to pay such fee for a replacement as is reasonably set by the Library Committee.

4.2 Stock and Record Keeping

The Faculty Librarian is obliged to keep a record of all stock and all borrowing and must be able to produce an accurate record if required by a member of Council or of the Library Committee. Such records may be in any permanent form authorised from time to time by the Library Committee.

A hard copy of the Stock Record shall be subscribed by the Faculty Librarian on his appointment to office. He shall also on the 31st of December of each year subscribe the Stock Record. All data kept electronically shall be backed up on a weekly basis at least and the back-up copy shall be kept in a building different from the building housing the principal copy.

4.3 Borrowing - Royal Faculty Building

(a) Members and users shall be entitled to borrow any book or other materials (subject to these Rules, and any licensing restrictions which may be negotiated with publishers) except the following:-

(i) Volumes reserved for reference only

(ii) Such volumes as the Faculty Librarian may, with the approval of the Library Committee, consider necessary to retain for safe custody.

(b) For every book borrowed a record of the borrowing shall be kept in the Library.

(c) The maximum number of items which a Member or user can borrow shall be determined

by the Library Committee from time to time (currently 10 volumes).

(d) Unless otherwise indicated, the loan period for all borrowable books will be seven days. Members may extend the loan period of books borrowed by a further seven days by phone or email up to a maximum of two times. Where books are not returned within the agreed borrowing period a fine shall be levied at such rate as the Library Committee shall determine from time to time (currently 10p per item per day).

(e) Should a Member of any category be unable personally to attend the Library to borrow an item, the Member may:-

(i) Arrange for another Member of any category, in the same practice unit, to borrow the item. Practice Unit Members may also arrange for an Authorised User or a courier to borrow the item. Individual Members may also request that a Messenger borrows the item for the Member's personal use, having provided the person attending with a mandate, in the form of the Appendix to these rules.

(ii) Request that the item be dispatched by legal post or document exchange. Individual Members require to provide a mandate in the form of the said Appendix, confirming that the borrowing is for their personal use. Upon receiving the items requested, the Member shall sign and return an acknowledgement of receipt. Members requesting or returning items by post or document exchange shall be responsible for any loss or damage to the items sent, in accordance with Rule 5.3.

4.4 Borrowing - Sheriff Court Library

All resources in the Sheriff Court Library are reference only and should not be removed from the Library under any circumstances. A photocopier has been made available to Members to take any copies they may require for production in court.

4.5 Photocopying, Scanning and Faxing

(a) All persons using the photocopy, scan and fax facilities are required to respect any restrictions imposed by the law of copyright. This may include signing a copyright declaration form or purchasing a Copyright Licensing Agency sticker. Use of the photocopy, scan and fax facilities is subject to such charges, restrictions and time limits for individual use, as are laid down by the Library Committee from time to time.

(b) Should a Member of any category be unable personally to attend the Library to photocopy, scan or fax an item, the Member may request that the item be photocopied or scanned by the Library Staff and dispatched by email, legal post, document exchange or be faxed by the Library Staff. Individual Members require to provide a mandate confirming that the photocopy or scan is for their personal use. For material which is in copyright a Copyright Declaration Form is required to be completed, or a Copyright Licensing Agency sticker purchased, by the Member requesting the copy.

Practice Unit Members may arrange for an Authorised User in the same practice unit to photocopy or fax the item.

4.6 Information Technology (IT)

(a) All persons using the IT facilities are required to respect any restrictions imposed by the law of copyright.

(b) Practice Unit Members may arrange for an Authorised User in the same practice unit to use the IT facilities. Use of the IT facilities is subject to such charges, restrictions, and time limits for individual use, as are laid down by the Library Committee from time to time.

4.7 Inter-library loans

All persons using the inter-library loan facilities are required to respect any restrictions imposed by the law of copyright. This may include signing a copyright declaration form. Use of the inter-library loan facilities is subject to such charges and restrictions as are laid down by the Library Committee from time to time. In particular, Members are responsible for meeting any charges imposed for the loss, damage or late return of material supplied through inter-library loan, as detailed in Rule 5.

4.8 Management and Direction

Subject to any financial and other restrictions laid down by Council, the Faculty Librarian shall decide upon the purchase of books and be answerable to the Library Committee and Council for any decisions taken. The Committee has power to grant permission to any person for the loan, copying or reproduction of books, or parts thereof, including those not normally available for loan, subject to such undertakings as they deem appropriate. In cases of urgency, and upon a report being made by the Faculty Librarian, the powers of the Committee in regard to such permissions may be exercised by the Convenor of the Library Committee. The Committee carries out such other functions that are from time to time delegated by Council.

4.9 Suggestions

A note of suggestions shall be kept by the Faculty Librarian. Any member or other library user may make suggestions for the purchase of any book or books or other publications or information resources which he recommends for the Library and the Library Committee shall consider such proposed purchase. They shall dispose of the suggestions in the usual course of their deliberations and the Faculty Librarian shall on request intimate the outcome or progress of the suggestion to the Member or library user who made it.

5. Enforcement

5.1

Library Staff are authorised to enforce these Rules under the direction of Council and the Library Committee.

5.2

Any Member or Authorised User, who is required by Library Staff to return any book or books which he has had on loan for the prescribed period, or which Library Staff are authorised to call in, shall be obliged to return the same within twenty-four hours; and, in the event of his failing or refusing to do so, he shall face disciplinary action as detailed in Rule 5.4. It shall be in the option of the Library Committee, upon giving previous notice to such Member, to replace the book or books at his expense. In cases of urgency and upon a report being made by the Faculty Librarian of the breach of this Rule, the powers of the Library Committee in regard to replacement may be exercised by the Convenor of the Library Committee.

5.3

If any Member or Authorised User shall lose or injure any book or any volume of a set, he shall be bound to replace it or the set, or to pay such sum as the Library Committee may fix as the value of the book or set so lost or injured and, in the event of his failing or refusing to do so he shall face disciplinary action as detailed in Rule 5.4. In cases of urgency and upon a report being made by the Faculty Librarian of the breach of this Rule, the powers of the Committee in regard to replacement may be exercised by the Convenor of the Library Committee.

5.4

In the event of a Member or Authorised User failing to return, replace or pay for material as provided for in Rules 5.2 and 5.3, the offending Member or Authorised User shall forfeit the use of the Library until he has complied with the Rules. If he has not complied with the Rules within a reasonable time, the Library Committee may at their discretion withdraw from all Members and Authorised Users in the same practice unit the right to use the Library until the Rules have been complied with.

5.5

Any Member held to have contravened any other rules herein shall be liable in such penalty as may be determined by the Library Committee.

Appendix - Library Mandate

Royal Faculty of Procurators in Glasgow



Library Mandate / Order

I (full name)

of (name of firm/organisation)

as a member of the Royal Faculty of Procurators in Glasgow

A. authorise (name of messenger)
to borrow the following item(s), **for my exclusive use**, from the Library at 12 Nelson
Mandela Place;

OR

B. request that Library staff supply me with a copy of the following items

by (DX) (FAX) (POST) *delete as appropriate

I understand that –

- these items are only to be used by Members of the Royal Faculty of Procurators and are not to be requested for non-Members;
- if I am requesting material to be copied by Library staff, I must ensure that I have filled in a Copyright Declaration Form or have requested a CLA copyright clearance sticker;
- any copying and faxing carried out by Library staff will be charged for.

Signature.....

Date.....