CAIRNS REGIONAL COUNCIL

Guideline

Cairns Libraries
Public Access Internet and Computer Use
Terms and Conditions

Intent
The intent of this Guideline is to define the Terms and Conditions relating to the use of Cairns Libraries public access Internet connection, wireless and computer use.

Scope
These Guidelines apply to all members, non-members and visitors to Cairns Libraries.

<table>
<thead>
<tr>
<th>Term/Abbreviation</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Authorised Library Officer</td>
<td>Any person officially employed by Council to work for Cairns Libraries.</td>
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<tr>
<td>Cairns Libraries</td>
<td>All the library facilities, resources, services and activities provided by Cairns Regional Council.</td>
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<tr>
<td>Library</td>
<td>All or any Public Library branch under the management and control of the Council and includes all buildings or portions thereof, and other areas, facilities and vehicles used in connection with the provision of Cairns Libraries</td>
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<td>Manager</td>
<td>The person who is responsible for the day to day operations of Cairns Libraries</td>
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<tr>
<td>User</td>
<td>Any person whether or not a member, making use of the library service</td>
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Note: Words importing the masculine gender include the feminine, words in the singular number include the plural, and words in the plural number include the singular number

PROVISIONS:

All Users agree to be bound by these Guidelines at all times they are on Cairns Libraries premises or are utilising Cairns Libraries facilities.

Providing members of the public with Internet and computer access enables Cairns Libraries to provide information beyond the confines of its own collections. Access to digital information also supports the strategic direction of Cairns Libraries in promoting a learning community across all information formats.

The Library is a public space. Users of computers and wireless Internet services are required to be considerate of others. Cairns Libraries supplies
Cairns Libraries reserves the right to terminate Internet and/or computer access privileges of any User who an Authorised Library Officer considers, in their discretion, is in breach of these Terms and Conditions.

Release

By using Cairns Libraries’ public access and computer terminals, Users release and discharge Cairns Regional Council from any liability which might arise from the use of the service including, but not limited to, liability in relation to:

- Defamatory or offensive material
- Any breach of copyright which may occur as a result of use or the inadvertent retention of personal data, including browser data artefacts, such as cookies, within the computer's internal storage
- Corruption of data e.g. documents stored on USB sticks
- Virus infection of any data within the computer’s internal storage.

Users should be aware that the downloading of illegal information from the Internet could lead to prosecution.

Access to Computer Facilities

Computer facilities include fixed terminals and wireless Internet connection.

- The wireless connection can be used by members and non-members. Download limits apply.
- The use of fixed terminals is available to members and non-members. Time restrictions may apply.

All Cairns Regional Council computer systems are logged and may be monitored. Logging and monitoring is carried out for operational, maintenance, compliance, security and/investigative purposes, and information is collected and handled in accordance with Council’s obligations under the Information Privacy Act 2009 and Right to Information Act 2009.

Cairns Libraries shall not be held responsible for periods of ‘down-time’ caused by technical, or any other problems. Cairns Libraries will endeavour to notify Users if any part of Cairns Libraries' technology system is unavailable for use.

Services Provided

Through its public access computer facilities Cairns Libraries provides access to the Internet.
Cairns Libraries provides access to a range of online resources and services through its website. While some of these services are available globally, some are restricted to use by Cairns Libraries member card holders only and some restricted to use only within Cairns Libraries premises. Services and resources available through Cairns Libraries website include:

- Electronic databases and publications that it has acquired, or acquired access to
- Its own databases including the catalogue
- Online reference and information services
- Software such as Microsoft Word and Microsoft Excel.

Users can save data to their own compatible storage device. Any data saved to a shared computer will not be saved at the end of a session. It is the responsibility of the User to ensure their data is saved to an appropriate location such as a compatible storage device (e.g. USB).

Printing is available at all Libraries on shared network printers.

Cost and eligibility
One session per day of computer use in the Library is available (one hour or part thereof subject to availability). Additional sessions are subject to availability. Charges for printing apply.

Fees and Charges
All fees and charges are prescribed in Cairns Regional Council’s schedule of Fees and Charges on its website.

Bookings
- Due to the demand for access to computers, Users are limited in the time period they can spend using a computer
- Bookings may be made at the Library or by telephone (members only)
- Time may be booked on a “walk in” basis
- The computers are to be used only by the person in whose name the booking is made. Time slots are not transferrable to others
- Bookings can only be made for seven days in advance (members only)
- A delay of 5 minutes in arrival for a booking will lead to loss of session. The time is determined by the computer clock
- A maximum of two people may be seated at the computer any one time
- Users must vacate their workstation once their allotted time is finished.
- Last booking of the day must finish 15 minutes before closing

Censorship
In line with the statement by ALIA (the Australian Library and Information Association) on online content regulation Cairns Libraries promotes “the free flow of information and ideas in the interest of all Australians and a thriving culture, economy and democracy” and so does not filter or otherwise censor or control content retrieved through Cairns Libraries’ Internet connection.
Children Using Cairns Libraries’ Internet Computers
Supervision of Internet use including wireless by Users under the age of 18 years, is the responsibility of the parent/legal guardian.

Cairns Libraries does not control or regulate Internet access to Users under the age of 18.

Cairns Libraries staff may provide parents/guardians/carers with advice on and information about safe use of the Internet by children and young people.

Risks Applying to the Use of Cairns Libraries’ Internet Connection

Users are advised of the following risks of using Cairns Libraries public access computer facilities:

- Cairns Libraries cannot guarantee the accuracy or validity of information accessed through the Internet, including websites linked to or from the Cairns Libraries website.
- Cairns Libraries cannot guarantee security of any data accessed or transmitted through its Internet connection
- The Internet provides access to material that may be offensive and objectionable to members of the public. Consistent with its opposition to censorship, Cairns Libraries does not attempt to make any content inaccessible through its Internet connection
- The Internet is a largely unpoliced domain and can host people and organisations that pose a danger to others. Users are advised to exercise due care in disclosing personal information over the Internet

Cairns Libraries does not accept any liability for any loss or damage, direct or indirect that may arise from using Cairns Libraries Internet connection.

Expectations of Users

Cairns Libraries’ Customer Service Charter establishes that users of Cairns Libraries are required to be mindful of the needs and sensitivities of other users. This general imperative fully applies to users of computer facilities.

Unauthorised/Unacceptable Use

Unauthorised/unacceptable use of the computer facilities includes but is not limited to the following.

An Authorised Library Officer may exercise discretion as to whether an unauthorised or unacceptable use of computer facilities has arisen, and the decision of an Authorised Library Officer in that regard shall be final and binding on users

Authorised Library Officers are authorised to immediately disconnect any users who participate in unauthorised or unacceptable uses of Cairns Libraries’ computer facilities.
**Infringement of Security**

Uses of Cairns Libraries’ computer facilities that infringe the security of people or property is ground for immediate exclusion from Cairns Libraries premises and temporary or permanent loss of access to those facilities, and may also attract prosecution under civil or criminal law. For the purpose of these Terms and Conditions infringement of security includes but is not limited to:

- Actions or behaviours that harm, create risk of harm, or threaten harm to any individual, including intimidation and harassment
- Theft, destruction of, damage to, or interference with equipment, software, or data belonging to Cairns Libraries or Cairns Regional Council
- Unauthorised copying of copyright-protected material or intentional infringement of licence agreements and other contracts
- The violation or attempted violation of any computer network security system
- The violation of privacy, including unauthorised monitoring of electronic communications.

**Display of offensive or objectionable material**

Displaying material that is deemed offensive or objectionable to other members of the public or staff is unacceptable. This includes but is not limited to pornography, expressions of racial hatred, hate sites, violence and offensive language. Material will be treated as having been “displayed” if it is displayed on a computer screen.

Users who fail to heed an initial request by staff to cease displaying material found to be offensive or objectionable will be issued with either a demand to comply or leave the premise.

**General**

Cairns Libraries public access computer facilities:

- Are not available for the purpose of conducting a business
- May not be used in direct or indirect connection with the commission of any offence or breach of any law.

**Abuse of Terms and Conditions**

Cairns Libraries reserves the right to check or monitor any person’s Internet use including data transmission both sent and received when Cairns Libraries deems that person to be in breach of these Terms and Conditions.

Any person who abuses these Terms and Conditions may have access to the Internet and/or Library facilities restricted or withdrawn.
Privacy
Cairns Libraries is committed to the State Library of Queensland’s Intellectual Freedom Policy in promoting intellectual freedom and identifying privacy as one of its key conditions. Personal information is handled in accordance with the Information Privacy Act 2009 and will be accessed by persons who have been authorised to do so. Personal information will not be given to any other person or agency unless permission is provided, the disclosure is required by law, or the disclosure is consistent with the Information Privacy Act 2009.

If a user requests the assistance of an Authorised Library Officer or any other staff member employed by, contracted to or volunteering with Cairns Libraries or the Council ("Relevant Person"), the User acknowledges and agrees that:

(a) the Relevant Person is not required to assist the user if such assistance involves the Relevant Person seeing personal information of the user; and

(b) if the Relevant Person agrees to assist the user, the user indemnifies the Relevant Person, Cairns Libraries and Council ("the Indemnified Parties"), and holds the Indemnified Parties (jointly and severally) harmless, in respect of any loss or damage arising directly or indirectly as a result of the assistance offered, where the Relevant Person acts in good faith.

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