

Terms of Use

for the University Library of

RWTH Aachen University

Dated October 10, 2010

in the First Revised Version to amend the Terms

of Use for the University Library

Dated June 29, 2020

Published as a Complete Version

Please note: This publication is an English translation. Only the German original of these regulations as published in the Official Announcements of RWTH Aachen University (“Amtliche Bekanntmachungen”) is legally binding.

On the basis of § 2 para 4 of the law governing the Universities of the Federal State of North Rhine-Westphalia (Higher Education Act – HG) in the version of the announcement dated September 16, 2014 (Law and Official Gazette of the State of NRW p. 547), as last amended by Article 10 of the Act on the Consistent and Solidarity-Based Management of the COVID-19 Pandemic in North Rhine-Westphalia and on the Adaptation of State Law with Regard to the Effects of a Pandemic of April 14, 2020 (Law and Official Gazette of the State of NRW. p. 218b, ber. p. 304a), RWTH Aachen University has issued the following regulations:

Contents

- § 1 Tasks of the University Library
- § 2 Library Access
- § 3 Processing of Personal Data in the University Library
- § 4 Termination of the User Relationship
- § 5 Revocation of Library Privileges
- § 6 Rights and Duties of the Users
- § 7 Fees and Charges
- § 8 Opening Hours
- § 9 Use of the Library Rooms
- § 10 Lending
- § 11 Restrictions to Lending
- § 12 Loan Periods
- § 13 Extension of the Loan Period and Reservations
- § 14 National and International Interlibrary Loan
- § 15 Use of Library Computers
- § 16 Copies
- § 17 Observance of Copyrights
- § 18 Legal Disclaimer
- § 19 Entry Into Force

§ 1 Purpose of the University Library

- (1) The University Library is a central institution of RWTH Aachen University. Its primary purpose is to support research, teaching and studies at this University. In addition, it is open to members and affiliates of other universities and to members of the public who are interested in academia.
- (2) It fulfills its purpose in particular by
 - a) providing an up-to-date stock of literature for loan, oriented towards the needs of the University,
 - b) preserving stock worthy of archiving and making them available for use in an appropriate manner,
 - c) licensing digital information for the University and offering it via the data network,
 - d) making the stock of other libraries accessible through interlibrary loan,
 - e) facilitating work in the Library by providing modern workstations and open access stock.

§ 2 Library Access

- (1) Anyone wishing to use Library services must sign up for a library card. Being granted library privileges establishes a user relationship under public law between the user and the Library, the content of which is governed by the Library Regulations in their currently valid version. The reading rooms may be used by visitors who are not in possession of a library card.
- (2) The following parties are entitled to Library Access:
 - a) the members and affiliates of RWTH Aachen University,
 - b) the members and affiliates of FH Aachen University of Applied Sciences,
 - c) the members and affiliates of Forschungszentrum Jülich,
 - d) professorships of RWTH Aachen University, represented by the professors or the head of the institute or an authorized employee.
- (3) Other persons who reside in the Federal Republic of Germany or the near border region of Aachen may be granted library access, if they apply for a library card.
- (4) Minors require the written consent of their legal representative. With their approval, the latter undertakes to fulfill claims arising from the user relationship.
- (5) Library access may be subject to a time limit for objective reasons.
- (6) Visitors who are not in possession of a library card are also subject to these Library Regulations when entering the Library.
- (7) In order to ensure the Library can fulfill its tasks according to § 1, library management may regulate the conditions of use differently for certain user groups, in particular the loan period and the number of items that can be borrowed at the same time. The regulations are to be posted on notice boards or published on the Library's website.

- (8) All members and affiliates of RWTH Aachen University who are registered in the Identity Management system of RWTH Aachen University receive a library card by activating their library account in Selfservice (user administration of the Identity Management system of RWTH Aachen University).
- (9) Students of RWTH Aachen University use the RWTH Blue Card (student ID) as a library card. Activation is done in Selfservice (user administration of the Identity Management system of RWTH Aachen University) by the students.
- (10) All other users must apply for admission in order to obtain a library card. A valid national identity card or passport must be provided, the latter in conjunction with a registration certificate issued by a Citizens' Services Office.
- (11) In the case of library access through affiliation with an entitled institution in accordance with § 2 Paragraph 2 d), the application must be submitted in person by the professorship holder or the head of the institute or by an authorized person. They must also show their national identity card or passport. If the application is submitted by an authorized person, the identity card or passport of the professorship holder, including the power of attorney, must also be submitted.
- (12) Library access according to § 2 Paragraphs 8, 10 and 11 is granted by issuing a library card.

§ 3

Processing of Personal Data in the University Library

Personal data is processed in accordance with the principles of the Data Protection Regulation (DSGVO) as amended. The Privacy Policy is available for review on the premises and on the University Library website.

§ 4

Termination of the User Relationship

- (1) The user relationship is terminated if the prerequisites for being granted library access are no longer fulfilled, in particular
 - a) for members and affiliates, upon cessation of membership or affiliate status,
 - b) for students of RWTH Aachen University, upon exmatriculation,
 - c) for all other users, with their library card's expiration date, by default limited to 18 months after they have last borrowed library materials,
 - d) in the event of an application for early release from the user relationship,
 - e) by death,
 - f) by exclusion according to § 5.
- (2) Obligations arising from the user relationship that have not been fulfilled shall remain in force. This applies in particular to the obligation to return library materials and pay fees.
- (3) Former students and employees of RWTH Aachen University according to § 4 Paragraph 1 a) - b) are automatically offered a library card renewal. The new authorization ends with the expiration of their library card's expiration date, by default limited to 18 months after they have last borrowed library materials.
- (4) The library card must be returned.

§ 5 Revocation of Library Privileges

- (1) Anyone who repeatedly or seriously violates the rules or the regulations governing the use of the Library can be partially or entirely excluded from using the Library either temporarily or permanently. The decision is made by library management.
- (2) Anyone who fails to return items that are overdue or fails to pay fees will – from the 30th calendar day after the due date – be barred from borrowing any other library items until all obligations have been met. Exceptions can be granted by library management.

§ 6 Rights and Duties of the Users

- (1) Anyone granted library privileges has the right to the services specified in these Terms.
- (2) They must refrain from any conduct inside the Library that is contrary to the Library's orderly operation, particularly any behavior that disturbs others or poses a danger to persons, buildings, or property.
- (3) Instructions from library staff regarding proper library use must be followed. Users must show their ID upon request.
- (4) Items that can be used to carry library materials, especially coats, bags, folders, umbrellas, and luggage, may not be taken into certain areas of the Library but must be stored in the facilities provided for this purpose. Further details are regulated by the usage instructions for lockers and cabinets, which are binding and are published on notice boards and the Library's website.
- (5) In the general interest, the utmost silence is to be maintained in all rooms of the Library that are open for use. Talking on cell phones, smoking, eating, and drinking - except for water in certain areas - is not permitted in the Library. Animals are not allowed in the Library.
- (6) The Library's stock as well as any items obtained through external lending are to be handled with care. Writing in, highlighting, and underlining are not permitted. Identifiable damage must be reported to library staff. You may not repair the damage yourself or have it repaired without authorization.
- (7) The work equipment and devices provided, particularly the personal computers, are to be used only within the scope of their specified purpose. Damage and defects must be reported immediately to the library staff. Tampering, especially with the Library's computers, programs, or databases – including unauthorized network use – may result in revocation of library privileges and possible legal action. The regulations of § 15 shall apply.
- (8) All items carried must be shown to library staff when entering and leaving the reading rooms.
- (9) In case of damage or loss of items, the user has to pay the replacement cost. In addition, fees are charged for administrative expenses, the amount of which is calculated according to the currently valid Fee Regulations of RWTH Aachen University for the Libraries of the University.
- (10) The Library must be notified immediately of any change of name or address. For users who are registered in the Identity Management system of RWTH Aachen University, the notification of any name and address changes is generally made via this system. If RWTH Aachen University provides additional options for special user groups to submit name and address

changes to the Library, these may also be used. The user is liable for any costs and disadvantages incurred by the Library due to non-compliance with this regulation.

- (11) The library card must be kept in a safe place. Its loss must be reported to the Library immediately. The holder is liable for any misuse until the loss is reported.

§ 7 Fees and Charges

When using the Library, any fees, charges, and reimbursement of expenses are levied in accordance with the currently valid Fee Regulations of RWTH Aachen University for the Libraries of the University.

§ 8 Opening Hours

The opening hours are determined by the University Library's management in agreement with the Rector. They are posted on notice boards and published on the Library's website.

§ 9 Use of the Library Rooms

- (1) In the open-access areas, books and other items can be taken from the shelves and consulted at the reading stations. The items in the closed stacks cannot be accessed directly. These can only be borrowed by placing an order in advance.
- (2) Reference items are primarily for use within the Library; borrowing for short periods of time is generally possible.
- (3) Library management might apply different conditions of use to certain areas (lockers, rooms). These regulations are posted on notice boards or published on the Library's website.

§ 10 Lending

- (1) All library items available for loan that do not fall under the restrictions of § 11 may be checked out for use outside the Library.
- (2) Patrons must present their library card to check out any items.
- (3) Items available for loan may not be taken out of the Library without first checking them out properly.
- (4) Library management might have different lending conditions for certain items. These regulations are posted on notice boards or published on the Library's website.

§ 11 Restrictions to Lending

- (1) Items that are kept in-house for reasons of availability, stock protection, handling, or for legal reasons are excluded from out-of-house lending. In particular, these include:
 - a) items of special value and age,
 - b) books on loan from outside the Library, if this is requested by the lending library.
- (2) The Library has the right to exclude items from circulation beyond Paragraph 1 if this seems objectively necessary.

§ 12 Loan Periods

- (1) The loan periods are posted on notice boards or published on the Library's website.
- (2) If the loan period is exceeded, fees must be paid in accordance with the currently valid Fee Regulations of RWTH Aachen University for the Libraries of the University. The borrower is obligated to pay regardless of whether or not any reminders are sent.
- (3) The Library may recall an item even before its due date if it is needed for official purposes.

§ 13 Extension of the Loan Period and Reservations

- (1) The loan period may be extended upon request before it expires. However, extension of the loan period is no longer possible if the item has already been reserved by another party. No items may be extended beyond the validity period of the library card.
- (2) Items that are checked out by others can be reserved via the catalog, alternatively by written letter or email request, or in person. Information about the borrower will not be provided.
- (3) The Library may limit the possibilities of loan period extensions or reserving items for valid reasons.

§ 14

National and International Interlibrary Loan

- (1) The University Library can assist patrons with ordering items from another library by national or international interlibrary loan if the items are not available here in Aachen. Interlibrary loans are carried out in accordance with the provisions of the currently valid Regulations on Interlibrary Loan in the Federal Republic of Germany (Leihverkehrsordnung), international agreements, and the specific conditions (e.g. deadlines, restrictions on use) of the lending library. Unclaimed items will be returned at the latest after the loan period has expired.
- (2) There is a fee for interlibrary loans. Interlibrary loan fees are processing fees that apply even if an ordered item cannot be delivered. They are levied in accordance with the loan regulations and the supplementary regulations of the state of North Rhine-Westphalia. Costs and expenses not covered by the flat-rate handling fee, e.g. for insurance and special forms of dispatch, are to be reimbursed additionally.
- (3) The Library makes its items available for national and international interlibrary loan in accordance with the provisions of the currently valid Regulations on Interlibrary Loan and the provisions of these Terms for Use.
- (4) The reference collection is excluded from active interlibrary loan.
- (5) The Library can make the lending of items subject to certain conditions, such as shortened loan periods, use only in the reading room, or a ban on copying.
- (6) The Library collaborates with the Hochschulbibliothekszenrum des Landes Nordrhein-Westfalen (hbz) within the framework of domestic and international interlibrary loans. When an interlibrary loan request is submitted, personal data is transferred between the Library's IT systems and the IT systems of the hbz.

§ 15

Use of Library Computers

- (1) The Network Regulations of RWTH Aachen University, including the Implementing Provisions for the Network Regulations and all relevant regulations of the IT Center of RWTH Aachen University, shall apply in the currently valid version.
- (2) Within the scope of its abilities, the Library provides its users with computer workstations with limited Internet access for academic literature research that does not require the user to register.

The Library reserves the right to block access to Internet sites that represent an obvious use for purposes unrelated to the Library or otherwise do not correspond to the specified purpose. Unrestricted Internet access via Wi-Fi and specially designated computer workstations requiring registration is reserved for users who have the appropriate authorization in RWTH Aachen University's Identity Management.

Visitors and designated guests of the University and its facilities will receive a guest ID upon request for the duration of their stay if they wish to use the Internet access at the unrestricted computer workstations for academic purposes.

- (3) The computer workstations may not be used for non-library purposes.

In particular, anything that interferes with the work and mission of the Library, violates legal regulations, or offends common decency is considered to be non-appropriate use. In times of high demand, time restrictions may be imposed on the use of the equipment.

- (4) Excessive or systematic copying of online information is prohibited. The installation or downloading of software is also prohibited.
- (5) Instructions on using the equipment, databases, and Internet services must be followed. You may not change the system settings, network configurations, or software.
- (6) The user is liable for damages caused by manipulation or other unauthorized use of the Library's equipment and items. Defects in equipment and items detected before and during use must be reported to library staff immediately.
- (7) The Library assumes no liability for damage caused by technical or other malfunctions of equipment, programs, or files.

§ 16 Copies

- (1) Unless there are factual or legal reasons to the contrary, copies may be made from the Library's items.
- (2) If the Library declares an item to be particularly valuable or in need of preservation, copies may only be made by library staff. Costs and expenses are to be reimbursed to the Library.

§ 17 Observance of Copyrights

- (1) The library user is always responsible for observing existing copyrights regarding the use of printed materials, other items, and digital information. The license terms under which electronic information is made available must be observed.
- (2) If a claim is made against the Library by a third party for infringement of copyright provisions, the user causing the infringement is obligated to indemnify the Library against all claims.

§ 18 Legal Disclaimer

- (1) The Library is not liable for damages caused by incorrect, incomplete, omitted, or delayed user and information services unless the damages were caused intentionally.
- (2) The Library is not liable for the accuracy of the contents of the items provided.
- (3) The Library is not liable for loss or damage to items brought onto the premises.

§ 19 Entry Into Force

These terms of use come into force as an Official Announcement of RWTH on the day following their publication.

Issued on the basis of the resolution of the Senate of RWTH Aachen University dated June 18, 2020.

It is pointed out that, in accordance with § 12 (5) NRW Higher Education Act, any claims regarding a violation of procedural or formal requirements of the regulatory or other autonomous rights of the University may no longer be asserted after one year has elapsed since the official publication of this announcement unless:

- 1) the terms of use have not been properly published,
- 2) the Rectorate has objected, prior to publication, to the decision of the committee adopting the regulations,
- 3) the defect of form or procedure has been previously reported in a complaint to the University, specifying the infringed legal provision and the fact which gives rise to the defect, or
- 4) the legal consequence of the exclusion of complaints was not pointed out in the official announcement.

Rector
of RWTH
Aachen University

Aachen,
dated

June 29, 2020

sgd. Rüdiger

Univ.-Prof. Dr. rer. nat. Dr. h. c. mult. Rüdiger