

Terms of Use Framework for the Decentralized Libraries at RWTH Aachen University

Dated February 14, 2017

Please note that the English version of this guideline is purely for your convenience and is not legally binding. Only the German version is legally binding.

Based on § 2 (4) of the law governing the Universities of the Federal State of North Rhine-Westphalia (HG) in the version dated September 16, 2014 (Law and Official Gazette NRW p. 547), modified by the Act on Admission to the German Police Academy in the Higher Education Act of the State of North-Rhine Westphalia of December 15, 2016 (Law and Official Gazette of the State

of North Rhine-Westphalia p. 1154), RWTH Aachen University has issued the following Terms of Use Framework for the Decentralized Libraries of RWTH:

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Preliminary Remark

These framework regulations represent a uniform set of rules for the Decentralized Libraries of RWTH Aachen University (hereinafter referred to as the "Library"). However, supplementary provisions may be made at individual points in separate regulations or notices.

§ 1 Purpose and Scope of Application

- (1) The Decentralized Library (hereinafter referred to as the "Library") primarily serves to provide literature and information to members and affiliates of the respective RWTH University institution. It is basically a reference library. The management of the library may allow items to be borrowed. Loans are regulated in § 9.
- (2) The Library fulfills its tasks in particular through
 - a) the development and indexing of (demand-oriented) literature stock and
 - b) the provision of reading and / or user workstations with the necessary infrastructure.

§ 2 Admission for Use/User Group

- (1) The users of the Library are
 - a) the members and affiliates of RWTH as well as
 - b) persons with legitimate interest upon written or oral request.
- (2) Admission to the Library may be subject to a time limit.
- (3) For each Library an academic manager is to be appointed (library coordinator). The tasks of the academic manager can be delegated.
- (4) In order to ensure the fulfillment of the Library's tasks according to § 1, the library coordinator 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. They may also regulate how the infrastructure is used. The regulations are to be announced by posting them on bulletin boards or on the Library's website.

§ 3 User/Library Cards, Data Collection

- (1) If the Library permits the borrowing of items, a user / library card must be issued for this purpose. Depending on the library system used, this is either created by the Library or the UB user card is to be used.

- (2) Libraries may, after consultation with the data protection officer, collect only the data necessary for the fulfillment of their tasks. As a rule, these are the following:
- Name,
 - Address,
 - Email address,
 - Date of Birth,
 - Gender,
 - Student ID Number,
 - Number of the library card or BlueCard,
 - RWTH ID,
 - User status,
 - Faculty affiliation,
 - Registration date and location,
 - Date of the last lending activity,
 - Date and reason for borrowing bans, and book-related borrowing date,
 - End of loan period,
 - Date of extensions,
 - Return date,
 - Reservations and reservations with associated date,
 - Date of origin,
 - Amount of fees,
 - Replacement services and
 - Expenses.
- (3) The data stored in the libraries will be deleted immediately as soon as they are no longer required in accordance with data protection regulations.

§ 4 Termination of the User Relationship

- (1) The user relationship expires if the prerequisites of the approval (see § 2) are no longer given, in particular
- a) for students, upon deregistration,
 - b) for members and affiliates of RWTH, upon the discontinuation of the member or affiliate status,
 - c) for users according to § 2 Paragraph 2, at the end of the time limit,
 - d) in case of application for early release from the user relationship,
 - e) by exclusion according to § 5 (exclusion from use), as well as
 - f) if the legitimate interest ceases to exist (§ 2 Paragraph 1 Letter b)
- (2) Duties from the user relationship that have not been completed remain in force. This applies in particular to the obligation to return library items and to pay fees.

§ 5 Exclusions from Use

- (1) Anyone who repeatedly or seriously violates the library regulations or the library staff's instructions may be temporarily or permanently excluded from using the Library in whole or in part.
- (2) Anyone who fails to return items whose loan period has expired or fails to pay fees due may be barred from borrowing from any library in the RWTH library system beginning on the 30th calendar day after the due date until all obligations have been met.

§ 6 Opening Hours

The opening hours are to be announced by posting them on bulletin boards or on the Library's website.

§ 7 Use / Rights and Duties of the Users

- (1) Anyone admitted to use the Library is entitled to the services specified in these regulations. § 2 (4) shall remain unaffected.
- (2) Regarding the use of online media, please see the regulations of the University Library and their appendices.
- (3) By entering the Library or using its services, the user accepts the Library Regulations.
- (4) Every user of the Library is obligated to refrain from any behavior in the Library that is contrary to the orderly operation of the Library, in particular they must refrain from disturbing others or causing a hazard to persons, buildings or property.
- (5) Instructions from library staff regarding proper library use must be followed. Users must identify themselves upon request. The library management or a person authorized by it exercises their householder rights.
- (6) Objects that are suitable for taking items out of the library, especially coats and luggage, may not be taken into certain areas of the library; they must be placed in the designated areas. The details are regulated by further, binding user instructions, which are announced either by posted notification or on the Library's website.
- (7) In the interest of all concerned, the greatest possible silence is to be maintained in all library rooms used by the public. Talking on cell phones, eating, or drinking are not allowed. Animals are not allowed in the Library. However, official guide dogs and service dogs are exempted from this rule. Other exceptions may be determined by library coordinators.

- (8) The Library's items are to be treated with care. Writing in library books, underlining, or marking text in any other way is not permitted. Identifiable damage must be reported to library staff immediately. You may not repair damage yourself or have it repaired without authorization.
- (9) The work equipment and devices provided 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 exclusion from library use and possible legal action. The regulations of § 14 (EDP use) apply.
- (10) In case of damage or loss of items, the user must pay compensation. In addition, fees are charged for administrative expenses, the amount of which is calculated according to Fee Regulations of RWTH Aachen University for the Libraries of the University.
- (11) Any change of name or address must be reported immediately to the Library that has issued the user card. The user is liable for any costs and disadvantages incurred by the Library due to non-compliance with this regulation.
- (12) The library card must be kept in a safe place. Its loss must be reported immediately to the issuing library. The holder is liable for any misuse until this loss is reported.
- (13) The library coordinator may make other necessary arrangements for proper processing.

§ 8 Fees and Charges

When using the Library, fees, charges, and reimbursement of expenses are levied according to the Fee Regulations of RWTH Aachen University for the Libraries of the University..

§ 9 Borrowing

- (1) If the Library permits borrowing, all items available in the library that do not fall under the restrictions of § 10 (Borrowing Restrictions) may be borrowed for use outside the library.
- (2) Borrowing is subject to presentation of the library card. The user is obliged to check any check-out receipts for completeness and correctness.
- (3) Library materials may not be taken outside of the Library without first checking them out properly.

§ 10 Restrictions to Borrowing

Items that must be kept at the Library for reasons of availability, stock security, handling, legal or other factually required reasons are exempt from out-of-house lending.

§ 11 Loan Periods

- (1) For Libraries that allow borrowing, the loan periods are to be posted on bulletin boards or published on the Library's website.
- (2) If the loan period is exceeded, fees are to be paid according to the 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 reclaim an item even before the loan period has expired if it is needed for official purposes.

§ 12 Extension of the Loan Period and Reservations

- (1) The loan period can be extended before the deadline. However, extension of the loan period is no longer possible if the item has already been reserved by someone else. An extension beyond the validity period of the borrower's library card is not possible.
- (2) Library items that are checked out by others can be reserved via the Internet portal, alternatively by written letter, or email request, or in person.
The Library provides information about the possibility of reserving checked-out items on its website or via posted notification.
Information about borrowers currently in possession of items will not be provided.
- (3) The options for extending the loan period or reserving items can be limited by the Library for important reasons.

§ 13 Seminar Binders and Reserve Collections

- (1) Library management may allow instructors to put together a collection of literature for a course to be put out in the library for student reference. A small number of these items may then be placed in offices permanently or for extended periods of time if this does not interfere with general teaching and research activities.
- (2) Regulations about creating literature collections for courses will be posted on bulletin boards or published on the Library's website.

§ 14 Use of EDP Equipment

- (1) The Network Regulations of RWTH Aachen University, including all relevant regulations of the IT Center of RWTH Aachen University, shall apply in the respective valid version.
- (2) The Library provides computer workstations within the scope of its possibilities exclusively for academic research. These computer workstations may not be used for non-library purposes. In times of high demand, time restrictions may be imposed on the use of the equipment.
- (3) Excessive or systematic copying of online information is prohibited (see §16). Furthermore, installing or downloading software is prohibited.
- (4) Instructions on the use of equipment, databases, and Internet services must be followed. Users are not allowed to make any changes to the system settings, network configurations, or software.
- (5) The user is liable for damages caused by manipulation or other unauthorized use of the library equipment and media. Defects in equipment and media detected before and during use must be reported to library staff immediately.
- (6) The Library assumes no liability for damages caused by technical or other malfunctions of equipment, programs, or files.

§ 15 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. The Library determines how copies can be made. It may refuse duplication for reasons of conservation. Costs and expenses for copies are to be reimbursed to the Library.

§ 16 Observance of Copyrights

- (1) The user is responsible for observing existing copyrights in the context of the use of printed materials, other media, and digital information. You must observe the license conditions under which electronic information is made available.
- (2) If a claim is made against the Library by a third party due to infringement of copyright regulations, the user causing the infringement is obligated to indemnify the Library against all claims.

§ 17 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 by the Library.
- (2) The Library is not liable for the correctness of the contents of the provided items.
- (3) The Library is not liable for loss or damage of items brought to the Library.

§ 18 Validity

These Terms of Use provide a framework for the use of the Decentralized Libraries. Libraries may define their own regulations within the given framework, which shall be announced by posting them in the Library and publishing them on the Library's website.

§ 19 Entry Into Force

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

Issued based on the resolutions of the Senate of RWTH Aachen University dated February 9, 2017.

Rector
of RWTH
Aachen University

Aachen, February 14,
dated 2017

sgd. Schmachtenberg

Univ.-Prof. Dr.-Ing. E. Schmachtenberg