

Leipzig University of Applied Sciences

## University Library Regulations

- BenOBibl -

Last amended 1 October 2009 based on §§93, par. 1, 92 par. 3 Higher Education Act of Saxony (Sächsische Hochschulgesetz, SächsHSG)

For improved legibility, this document uses the male gender for female and male individuals alike. When used in these regulations, words of male gender refer to the female gender as well.

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## **§ 1 Scope and terms**

(1) These regulations apply to the use of the HTWK Leipzig University Library comprising the main Library and a Departmental Library.

(2) The Library is a key facility of the HTWK Leipzig. Insofar as rights and obligations of the Library are laid down in this document, the Library staff will carry out these rights and obligations on behalf of the HTWK Leipzig.

## **§ 2 Library services of the University Library**

(1) The HTWK Leipzig Library is a public scientific Library. The primary aim of the Library is to support research, teaching and studies at the HTWK Leipzig as well as professional development, vocational training and information.

(2) In general the Library offers the following range of usages and services:

- a) the use of its media on the premises of the Library,
- b) the lending of its media for use off the premises of the Library,
- c) inter-library loans for the procurement of media which is not available in the Library,
- d) granting of information, communication of information on the basis of catalogs, bibliographies, document services, data bases and internet information services,
- e) copying services subject to copyright regulations and insofar as the Library has not barred the said media from being copied,
- f) the use of the public computer terminals of the Library.

(3) A further responsibility of the Library is public relations work, in particular guided tours, further education events and exhibitions.

(4) The Library provides media in particular books, magazines, newspapers, microfiche, audio-visual materials and electronic data media.

### **§ 3** **Authorized users**

- (1) The Library may be used by natural and legal persons under private law as well as public institutions (called "users" in the following), as long as the users adhere to these regulations of use.
- (2) The agreement between the Library and the users constitutes a contract of use under public law.

### **§ 4** **User authorization**

- (1) Users who wish to avail themselves of the Library services are required to have official authorization, which must be applied for in person.
- (2) The following information must be included in the application:
  - a) surname, first name(s), gender,
  - b) date of birth,
  - c) address - main residence, for students also term-time address,
  - d) e-mail address, for students and staff of the HTWK Leipzig the HTWK e-mail address is compulsory,
  - e) nationality,
  - f) for legal persons additionally the address of the company or place of work,
  - g) for minors also the name and address of a parent or legal guardian.

The Library must be informed in writing without delay if there are changes to the above data, in particular name and address or e-mail address. Any disadvantages resulting from non-compliance of this must be borne by the user.

- (3) Usage will only be granted to persons over the age of 16 and on presentation of the following documents:
  - a) identification card or
  - b) passport plus an official confirmation of place of residence.

Students must also show their student identification card.

- (4) Minors between the age of 16 and 18 are also obliged to provide a valid written declaration of permission from a parent or legal guardian. Minors will only be authorized if a parent or legal guardian agrees to cover any damages resulting from the minor's non-compliance with the user regulations and consents to an enforceable guarantee according to §773 par. 1, no. 1 of the German Civil Code (Bürgerliches Gesetzbuch, BGB).
- (5) Legal persons and public institutions will be authorized to use the Library as long as a natural person is entitled to sign and has made an application for authorization of Library

usage. The person who is entitled to sign is also liable, alongside the legal person, for obligations arising from the user relationship.

(6) The user recognizes the user regulations by means of his signature on the application for authorization. He is obliged to keep himself informed of any changes to the user regulations.

(7) A time limit may be imposed on the authorization for usage and be subject to certain restrictions and conditions.

(8) The Library has the right to store personal data of users in an electronic form for internal purposes only. The basis for the processing of personal data is regulated by § 106 Higher Education Act of Saxony (Sächsische Hochschulgesetz, SächsHSG), otherwise by the Data Protection Act of Saxony (Sächsische Datenschutzgesetz, SächsDSG) of 25 August 2003 (SächsGVBl. Journal of Law and Ordinances for Saxony) page 330) replaced by the law of 14 December 2006 (SächsGVBl. page 530). Personal data will only be recorded, saved, changed and used as is necessary for the accomplishment of the Library tasks within this legal framework. Transmission to public or private bodies may occur in individual cases, as permitted by the Higher Education Act of Saxony or the Data Protection Act of Saxony. Personnel, technical and organizational measures will be employed to ensure data protection.

## **§ 5**

### **User identification card**

(1) Authorized users are issued with a card valid for a certain period of time. The card must be kept with due care and attention and is not transferable. In the event of loss of the user-card, the Library must be informed immediately. The user is liable to the Library for all damage resulting from the loss or misuse of the user-card.

(2) As a rule the user-card is valid for the period of one year. The card must be shown each time the Library services are utilized. The card's validity can be extended on application.

(3) The student identification card of the HTWK Leipzig as well as the staff card for HTWK Leipzig personnel ("HTWK-Card") entitles the holder to use the Library.

## **§ 6**

### **Fees and charges**

(1) The Library services are generally free of charge.

(2) Fees and charges apply when users avail themselves of services which are subject to charges in accordance with the University Library Regulations (Benutzungsordnung der Hochschulbibliothek, BenOBibl).

## **§ 7**

### **Opening hours**

- (1) The opening hours of the Library are determined by the Rectorate in agreement with the Director and are publicized.
- (2) The Library may on occasion be closed or temporarily offer limited services due to urgent requirements.

## **§ 8**

### **General obligations and user liability, use of lockers**

- (1) Every user is obliged to comply with the provisions of the user regulations and the directions of the Library personnel. The user is liable to the Library for damage or disadvantages resulting from non-compliance with these obligations.
- (2) To ensure optimal studying and utilization conditions, Library users must not cause any unnecessary noise or disturbance to other users. The use of mobile telephones is not permitted. Animals may not be brought into the Library. Smoking, eating and drinking are forbidden. The directions of the Library personnel are to be followed for the use of personal technical apparatus in the user-areas.
- (3) The user is obliged to treat the media and all furnishings including technical equipment with due care. Any changes or damage whatsoever are strictly forbidden. Any writing in the media such as marking, correcting printing errors, folding pages, tables, maps or tracing images are counted as damage. No pages or supplements may be removed from any of the media.
- (4) The user is obliged to check the condition of the media on receiving it and immediately communicate any existing damage. If the user does not do so, then it will be assumed that the media was received in an undamaged condition.
- (5) The user is obliged to reimburse the Library for any lost or damaged media. The Library is permitted to demand a restoration of the media to its former state, a copy in lieu, another equivalent media or a reproduction or an appropriate amount of money: furthermore the Library is permitted to replace the value if the measures undertaken do not fully do so.
- (6) Coats, umbrellas, briefcases, larger handbags as well as larger items must be stored in the appropriate areas (lockers, cloakroom) before entering the Library premises. The Library has locker regulations which provide further details on the topic.
- (7) The user is responsible for the safety of his own possessions.

**§ 9**  
**Liability of the Library**

- (1) The Library is not liable for:
  - a) the loss of money, valuables, identification cards and other personal documents on the Library premises as well as from the lockers/cupboards,
  - b) damage resulting from faulty, incomplete, outstanding or delayed services,
  - c) damage to files, data storage media and technical equipment belonging to users caused by borrowed items.
- (2) Moreover the liability is limited to malice and gross negligence.
- (3) Items found in the Library will be treated in accordance with § 978 of the German Civil Code (Bürgerliches Gesetzbuch, BGB).

**§ 10**  
**General Library regulations and supervisory rights**

- (1) The director of the Library is responsible for the general regulations and is permitted to transfer these duties to the Library staff. These rights are conveyed to him by the rector.
- (2) The Library is permitted to set up supervisory mechanisms and to apply them.
- (3) The Library staff are permitted to demand users to produce valid identification documents and to show the contents of folders or bags etc. as well as Library items on their person and to open cloakroom cupboards or lockers in the presence of a witness if there is substantiated grounds for so doing.
- (4) The Library staff are permitted to clear lockers and cloakroom cupboards which have not been emptied on time. Articles removed will be treated as loss property – more details can be found in the locker regulations.

**§ 11**  
**General borrowing regulations**

- (1) The complete works of the Library may be borrowed for usage off the Library premises. Exceptions to this rule are:
  - a) works of reference (clearly marked),
  - b) media which is either valuable, old or which is irreplaceable for other reasons or requires careful handling,
  - c) media which is not suitable for lending due to its size, weight or current state,
  - d) loose-leaf collections, typed books as well as unbound works, lithographs, portfolios and official gazettes,
  - e) unbound magazines and bound annual magazines and newspapers.

- (2) The amount of media that a user can borrow at any one time is limited to 20.
- (3) Media which is in high demand may be excluded from borrowing for short periods to enable greater readership/use of the said articles.
- (4) The Library is permitted to draw up supplementary regulations.

## **§ 12**

### **Ordering of media from magazines**

- (1) Media from magazines can be ordered either by conventional order forms or online using available electronic forms which must be completed in full by the person ordering.
- (2) Orders can also be made by telephone or by e-mail.

## **§ 13**

### **Borrowing and returning of media**

- (1) Lendable media is issued to users holding a user identification card at the issuing desk. The user receives the media in person and a lending receipt. The Library is permitted - but not obliged - to issue ordered media to all persons who produce the user identification card of the borrower. Non-registered users of the Library must show a power of attorney from the person ordering.
- (2) The use of the automatic issuing service (self-service issuing) occurs through putting in or scanning the user identification number and the media number (bar code) of the medium and in so doing registers the user as borrower. The borrower receives a lending receipt.
- (3) If media which has been made available or reserved is not collected within seven calendar days following the order arrival or the sending of notification, then the media will be made available to others. The order data will be deleted.
- (4) The media are to be returned without the issuing of a reminder at the very latest on the day of lending expiry to the responsible lending center. The user is obliged to return the media to the Library immediately if the Library demands the media back before the lending expiry date. If absent or otherwise unavailable, the borrower is responsible for ensuring that the media is returned on time. The Library is permitted – in an appropriate manner – to issue reminders concerning the returning date.
- (5) The electronic return of media entails deleting the lending data in the borrowing system. The user may ask for a return receipt.
- (6) The borrower is liable and accountable for the return of media by means of the Library book drop (returns machine). This means of returning media is only permitted outside Library opening hours.

(7) Borrowers are liable and accountable for media which is not returned personally. If media is returned by post, name, address and user number as well as a summary of the package contents must be included. A stamped, self-addressed envelope must be enclosed if the borrower desires a return receipt per mail.

(8) Costs which have already been incurred and levied in accordance with par. 6 and 7. for returned media as per the Fees Regulation of Saxony (Sächsischer Gebührenverordnung, SächsGO) remain untouched.

## **§ 14**

### **Loan period and renewals**

(1) The loan period consists of a basic loan period (generally 28 calendar days) and a penalty-free extension period (six calendar days). During this time, the media must be either returned or the loan period extended. The end of the penalty-free extension period is equivalent to the loan period limit and penalties can be incurred from this point onwards. There is no penalty-free extension period for short-term loans.

(2) Media borrowed from the Library are to be returned to the issuing center without reminder and within the set time period. If media is not returned within the loan period then penalties will be incurred according to the Library Fee Regulations of Saxony (Sächsischer Bibliotheksgebührenverordnung, SächsBibGebVO). Incurrence of costs is not subject to the issuance of reminders or arrears letters.

(3) The basic loan period can be extended twice by 28 days subject to revocation, if the media is not needed by a third party and the user has complied with his obligations to the Library. The Library is permitted to request loaned media.

(4) The extension of the basic loan period must be applied for before the end of the loan period. The loan period is taken as granted if the Library does not transmit any information to the contrary. The user is responsible for proof of a requested and authorized loan period extension made by telephone. The extension of a loan period which goes beyond the validity of the user identification card is not permitted.

(5) The extension of the loan period of media from other Libraries is subject to agreement with the lending Library.

(6) In special cases or for certain media categories the Library is permitted to set a shortened or longer loan period. Media subject to shortened loan periods are generally not eligible for loan period extensions.

(7) The user is responsible for ensuring that media is returned on time or in as short a time as possible, even if the user is impeded.



## **§ 15**

### **Permanent loans and open shelves**

- (1) Scientists and HTWK Leipzig staff with lecturing and research duties may apply to borrow a maximum of 20 media from the Library stock as permanent loans (normally a year).
- (2) Permanent loans must be kept in the offices of the borrower at the HTWK Leipzig only.
- (3) When the loan period expires the borrower receives a written reminder from the Library to return or extend the permanently loaned items.
- (4) Permanent loans are to be made available to other users if requested, or are to be returned to the Library at short notice and made available for inter-Library loans.
- (5) When leaving the staff of the HTWK Leipzig all media are to be returned to the Library.

## **§ 16**

### **Penalties for reminders and arrears**

- (1) If the user does not return the media as agreed, then the Library will demand the loaned material back at a cost and in accordance with the Fees Regulation of Saxony.
- (2) Following the third warning the Library is permitted to demand the return of the loaned items by force in accordance with the Administrative Enforcement Act of Saxony (Sächsischen Verwaltungsvollstreckungsgesetzes, SächsVwVG) or declare the media as lost and subject to monetary compensation as per § 8 par. 5 of the user regulations.
- (3) Demands for media to be returned are taken as received if they are sent to the e-mail address last supplied by the user (compare with § 4 par. 2).
- (4) If the user has not complied with the obligations in the user regulations then he may be barred from borrowing further items.

## **§ 17**

### **Reservations**

- (1) Media on loan can be reserved, however not directly from the borrower. The person who has reserved the medium will be notified by post (for which a charge will be levied) or per e-mail, as soon as the said item(s) becomes available.
- (2) The Library may limit the number of reservations any one person can make.
- (3) Information about the person who has made the reservation or the borrower may only be passed on if the parties involved agree.

## **§ 18**

### **Use of the University Library**

- (1) The reading areas may be used by all persons in possession of a valid user identification card. No workspaces or media may be reserved in the reading areas.
- (2) Following usage the media are to be placed on a shelf marked for returned media.
- (3) Reference books may only be used in the rooms in which they are shelved or stored.
- (4) Media which is stored away, special items (§ 19), as well as media from inter-Library loans may be ordered for use in the reading rooms. Media which is designated for use in the reading rooms or determined by Library staff for use in the Library only will be handed over by Library staff and are to be returned to them after each usage.
- (5) Short-term loans are decided on by the Library on a case-by-case basis.

## **§ 19**

### **Use of special items**

- (1) The Library may request to know the scientific purpose for the use of special items according to § 11 par. 1 and other particularly valuable items. The use is only permitted in the designated reading areas of the Library.
- (2) Certain collections in the inventory and individual works (e.g. unique items, items in poor condition) may be subject to restricted use, due to reasons of conservation and/or legal or other reasons.

## **§ 20**

### **Inter-Library loans (lending)**

- (1) Lending to other Libraries takes place within the context of regulations of German and international lending procedures.
- (2) The Library is permitted to block the lending of certain media.
- (3) The Library may also determine that certain borrowed media can only be used in the reading rooms of the Library.

## **§ 21**

### **Inter-Library loans (borrowing)**

- (1) Media which are not available at the Library or any other public Library in the area may be ordered and borrowed within the framework of the German and international

borrowing service. If there are reasonable grounds, the number of orders per user may be limited.

(2) An inter-Library loan order can only be placed by means of an online form. The administrative fee per inter-Library loan is determined by the Library Fee Regulations of Saxony.

(3) Media from inter-Library loans must be handled as per the particular instructions of the lending Library; in all other cases as per these Library regulations. Material ordered from abroad may, as a rule, only be used in the reading rooms. The Library has the right to demand media from inter-Library loans back before the expiry of the loan period.

(4) Requests to extend the lending period of inter-Library media must be received by the Library, at the latest, one opening day before the expiry of the lending period.

(5) Media which has not been collected will be sent back to the lending Library at the end of the loan period, or on demand from the lending Library.

## **§ 22**

### **Information and communication thereof**

(1) The Library communicates orally, by telephone and in writing in accordance with the work and personnel situation at the time. There is no guarantee for the correctness and completeness of messages. Research tasks will be subject to a charge in keeping with the Library Fee Regulations of Saxony. The user commissioning the research will bear the costs.

(2) Users are entitled to use the inventory lists of the Library and the print and online information options in the public area for literary research purposes. The license conditions of databases acquired by the Library must be adhered to.

## **§ 23**

### **Use of public computer terminals**

(1) All users with access to the public computer terminals must comply with the User Guidelines for the information processing systems of the HTWK Leipzig (Benutzungsrichtlinien für Informationsverarbeitungssysteme der HTWK Leipzig, BRL-IVS) . In accordance with the User Guidelines for the information processing systems of the HTWK Leipzig § 2 the Library is the operator of the decentralized Library information system (BIS).

(2) In accordance with § 4 Abs. 3 of the User Guidelines for the information processing systems of the HTWK Leipzig all persons who possess and can produce a valid user identification card assigned to their name are permitted to use the public computer terminals of the Library. Minors must present a written authorization from a parent or legal guardian.

- (3) The authorization is only permitted for usages in accordance with § 2 par. 1. Commercial use is forbidden.
- (4) Anonymous use of the public computer terminals is not possible. Users of the Library log themselves in with the number on their user identification cards and the corresponding password.
- (5) To ensure smooth, orderly operations, usage may be subject to certain conditions and restrictions. Usage may be forbidden completely or in part, revoked or subsequently limited.
- (6) If the capacity of the IT resources is not sufficient for all users, then some users may encounter limitations. If the capacity on the computer terminals is overstretched, priority will be given to Library-typical research.
- (7) The user must ensure that no other person can access his password and take steps to ensure that non-authorized users cannot access the IT resources. One corresponding aspect is logging out correctly following computer terminal usage and/or the shutting/blocking the screen when leaving the workstation temporarily. For security reasons it is recommended to periodically change passwords.
- (8) If there are specific reasons and on request, the user is obliged to inform the director of the Library or any other person appointed by him to give information about programs and methods used, as well as to allow the programs to be viewed. This applies if there is a suspicion of misuse and for dealing with defects.
- (9) Services which incur costs (e.g. printing) are to be paid for in the Library, in accordance with the Library Fee Regulations of Saxony.

## **§ 24**

### **Duplication and reproduction**

- (1) The user may make photocopies or have photocopies made as long as no damage occurs to the media.
- (2) Photocopies and photographs of special items may only be made with the permission of the Library. This may be limited or rejected for reasons of conservation.
- (3) The user alone is responsible for complying to copyright, the rights of the individual and other rights.
- (4) Charges for photocopying are subject to the Library Fee Regulations of Saxony.

**§ 25**  
**Exceptions to application/scope**

- (1) These regulations do not pertain to:
- a) the lending of media for exhibitions,
  - b) the publishing or facsimile of manuscripts, incunabula and rare books as well as old maps, plans or graphic arts,
  - c) the provision of reprint templates,
  - d) the production and photocopying of copies for commercial use by the user or on behalf of the user.
- (2) In these and other cases which go beyond the scope of these regulations a special agreement is to be made.

**§ 26**  
**Exclusion from usage**

- (1) Whoever repeatedly or extensively violates the user regulations or other rules of the Library may be completely or partially barred from use thereof, either on a temporary or a permanent basis. The same applies for other cases where usage is no longer deemed feasible.
- (2) The person in question must be allowed a hearing.
- (3) Obligations arising from usage remain untouched until an exclusion is decided upon.
- (4) If there has been a gross violation the Library is permitted to pass this information including the reasoning for the exclusion on to other libraries.
- (5) A revision can be applied for within a month of the exclusion notification. This must be in writing to the director of the Library.

**§ 27**  
**Final provisions**

- (1) The Library regulations were passed on 30.09.2009 by the rector following comments from the Senate on 30.09.2009 and will take effect from 1 October 2009.
- (2) The regulations will be published in the Internet on the HTWK Leipzig website under [www.htwk-leipzig.de](http://www.htwk-leipzig.de).