

Library Regulations of the Library of Jade University of Applied Sciences

Wilhelmshaven/Oldenburg/Elsfleth

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List of contents

I. General remarks

§ 1 Tasks of the library

II. General regulations

§ 2 Legal nature of the use of the library

§ 3 Admission as a user, termination of user status

§ 4 Saving personal data

§ 5 Conduct in the library

§ 6 Copyright and personal rights

§ 7 Obligation of care and liability for damages

§ 8 Inspections, property found, house rules

§ 9 Reproductions

§ 10 Opening hours

§ 11 Liability of the library

§ 12 Fees and expenses, revenue, deposits

III. Use on the library premises

§ 13 General remarks

§ 14 Information

§ 15 Use in the reading room

§ 16 Access to the store rooms

§ 17 Use of manuscripts and other special items

§ 18 Use of technical equipment

IV. Borrowing

§ 19 General borrowing regulations

§ 20 Electronic booking procedure

§ 21 Borrowing periods, extension of periods, requests for return

§ 22 Sets of reserved works

§ 23 Sets of reserved works for laboratories and institutes

§ 24 Semester sets of reserved works

§ 25 Returns

§ 26 Reminders

§ 27 Reservations

V. Interlibrary loans

§ 28 Incoming interlibrary loans

§ 29 Outgoing interlibrary loans

§ 30 Inter-campus loans

VI. Miscellaneous

§ 31 Bans

§ 32 Supplements to the library regulations

§ 33 Coming into effect

General remarks

§ 1 Tasks of the library

(1) The library of Jade University of Applied Sciences Wilhelmshaven/Oldenburg/Elsfleth (Jade University of Applied Sciences) is a public facility serving science and scientific education, in particular university studies, teaching and research, as well as professional work and further education.

(2) The university library fulfils its tasks in particular by:

- a) Making available its collections for use on its premises
- b) Lending suitable items for use outside the library
- c) Producing, facilitating or enabling reproductions of works from its own and other libraries' collections
- d) Obtaining works from interlibrary lending and making them available for borrowing
- e) Providing information based on its collections and means of information
- f) Providing information from databases
- g) Public communication work, especially through exhibitions, guided tours and lectures
- h) Issuing publications

(3) The nature and extent of activities are determined by the specific tasks of the university library as well as by its human, material and technical resources.

II. General regulations

§ 2 Legal nature of the use of the library

The use of the library is regulated by public law. Private-law agreements may be concluded on special types of use.

§ 3 Admission as a user, termination of user status

(1) Persons who wish to use the library require a permit.

(2) Use is only permitted after registration. Registration must always be made in person. It requires presentation of a valid identity card or passport. If this identification does not show the holder's place of residence, an additional official document showing the address is required. Students of Jade University of Applied Sciences must additionally present their CampusCard.

(3) Registration for use by legal entities, authorities, companies and institutions or organisational units of a university must be made by an authorised representative. The library can demand proof of authority to sign as well as the deposit of sample signatures from the authorised person.

(4) External users receive permission to use the library in the form of a library card, which remains the property of the university library and is not transferable. The CampusCard for members of the university is activated as a library card.

(5) Permission to use the card can be limited in time and subject to conditions.

(6) Permission can be made dependent on the written consent of a legal representative and/or a directly enforceable guarantee. In the case of users below the age of consent, the declaration of consent by the legal representative confirms compliance with the statutory regulations of child protection legislation.

(7) On registration, the user recognizes these Library Regulations.

(8) The user must immediately notify the university library of any changes to personal data, in particular name and address as well as any e-mail address given. The user shall bear any costs the university library incurs from failure to observe this regulation.

(9) At the end of the membership, the user must return all works borrowed from the university library as well as the library card, or present the CampusCard for de-registration. Any outstanding obligations must be settled. Obligations not settled remain applicable even after termination of the membership.

(10) In as far as a discharge from the university library is required for exmatriculation from the university, this is only issued when all obligations under Section (9) have been fulfilled.

§ 4 Saving personal data

(1) The university library records and processes personal data in as far as necessary for proper performance of its tasks. Normally, the following data is recorded:

a) User data (name and address, phone number and if applicable e-mail address, date of birth, gender, user number or CampusCard number and if applicable university matriculation number, date of registration, expiry of right of use, alteration date, user status and type).

b) Usage data (borrowing date, end of borrowing period, date of borrowing period extension, return date, reservations and orders with date, date of origin and amount of fees, compensation and expenses, note of library ban, number of current reminders, exclusion from use of the library).

(2) Usage data according to Section 1, letter b are deleted at the latest one year after their settlement.

(3) User data is deleted at the latest one year after the end of membership. If at this time the user has not met all his obligations to the university library, the data is deleted immediately after settlement of the obligations.

§ 5 Conduct in the library

(1) Users must conduct themselves in such a way that they do not hinder others in the exercise of their rights and do not disrupt library operations. They are obliged to observe the regulations of the university library. Instructions by the library staff must be followed.

(2) Coats and similar items of clothing, hats, umbrellas, bags and other receptacles which are capable of holding library property must be handed in or deposited in as far as corresponding facilities for storing them are available.

(3) Photographs, video and audio recordings of all types may only be taken in the university library with the permission of the library management.

(4) Quiet must be observed in all university library rooms dedicated to use. Smoking, eating and drinking are only permitted in the designated rooms. Users may not bring animals into the university library.

(5) The university library is entitled to forbid the use of dictation equipment, wireless phones, typewriters or other devices, or to limit their use to special workplaces.

§ 6 Copyright and personal rights

(1) Users are obliged to observe copyright law, to use literature provided in electronic form only for their own scientific or personal use, not to download them systematically, to neither send them nor use them commercially, and not to infringe any restrictions of use additionally stipulated by the university library.

(2) Users are obliged to observe third-party personal rights in as far as they can be affected by the use and processing of information which the library provides or arranges provision of.

§ 7 Obligation of care and liability for damages

(1) Users must treat library property with care. Writing on, marking, underlining, otherwise marking and tracing as well as removing inserts are prohibited. Catalogue cards must not be removed.

(2) Users must examine the condition and completeness of each work when they receive it and immediately report any damage to library staff.

(3) Any user who loses, damages or removes university library property of any kind is obliged to pay compensation, even if he is not at fault. The university library determines the nature of the compensation at its discretion. In particular, it can demand from the user restoration of the previous condition, provision of a replacement copy, another work or a similar work of the same value or a reproduction at the user's cost, or a reasonable sum of money; furthermore, the library can demand compensation for the loss in value not made up by these measures.

(4) Users must immediately report the loss of the library card or CampusCard to the university library.

(5) The user is liable for damage incurred by the library due to misuse of the library card or CampusCard, even if he is not at fault.

§ 8 Inspections, property found, house rules

(1) Users must clearly show any books, newspapers etc. that they bring with them to the supervising staff. Furthermore, the university library is entitled to inspect folders, bags and other receptacles brought in.

(2) On request, users must show library staff an official identity document and their library card or CampusCard.

(3) Any property found in the university library or removed from lockers not emptied in a timely manner are treated according to § 978 of the BGB (German Civil Code).

(4) The library management enforces the house rules; it can instruct library staff to apply the house rules.

§ 9 Reproductions

(1) On request, the university library can make or have made microfiches, microfilms and other reproductions of its works or of library works sent to it, provided there is no risk of the works being damaged. Users are solely responsible for observing the copyright and personal rights as well as other third-party rights when using these reproductions.

(2) Copies of manuscripts and other special items in the collection as well as old, valuable or fragile works can only be made by the university library or with its permission. The university library determines the type of reproduction. It can reject or restrict reproduction for reasons of conservation.

(3) If the university library itself makes the reproduction, it retains the rights that accrue from this; the original copies remain its property.

(4) Reproduction for commercial purposes (e.g. document supply services, reprints, facsimile editions, postcards) or in larger numbers require a special agreement which

also specifies the return consideration. The reproduction right and right of use may not be transferred to third parties without the consent of the university library.

(5) Special permission is required to borrow works for exhibitions or to use them for photographs and film or TV recordings.

§ 10 Opening hours

(1) The opening hours of the university library at the campuses are proposed by the library management and usually specified by the responsible Vice President. They are communicated by noticeboard.

(2) The university library or individual libraries at the campuses can be temporarily closed for compelling reasons.

§ 11 Liability of the library

(1) The university library and/or its governing body are not liable for the loss of or damage to items brought into the university library. The university library and/or its governing body are only liable for items that are stolen from the lockers if negligence of the university library can be proven; no liability is assumed for money or valuables.

(2) The university library and/or its governing body are not liable for damage caused by incorrect, incomplete, withheld or delayed library services. The same applies to damage caused by the use of data media, databases or electronic networks.

§ 12 Fees and expenses, revenue, deposits

(1) Fees and expenses are charged according to the relevant state cost regulations.

(2) Users are obliged to pay the fees displayed on the corresponding noticeboard if they order reproductions, borrow works for exhibitions or use them for photographs, films and TV recordings, or use payable database connections and other special equipment and services of the university library.

(3) The university library can charge fees to be agreed in individual cases for the private and commercial use of collections, especially for the use of reproductions from manuscripts and other valuable works.

(4) Deposits in reasonable amounts can be required for the provision of keys for cloakroom lockers, other lockers and other user equipment in the university library. If the user loses keys, making it necessary to replace locks, the user must bear the costs for this.

III. Use on the library premises

§ 13 General remarks

(1) With his use of the library equipment and services, the user undertakes to abide by the corresponding provisions of the library regulations.

(2) Access to the university library can be made contingent on presentation of a library card or a CampusCard.

(3) The university library can specify special regulations for the use of computer workplaces. Users can change the passwords created by the university library in the electronic borrowing systems. If passwords have been pre-set by the university library, users must immediately change them after receipt.

§ 14 Information

(1) The university library provides verbal and written information on the basis of its information material and within its staff and technical capacities. Insofar as the library on request by the user uses other information services, the user must reimburse the university library the expenses incurred for them.

(2) The library does not provide any guarantee of the accuracy and completeness of the information provided.

(3) The valuation of books and manuscripts is not included among the tasks of the university library.

§ 15 Use in the reading room and open-access area

(1) All works located and presented in the reading rooms and open-access areas of the university library can be used on the premises.

(2) Workplaces and booths must not be occupied when the user is not present. Users who leave the university library must clear their workplaces unless they have been allocated a permanent workplace there. Otherwise, the library staff can clear away occupied but unused workplaces and re-assign them.

(3) The reference (non-lending) collections in the reading rooms and open-access areas can as a rule only be used in the rooms where they are located and presented. After use, the works must be replaced where they belong or deposited at a place designated for this purpose. If, for security reasons, reference works are kept at the librarian's desk, they are only handed over to users against deposit of an identity document or registration of their user number or CampusCard number.

(4) All works located in the magazines or from the collections of other libraries can be ordered for use in the rooms of the university library. They can be collected from the designated point (librarian's desk, lending counter) and must be returned there. If works provided for use in the rooms of the university library are not used for longer than five opening days, the library can release them for other use.

§ 16 Access to the storerooms

Access to closed storerooms is principally prohibited.

§ 17 Use of manuscripts and other special items

(1) Manuscripts and other valuable items may only be used under disclosure of the purpose and only in rooms designated by the university library as viewing rooms. Users must observe the security precautions necessary for the preservation of these items.

(2) To ensure the protection of personal rights, the university library can exclude from use contemporary manuscripts and autographies, in particular bequests, as well as examination papers (dissertations for diplomas, Bachelor and Master degrees) for a reasonable period of time due to secrecy obligations.

(3) Texts and images from manuscripts and autographies from the university library may only be published with the consent of the university library. The same applies to publications of extracts from rare print and portrait collections. In the event of publication, the user is responsible for compliance with copyright provisions. Even after granting permission for publication, the university library retains the right to publish the corresponding texts and images itself or to allow third parties to do so.

(4) A specimen copy of all publications from and about manuscripts and autographies belonging to the university library must be supplied to the university library without request and without charge immediately after publication. The same applies on request by the university library to publications from or about rare prints. The university library retains the right to apply special regulations in individual cases. Copyright provisions remain unaffected.

§ 18 Use of technical equipment

(1) Within its means and capacities, the university library provides technical equipment for the use of information media.

(2) Any defects detected before and during use must be reported to library staff immediately.

(3) The technical equipment is used for literature and information searches as well as their processing for study, research, teaching and educational purposes. Misuse may lead to a ban on using the equipment.

IV. Borrowing

§ 19 General borrowing regulations

(1) The works in the university library can be borrowed for use outside the university library. Generally excluded from this are:

- a) Reference collections
- b) Manuscripts and autographies
- c) Particularly valuable works, especially works older than 100 years
- d) Anthologies and loose-leaf works
- e) Volumes of plates, maps, atlases
- f) Newspapers
- g) Unbound works, bound or individual editions of unbound magazines
- h) Typed dissertations
- i) Microforms

(2) The library management can exclude other works from lending, or restrict their lending. In particular, it can block individual works or groups of literature from lending or, if they are already borrowed, require their return.

(3) In the case of reference works, the library management can specify special conditions for short-term borrowing, e.g. overnight or over the weekend.

(4) The provision of works subject to heavy demand can be restricted to the rooms of the university library.

(5) The university library is entitled to limit the number of individual orders and volumes borrowed simultaneously.

(6) The library can demand as a condition for borrowing works which are not suitable for unlimited use proof of scientific or professional purposes.

(7) Generally, the user must collect the works to be borrowed personally from the lending counter. Generally, the user must present works taken from the open-access collection personally at the lending counter or book them using a self-service booking machine.

(8) The borrowing procedure is complete with the borrowing booking and handing over of the work to the user. The borrower is liable for the work from this time until he returns the work, even if no fault on his part can be proven.

(9) Generally, ordered or reserved works are not held ready for longer than five opening days.

(10) The university library is entitled but not obliged to hand over works to any person who presents the corresponding library card.

(11) Borrowed works must not be passed on to third parties.

§ 20 Electronic booking procedure

(1) Users can borrow works using their library card or CampusCard at the university library booking tables. The automatic logging of the borrowing procedure is valid as evidence of the handover of the work.

(2) Self-service for certain procedures can be permitted at the designated terminals. This applies in particular to:

- a) Book enquiries (title, borrowing status)
- b) Orders
- c) Extensions of the borrowing period
- d) Reservations
- e) Overview of the borrowing, fee, and cost account
- f) Borrowing using self-service machines

(3) In the case of automatic borrowing, the borrowing slip can be dispensed with. During electronic ordering, the user must enter his user number and password.

§ 21 Borrowing periods, extension of periods, requests for return

(1) The normal borrowing period is 28 days. According to the requirements of the user service, the university library can specify a different borrowing period.

(2) The borrowing period can be extended on request if the work is not required by another user and the borrower has fulfilled his obligations towards the university library. Borrowing period extensions can be excluded according to the requirements of the user service. Users must apply for borrowing period extensions before expiry of the borrowing period. The user is obliged to check whether the extension has been granted in his user account.

(3) The university library limits the number of borrowing period extensions. When extending the borrowing period, the university library can require presentation of the borrowed work. No extension beyond the period of entitlement to use the library is granted.

(4) The university library can require the return of a work within the extended borrowing period if it is required for library purposes or urgently needed by another user. It can order a general return of all works for the purpose of a revision.

(5) In the case of works required for longer periods for research purposes, the library can extend the period several times without any special request as long as no reservations have been made.

§ 22 Sets of reserved works

(1) Jade University staff can borrow sets of reserved works consisting of works constantly required for their work. As far as possible, sets of reserved works should be kept in the workplace.

(2) Normally, no more than 30 works can be borrowed in this way.

(3) The borrowing period for all works in the set of reserved works is two semesters. If required, the borrowing period can be extended. The library management can require a return or renewed borrowing due to revision requirements of the state of Lower Saxony or for work purposes.

(4) Other users must be allowed access to the works borrowed in the set of reserved works. If a user requires a work not only for viewing in the set of reserved works, it may if appropriate be made available for a limited time.

§ 23 Sets of reserved works for laboratories and institutes

(1) Works constantly required for work in laboratories or institutes can be transferred as permanent loans. The set of reserved works must be kept in the laboratory or institute.

(2) Each laboratory or institute can borrow at the most one set of reserved works with as a rule not more than 40 works.

(3) The Head of the laboratory or institute is responsible for the set of reserved works. He can nominate and inform the university library of one or more authorised persons who are entitled to borrow from the laboratory or institute set of reserved works.

(4) Other users must be allowed access to the works borrowed in the laboratory or institute set of reserved works. If a user requires a work not only for viewing in the set of reserved works, it may if appropriate be made available for a limited time.

§ 24 Semester sets of reserved works

(1) Teaching staff at Jade University can have works constantly required for a course of lectures or teaching set aside in the library rooms as a semester set of reserved works for students, consisting usually of not more than 30 works.

(2) Works in the semester set of reserved works are considered reference works and can be borrowed for a short period of time upon agreement.

(3) As a rule, semester sets of reserved works are released at the end of the semester lecture time.

§ 25 Returns

Borrowed works must be returned to the university library before expiry of the borrowing period. Proof of timely returns is provided by return receipts issued by the university library on request. Receipts issued with the aid of electronic data processing are valid without a signature.

§ 26 Reminders

(1) Reminders are sent by post or e-mail to users who exceed the borrowing period without applying for an extension in due time. If the user fails to react to this reminder on time, he receives a second reminder. If he fails to adhere to the return date specified therein, he receives a third reminder by registered mail specifying a deadline of 14 days. Simultaneously, the university library points out the legal consequences of a failure to observe the deadline (Section 5). If the user has stated an e-mail address, the library is entitled to conduct the necessary correspondence, including the first and second reminders, by e-mail.

(2) The reminder charge is incurred upon issuing the reminder and sending the e-mail.

(3) Reminders to return works are considered delivered three days after being posted. They are also considered delivered if they are sent to the last address given by the user, but are returned as undeliverable. E-mail reminders do not require a signature and are considered delivered immediately.

(4) The university library can refuse to lend further works to the user or to extend borrowing periods as long as the user does not follow the instruction to return works or does not pay charges due.

(5) If, after the third reminder or a corresponding communication (Section 6), the user does not return the work within the deadline of 14 days, the library can act as follows:

- a) Have the book collected from the user's residence
- b) Purchase a replacement or demand compensation for the value
- c) Apply means of administrative compulsion.

(6) The university library can dispense with reminders and instead charge delay fees for late returns of works. If the user, after expiry of the borrowing period, fails to return the borrowed work within a deadline specified by the university library, he receives a further deadline of 14 days, delivered by registered mail. The legal consequences of failure to observe this deadline are pointed out (Section 5).

§ 27 Reservations

- (1) Works already borrowed can be reserved for borrowing or for use in the university library rooms.
- (2) The university library can limit the number of reservations of the same book and the number of reservations per user.
- (3) For data protection reasons, no information is provided on who has borrowed a work.

V. Interlibrary loans

§ 28 Incoming interlibrary loans

- (1) Works which are not available in the library can be ordered via the university library from an external library via the regional, German or international interlibrary loan system. Lending is according to the provisions of the lending regulations in each case, according to international agreements and in line with the special conditions of the lending library.
- (2) Orders and associated applications such as applications for extensions or exceptions must be made through the library that organises the interlibrary loan. Applications for extensions should be the exception.

§ 29 Outgoing interlibrary loans

- (1) The university library makes its collections available for loans to other libraries according to the terms of the valid interlibrary loan regulations.

§ 30 Inter-campus loans

- (1) The university library makes its collections available free of charge to library users at the other Jade University campuses for inter-campus loans.
- (2) Users who borrow works via inter-campus lending must return them to the library at the campus where the works were borrowed and booked/registered.

VI. Miscellaneous

§ 31 Bans

- (1) If a user severely or repeatedly infringes the provisions of the library regulations, or if special circumstances otherwise make continuation of the user status untenable, the university library can temporarily or permanently, also partly, ban the user from using the university library. After the ban, all obligations resulting from the use of the library remain valid.

(2) In the event of particularly serious infringements, the university library is entitled to inform other libraries of the ban and the reasons for it. The library reserves the right to place criminal charges.

§ 32 Supplements to the library regulations

The library management is entitled to issue implementation provisions relating to these library regulations.

§ 33 Coming into effect

These library regulations come into effect on the day after announcement or publication in the university. Simultaneously, the regulations dated 17.10.2006 (Amtl. MittBl FH OOW, ed. 56/2006 dated 23.10.2006) cease to be in force.