

# **Translation of the Library Rules German National Library of Economics Leibniz Information Centre for Economics (ZBW)**

Based on Section 49, Para. 3, Clause 1 of the General Administrative Law of Schleswig-Holstein (Landesverwaltungsgesetz – LVwG –) as published on 02 June 1992, last amended by law on 13 April 2007, GVOB1.2007, p. 234, the Foundation Council of the ZBW issues the following Library Rules for the German National Library of Economics – Leibniz Information Centre for Economics.

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## I. General Regulations

### 1. Duties and Responsibilities of the Library

Under the law establishing the foundation “German National Library of Economics – Leibniz Information Centre for Economics” enacted on 30 November 2006, the purpose of the ZBW is to collect and index internationally published literature on economics. It offers comprehensive services that facilitate the efficient and effective utilisation of economics-specific information for research and teaching.

### 2. Entitlement to Library Use and Legal Nature of Membership

- (1) All natural and legal persons are eligible to use the ZBW for purposes corresponding to Article I (1).
- (2) Use of the ZBW constitutes a contract under public law between the library and the user. The enforcement of house regulations remains unaffected.
- (3) The user agrees to abide by the Library Rules when using the ZBW or when signing the application for membership.

### 3. Charges, Fees and Deposits

- (1) There are no general charges for using the ZBW. The use of individual services may incur charges according to the applicable schedule.
- (2) The ZBW may charge fees, to be agreed individually, for the commercial use of its holdings, in particular for the utilisation of reproductions (see Article 12).
- (3) The ZBW may charge a refundable deposit for the use of keys to cloakroom closets, lockers and other facilities.

## II. General Rules of Usage

### 4. Membership

- (1) Any person wishing to use the library on its premises must apply for membership.
- (2) Membership of the library must be applied for in person and will be granted on production of a valid identity card or passport together with verification of the applicant’s address by the residents’ registration office.

- (3) Legal persons should apply for membership through their authorised representative, stating his or her personal data according to Article 4 (2), with their office or company stamp (address). Proof of authority to sign must be provided. The authorised representative shall name to the ZBW all persons who are authorised to use the user card. The ZBW must be notified immediately if this authorisation is withdrawn.
- (4) Membership is granted by the issue of a user card. The user card remains the property of the ZBW. The user is responsible for its safekeeping. It is not transferable. In case of loss the ZBW must be notified immediately.
- (5) The password assigned on registration must be changed by the user. The user is responsible for the safeguarding of the password.
- (6) The ZBW must be notified immediately of any change of address, including e-mail address. The user will be held responsible for costs and damages accruing to the ZBW as a result of non-compliance.
- (7) If membership ends according to Article 24 (1), all items borrowed from the ZBW and the user card must be returned. All outstanding debts must be settled.

## **5. Privacy Policy**

- (1) The library collects and stores personal data within the scope of statutory data protection provisions to the extent that is required for the legal fulfilment of its responsibilities.
- (2) All data referring to loans are deleted once the item in question has been returned by the user and all outstanding charges, expenses and fees have been paid and all indemnities due have been settled. Blocking flags will be deleted once the corresponding debts are settled.
- (3) Flags regarding temporary suspension of borrowing privileges will be deleted one year after the term of suspension has expired.
- (4) Users' personal data will be deleted at the latest one year after membership has ended. If the user has not discharged all liabilities towards the library at this time, data will be deleted immediately after these liabilities have been met.
- (5) By accepting the Library Rules, users also accept that in order to dismiss third-party claims for damages and liabilities arising from the non-observance of Article 10 (4), the ZBW may restrict their data protection rights regarding their use of the ZBW.
- (6) The ZBW may inhibit access to internet services that are in violation of criminal law or the law on the protection of children and young people. In cases of such violation the ZBW may use such logfiles as are technically feasible as evidence.

## **6. Copyright Law**

- (1) Users are required to comply with copyright law.
  - (2) Literature provided in electronic format may only be used for private study and research. It may not be downloaded systematically, mailed or e-mailed or used for commercial purposes.
7. General Rights and Duties of Users

- (1) Users are entitled to use the library's services. In the interest of all users, time limits may be imposed on the use of those ZBW services which are in heavy demand.
- (2) Users are obliged to follow the Library Rules and the instructions of library staff members. They are liable for any damages to the ZBW resulting from non-observance of these obligations.
- (3) Users must treat all library holdings and equipment with due care. No alterations (comments, underlining, folding of pages, tracing etc.) may be made. Leaves must not be removed from folders or loose-leaf editions, and cards must not be removed from catalogues.
- (4) Users are obliged to check the condition and integrity of each item on receipt. Anyone wishing to use a piece of equipment must verify that it is functional and undamaged. Users must notify library staff immediately of all damage or faults noted before or during use.
- (5) Users must notify library staff immediately of damages to, or losses of, library property and are liable for compensation under Article 10.
- (6) If library property which has been reported as lost is returned at a later date, users are entitled to receive the replacement copy or any copies made of the item in question. Article 3 (1) remains applicable.

## **8. Conduct in the Library**

- (1) Users must conduct themselves in a manner that does not interfere with the legitimate rights of others and the running of the library. In all rooms dedicated to user services, silence must be observed. Eating and drinking is only permitted in designated areas. No animals except guide dogs may be brought into the library.
- (2) Smoking is prohibited in the ZBW.
- (3) Coats and other items of clothing, umbrellas, bags etc. may not be brought into the user service area. These items can be stored in the lockers provided by the ZBW.
- (4) Lockers may be used only during the opening hours of the ZBW. The ZBW has the right to empty lockers not vacated in time.
- (5) Photographs and film or audio recordings of any kind may only be made inside the library with prior permission by the library management or persons designated by the library management.
- (6) The use of technical equipment brought into the ZBW (such as mobile phones or laptops) may be prohibited or restricted to certain workplaces.
- (7) Guided tours of the ZBW may be given by library staff only. The library management or a person appointed by them decides on any exceptions.
- (8) Access to non-public rooms of the ZBW is not allowed. The library management or a person appointed by them decides on any exceptions.

## **9. Right of Inspection and Lost Property**

- (1) The ZBW has the right to implement the necessary arrangements for inspection to safeguard its holdings.
- (2) All books, journals etc. must be shown to personnel at the reception desk or door control. The ZBW also has the right to inspect the content of briefcases, bags or other containers.

- (3) On request a valid identity or library card must be shown to library staff members.
- (4) Lockers may be inspected if misuse is suspected.
- (5) Items found in the ZBW or removed from lockers not vacated in time will be dealt with in accordance with Article 978 of the German Civil Code (BGB).

## **10. Liability and Warranty**

- (1) The ZBW is not liable for the loss of, or damage to, items brought into the library. This also applies to items such as money or valuables and items lost from the lockers provided.
- (2) The ZBW is not liable for damages resulting from incorrect, incomplete, omitted or delayed library services. The same applies to damage resulting from the use of data carriers, databases or electronic networks and to damages resulting from faulty contents of used media or from third-party misuse of data which may result from insufficient data protection on the internet.
- (3) The limitations of liability under Article 10 (1) and (2) apply only if the damage is not the result of malice aforethought or gross negligence on the part of staff members of the ZBW.
- (4) The ZBW is not liable for the consequences of copyright infringements by library users. Neither is it liable for the non-fulfilment of contractual obligations between users and internet service providers.
- (5) Users must in due time make full compensation for the loss of, or damage to, library property which has occurred during their use of it even if they cannot be proven to be at fault. The ZBW decides the amount and the kind of compensation to be made at its own discretion. In the case of irreplaceable works compensation for the full value of the work may be demanded in addition to the cost of reproducing the item. If a damaged item can be repaired, the user must pay for the cost of the repairs.
- (6) Users are liable for damages to technical equipment beyond the normal wear and tear if they can be proven to be at fault.
- (7) Users are liable for damages resulting from the loss of the user card or the misuse of the password by third parties even if they cannot be proven to be at fault.

## **11. Opening hours**

The opening hours of the ZBW are set by the library management and displayed on the notice board.

## **12. Reproductions and Publications**

- (1) On request, and for a fee, microfiches, microfilms and other reproductions can be made by, or on behalf of, the ZBW of items either held by the ZBW or sourced from other libraries, provided that this will not damage the items. Users are solely responsible for observing all copyright, personality or third-party rights regulations when using these reproductions.
- (2) Reproductions from handwritten manuscripts and other special collections as well as from old, valuable or fragile works may only be made by the ZBW or

with its permission. The ZBW determines which method of reproduction is to be used. It may refuse or restrict reproduction on conservation grounds.

- (3) If the ZBW itself makes the reproduction, the ensuing rights remain with the ZBW; the original recordings remain the property of the ZBW.
- (4) Reproductions for commercial use (e.g. document delivery services, reprints, facsimile editions, postcards) or in great number require a specific agreement which also states the quid pro quo. The right of usage and reproduction may not be transferred to third parties without the prior agreement of the library.
- (5) Texts and images from the holdings of the library may be published only with the ZBW's agreement. In case of publication the user is responsible for observing copyright regulations. Even after granting permission to publish the library retains the right to publish the relevant texts and images itself or to permit publication by third parties.
- (6) A specimen copy of every publication from or about the holdings of the library must be provided to the library unsolicited and without cost immediately after publication. The library reserves the right to make special provisions in particular cases. The provisions of copyright law remain unaffected.

### **III. Usage on the Premises**

#### **13. Using the reading rooms**

- (1) All items held in the user service area may be used there. The items must be returned to their proper place after use or placed in a designated space.
- (2) All items held in the stocks or in the property of other libraries may be ordered for use in the reading room. These items must be returned to the loan desk after use.
- (3) Library property which is not suitable for unrestricted use may only be viewed on proving professional or scientific purpose. To safeguard personality rights, library property may be withheld from use for an appropriate period.
- (4) Desks in the reading rooms must be cleared when the user leaves the library for the day.

#### **14. Using expensive and/or rare items**

Valuable and rare items may only be used in viewing rooms designated by the library after stating the intended purpose. The safety arrangements for preserving these items must be observed.

#### **15. Using IT infrastructure and internet workstations**

- (1) All IT infrastructure and internet workstations are to be used only for academic or professional purposes or education as defined by the purposes of the ZBW under Article 1.
- (2) Users undertake to observe the regulations of the criminal law and the law on the protection of children and young people. They undertake neither to use nor to disseminate illicit information at the PCs and internet workstations. The use and dissemination of pornographic or ultra-right information is prohibited. Users undertake to observe the data and data property protection laws, not to manipulate files and programmes of the ZBW or third parties and not to use protected data.

- (3) Users are not allowed to change the PC and network settings, independently repair malfunctions or install programmes on the PCs that were either brought in on data carriers or downloaded from the internet.
- (4) The library staff are authorised to issue instructions when the Library Rules are violated, in particular Article 15 (1) to (3), or when misuse is suspected. They are authorised to bar users from using equipment. Written appeals against the bar, giving the reasons, may be addressed to the management of the ZBW within four weeks.

#### **IV. Borrowing**

##### **16. General Rules for Borrowing**

- (1) Items held in the ZBW can be borrowed for use outside the library, except for the following:
  - (a) holdings marked as works of reference
  - (b) journals and newspapers (bound and unbound)
  - (c) items older than 100 years
  - (d) items younger than 100 years which are expensive, rare or valuable
  - (e) loose-leaf editions, unbound items
  - (f) microforms
  - (g) maps
- (2) The management can lift or tighten borrowing restrictions and recall the respective items.

##### **17. Borrowing**

- (1) Users must personally collect requested items at the loan desk showing their user card.
- (2) The ZBW is entitled but not obliged to issue the items to any person showing his or her user card.
- (3) Once the order data are entered or automatically read and the call number or corresponding charging data is entered, the owner of the user card is charged as borrower.
- (4) Items which cannot be charged electronically can be borrowed using a charging slip signed by the user.
- (5) Requested and reserved items will be held for collection at the loan desk for five business days.
- (6) Borrowed items must not be transferred to third parties.

##### **18. Returns**

- (1) Borrowed library property must be returned by the due date. Items must also be returned if the ZBW recalls an item before the end of the loan period.
- (2) On return, the user's account will be credited either by deleting the entry in the charging system or by destroying the charging slip.
- (3) Return receipts can be issued by the ZBW on request. Electronically produced receipts are valid without a signature.
- (4) Users are obliged to check the return of items on their user accounts. Complaints must be lodged immediately.

## **19. Reservations**

- (1) Items currently on loan can be reserved for loan or use in the reading room on their return. The user will be notified when the requested item is available.
- (2) No information will be given as to who has borrowed or made a reservation for an item.
- (3) The ZBW may limit the number of reservations for a particular book and the number of reservations per user.
- (4) The ZBW is entitled to charge a reservation fee. The fee is determined by the applicable schedule.

## **20. Loan period, Renewals, Recalls**

- (1) The loan period is normally set at 28 days. The ZBW may set other periods according to necessity.
- (2) The loan can be renewed if the item is not needed elsewhere and the borrower has fulfilled his liabilities towards the ZBW.
- (3) Users must renew the loan themselves before the due date. Users are obliged to check the renewal on their user accounts. Complaints must be lodged immediately.
- (4) The ZBW limits the number of loan renewals. The ZBW may demand that an item be presented when renewing the loan. Renewals will not be granted beyond the valid period of membership (under Article 24).
- (5) The ZBW may recall an item before the end of the loan period if it is needed for library purposes. It may order a general recall of all items on loan for revision.
- (6) The ZBW may set special conditions for short-term loans, such as overnight or over the weekend, or for works of reference. These loans cannot be extended.

## **21. Exceeding the Loan Period and Liability for Replacement**

- (1) If the loan period for an item is exceeded a fine according to the applicable schedule must be paid.
- (2) The ZBW is entitled but not obliged to send a written reminder for the return of the borrowed item. Reminders are considered as served three days after they have been posted. E-mail reminders do not require a signature and are considered as served instantly.
- (3) As long as the borrower does not comply with the reminder or does not pay the fines owing, the ZBW may cease to loan other items and refuse the renewal of existing loans.
- (4) With the fourth reminder the user card will be blocked. The user cannot place further orders. If the borrowed item is not returned within 14 days of the fourth reminder, the library may
  - (a) procure a replacement copy or demand replacement of the value and
  - (b) implement measures of administrative coercion.
- (5) For individual forms of use or groups of users the loan of further items may be suspended after the first reminder. This refers in particular to overdue items on short-term loan according to Article 20 (6).

## **V. National Literature Supply – Document Delivery**

## **22. Ordering through interlibrary lending and document supply services**

Items not held in the ZBW can be requested from other libraries through regional, national and international interlibrary lending or through document supply services. These are arranged by the ZBW and carry charges. Loans are regulated by the applicable interlibrary loan code, by international codes and by the particular rules of the lending library.

## **23. Deliveries through interlibrary lending and document supply services**

- (1) The ZBW makes its holdings available through interlibrary loan and various document supply services. Charges must be paid according to user group as set out in the applicable schedule of fees.
- (2) If necessary, users must provide proof that they belong to a particular user group.

## **VI. Miscellaneous**

### **24. Ending Membership**

- (1) If a user wishes to end his or her membership or if the conditions for membership are no longer met, all borrowed items and the user card must be returned. The user account may be deleted without notification if it has not been used for a long period.
- (2) If a user repeatedly or seriously violates the Library Rules, or if the continuation of the membership has been rendered unacceptable through exceptional circumstances, the ZBW may exclude the user temporarily, permanently or partially from the use of the library. All obligations resulting from the user's membership remain in force after the exclusion.
- (3) In cases of particularly serious violations the ZBW reserves the right to inform other libraries about the exclusion and the reasons for it. The ZBW reserves the right to prosecute.

### **25. Amendments to the Library Rules**

- (1) The management of the ZBW has the right to add amendments and implementation statutes to the Library Rules.

### **26. Entry into force**

- (1) The Library Rules were passed by the Foundation Council of the German National Library of Economics on 27 June 2007.
- (2) The supervising authority, the Schleswig-Holstein Ministry of Science, Economics and Transport, authorised the Library Rules according to Section 49, Para. 3, Clause 1 LVwG S-H on 10 September 2007.
- (3) They entered into force on 11 September 2007.