

Framework regulations for use of the University of Tübingen library system

In accordance with §§ 8 (5), 10 (8), in connection with § 19 (1) p. 2 no. 9 of the law governing Baden-Württemberg institutions of higher education, Landeshochschulgesetz (LHG) of 01 Januar 2005 (GBl. p. 1), most recently amended by article 1 of the law dated 07 February 2011 (GBl. p. 47), the University of Tübingen Senate on 09 June 2011 passed the following regulations.

Preliminary remarks

All references to natural persons in this statute are gender-neutral.

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§ 1 Area of application, implementation

(1) These regulations apply to the library system of the University of Tübingen, which consists of the University Library and the libraries assigned to permanent units for research and teaching (decentralized specialist libraries).

(2) Use of a library constitutes acceptance of the corresponding regulations for use. "Use" is defined as entering the library as well as making use of any of the library's services.

(3) The libraries are entitled to issue implementation provisions for these regulations.

In the case of the University Library, this is done by the library management in agreement with the University management; in the case of the decentralized specialist libraries, it is done by the departmental library management in agreement with the management of the unit or the person appointed by the unit management.

§ 2 Tasks

(1) In accordance with the law governing institutions of higher education (Landeshochschulgesetz), the University's library system performs tasks relating to the provision of academic literature and information and offers other services for study, teaching and research.

(2) The University Library also performs tasks of regional and supra-regional importance such as interlibrary loans, professional training and participation in the German Research Foundation's system of supra-regional literature supply. The tasks set out in para. (1) have priority.

§ 3 Legal nature of the user relationship

The user relationship is governed by public law. In addition, special uses may be agreed under private law.

§ 4 Eligibility to become a library user

(1) The library system services may be used by all members, affiliates and institutions of the University of Tübingen and the other institutions of higher education in the Tübingen region.

(2) Other natural persons (external users) are entitled to use the University Library within the scope of the dedicated tasks set out in § 2 para. (1) of these regulations.

(3) The use of decentralized subject libraries by external users is governed by implementation provisions in accordance with § 1 para. (3).

§ 5 Admission as a user

(1) The use of library system services is generally possible without formal admission.

Some services – in particular lending and interlibrary loan – require special authorization in accordance with the relevant implementation provisions under §1 para. (3) of these regulations.

(2) Use may be granted for a limited period of time only; it may be subject to conditions or requirements, and/or it may be restricted to sections of the library only. Admission may for good cause be denied to external users. If a user seriously or repeatedly violates the usage regulations or the implementation provisions under § 1 para. (3) or if the continuation of a usage relationship has become insupportable due to the occurrence of special circumstances, the user may be temporarily excluded from all usage or from forms of usage. External users may also be permanently excluded from use. The right of the University President to prohibit use of the library under privacy law remains unaffected. The user's obligations arising from the user relationship remain unaffected by the exclusion.

§ 6 Opening hours

(1) The use of library rooms is possible during opening hours only.

(2) The opening hours and any necessary closures will be announced in an appropriate way.

§ 7 Borrowing and use of reference works

The libraries decide on the nature and manner of borrowing from their collections. Details of borrowing and special provisions for use within the libraries (reference collections) are governed by implementation provisions in accordance with § 1 para. (3).

§ 8 Fees, expenses and charges

The charging of fees, expenses, and charges under private law is governed by the Statute on the levying of library fees at the University of Tübingen (Bibliotheksgebührenordnung), as amended.

§ 9 Duties of care and conduct

(1) Every user must behave in such a way that neither other users nor the operation of the library are disturbed. Media, equipment and other library property must be treated with care.

(2) The instructions of library staff must be followed. Official identification must be shown upon demand. Library staff are entitled to inspect items which users have with them, including the contents of bags, folders and other containers.

(3) The carrying of overclothes, bags, umbrellas or food is strictly prohibited in the decentral specialist libraries and in the reading rooms of the University Library .

(4) Eating and drinking, loud talking and other noise as well as the use of electronic devices are permitted only in the rooms or work areas provided for this purpose.

This is a courtesy translation of the legally binding Rahmenbenutzungsordnung des Bibliothekssystems der Universität Tübingen.

(5) Users who receive library materials must check their condition and report any damage to the library staff without delay.

(6) The user card or an equivalent card must be kept carefully and its whereabouts checked at regular intervals. The library must be notified immediately of any loss. This applies accordingly to the access data to electronic facilities.

(7) Photographs and sound recordings of any kind may be made in the University Library only with the approval of the management and in the decentralized specialist libraries only with the approval of the respective library director in consultation with the head of the unit or a deputy appointed by the latter. Film and television recordings require the approval of the University President.

(8) In all other matters, the University's rules and regulations apply.

§ 10 IT workstations

(1) Users of the computers/ IT workstations must observe all legal regulations and good custom.

(2) Use is conditional on the user's official, academic or study-related purpose. It may be regulated if necessary.

§ 11 User liability

(1) If library materials are lost, damaged or not returned after reaching the highest default level or, in the case of short-term borrowing, after a request for return with an appropriate deadline, the user must pay damages according to the University of Tübingen statute on the levying of library fees in its respective current version.

(2) The user is liable for damage caused by misuse of the user ID or equivalent, or by misuse of access data to electronic facilities up to the time the library receives notice of the loss or it receives a blocking request.

(3) If an infringement of copyright by a user gives rise to the University's own liability under the copyright law, the user shall indemnify the University against such liability. The user's own liability, in particular that under copyright law, remains unaffected.

§ 12 Library liability

(1) The library is not liable for loss or damage to items brought into the library. This applies also to items stored in lockers.

(2) The library is not liable for damages caused by incorrect, incomplete, omitted or delayed library services. This applies also to damage to files or data storage media that arise from the use of electronic services.

(3) The exclusion of liability shall not apply in the event of intent or gross negligence.

§ 13 Data security

The libraries collect, store, update and use user data within the framework of the legal provisions, insofar as this is necessary for the legitimate fulfillment of their tasks. Upon request, they provide the library user with information about the data stored about him or her.

§ 14 Reproductions

(1) The user is responsible for compliance with copyright provisions when making reproductions of any kind.

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(2) Reproductions from manuscripts as well as old, valuable or fragile works may only be made by the library or with its consent. The provisions of the University of Tübingen statute on the levying of library fees apply.

§ 15 Effective date

These regulations come into effect on the date of their publication in the University of Tübingen's official bulletin, the Amtliche Bekanntmachungen. The previous regulations for use of the University Library of Tübingen (passed by the administrative council on 10.10.1989 and 17.10.1990; enacted by the state Ministry of Science, Research and the Arts on 3.12.1990) become invalid simultaneously.

Tübingen, 09.06.2011
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