

Library Rules of the Bielefeld University Library of 3 May 2021

Based on § 2(4) and § 29(2) of the Higher Education Act of the State of North Rhine-Westphalia (*Hochschulgesetz*; HG) of 16 September 2014 (GV. NRW. p. 547), last amended by Article 2 of the Act of 25 March 2021 (GV. NRW. S. 331), Bielefeld University has issued the following Library Rules for use of the university library:

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§ 1

Tasks of the library

- (1) The Bielefeld University library is a central service of the Bielefeld University. It is a centrally managed, comprehensive research library. Its inventories are organised decentralised in departmental libraries.
- (2) It primarily serves the purposes of research, teaching, and study at the Bielefeld University. It is also available for purposes of professional and personal information and further education.
- (3) The library shall perform these tasks by
 - a) acquiring media and making them accessible,
 - b) making its inventory available for use in the library's premises,
 - c) loaning out part of its inventory for use outside of the library,
 - d) enabling online access to digital resources within the scope of available rights,
 - e) making digital reproductions of its own media in accordance with the rules of copyright,
 - f) procuring media by way of inter-library loans and making them available for loans,
 - g) providing information based on its inventory, databases, and information resources,
 - h) providing consultation and training in library use, use of the library's services and its technical facilities,
 - i) providing information literacy training,
 - j) providing learning spaces and workstations in its premises,
 - k) performing public-relations work, in particular through exhibitions, guided tours, and presentations,
 - l) offering academic publishing services to university staff.

- (4) The nature and scope of the services are determined by the library's staffing, facilities, and technical equipment.

§ 2

Legal nature of the user relationship

The user relationship shall be governed by public law.

§ 2a

Director's tasks

- (1) The director of the university library shall be responsible for the university library's tasks being performed. They shall decide on all matters concerning the university library, subject to other responsibilities.

(2) The director of the university library shall regulate use of the university library subject to the following provisions.

§ 3 Admission to use

(1) All members and affiliates of the Bielefeld University as well as any school pupils admitted to the Bielefeld University in accordance with § 48(6) HG NRW are free to use the university library. There generally shall not be any separate verification of admission to use in accordance with paragraph (2).

(2) Upon request, natural persons may be admitted to use of the university library for the purposes specified in § 1(2) if they have a permanent residence in Germany. Admission may be subject to a secondary provision (in particular a time limit, condition, requirement). The university library may refuse people who appear unsuitable, require submission of a guarantee, official certification of the guarantor's signature, and confirmation of registration. Minors may be required to obtain the written consent of their legal representatives.

(3) The application must always be filed in person. Information on last name, first name, date of birth, gender, address, and email address must be submitted. A photograph that meets the requirements for issuing of a library card must be submitted. At the same time, a valid ID card or passport must be presented in conjunction with a confirmation of registration no older than one year.

(4) Admission to use the library is granted upon issuing of the library card in accordance with § 3a.

(5) These Library Rules are accepted upon handover of the library card in accordance with § 3a or upon entering the university library.

(6) Admission to use shall be revoked for anyone who loses their status under paragraph (1).

(7) Admission to use may be revoked:

- a) if admission to use is subject to a requirement and that requirement is not met or not met within the set time limit;
- b) if any facts that could have caused admission to be refused become known and continue to apply or occur after admission to use;
- c) if someone not covered by paragraph (1) has not used a particular service under § 5(1) in more than two years;
- d) if these Library Rules are violated.

(8) Upon revocation of admission to use, all media borrowed from the university library must be returned. Any outstanding fees, compensation, and expenses shall become due and payable at the latest upon revocation. The library card shall be blocked. Library cards in accordance with § 3a(3) and (4) must be returned.

(9) Admission to use shall also end upon the user's request. Paragraph (8) shall apply accordingly.

§ 3a Library card

(1) The UniCard issued as a student ID card with chip function and photo shall serve a double purpose as a library card for students at the Bielefeld University.

(2) The UniCard issued as a service card with chip function and photo shall serve a double purpose as a library card for members and affiliates of the Bielefeld University.

(3) Other members and affiliates of the Bielefeld University (in particular any lecturers, occasional students, secondary students, and visiting scientists not employed by the university) as well as young students in accordance with § 48(6) HG NRW who do not have a UniCard as a student ID or as a service card shall have a UniCard with chip function and photo issued to them as a library card. This card shall remain the university's property.

(4) Other natural persons shall receive a UniCard issued as a library card with chip function and photo that shall remain the university's property.

(5) The library card cannot be transferred. Users may authorise other users to borrow media for their loan account.

(6) The library card must be kept carefully and any misuse, in particular by other persons, must be prevented. The holder of the library card shall be obligated to regularly verify its whereabouts and report any loss of the card to the university library or to an office appointed by the university library without undue delay. The holder of the library card shall generally be liable for any damage caused by misuse of their library card.

(7) Library cards in the form of a barcode card that are still valid when these Library Rules enter into effect shall be rendered invalid at a time determined by the director of the university library. This shall be announced in time.

§ 3b Communication by email

(1) Correspondence between the university library and the users shall take place mostly automated by email. This shall apply in particular to pre-order and reservation notifications, return reminders, fee notifications, and receipts. The university library reserves the right to send individual letters by mail.

(2) The email address assigned by the university's Bielefeld IT Service Centre (BITS) ("...@uni-bielefeld.de") shall be used for email communication with users in accordance with § 3(1). Where any users in accordance with § 3(1) file any other email address for communication in library matters in the University's Identity Management portal, that email address shall be used.

(3) The email address provided by the user in the context of admission in accordance with § 3(3) shall be used for any email communication with users in accordance with § 3(2).

§ 4 Processing of personal data

(1) The university library shall process the following personal data to the extent necessary for the legitimate performance of its tasks:

1. Personal data
 - First name, last name, title, gender, date of birth, photo
 - Primary identifier, library user group, status, date of last user activity, preferred language, other identifiers
 - Contact details (email address, address, telephone numbers)
 - Blocks, fees
2. Usage data within the scope of loans
 - Loans (title, due date, borrowing date, loan status, loan note)
 - Returns (title, return date)
 - Pre-orders (title, order date)

(2) Personal data shall be processed in the university library in compliance with the applicable legal data protection regulations. The scope of disclosure of collected data shall depend on the scope required for performing the respective task, under consideration of Art. 5 GDPR. The data shall be erased as soon as they are no longer required by the university library. The requirements of the directives on retention, segregation, archiving, and destruction of records for the Bielefeld University shall not be affected by this.

§ 5 Rights and obligations

(1) Anyone admitted to use of the university library shall have the right to use the particular services named in these Library Rules, in particular use within the university (§ 10), loans (§ 11), pre-orders (§ 15), orders by way of inter-library loans (§ 16), and the reproduction service (§ 17).

(2) Anyone using the library shall conduct themselves in compliance with the academic nature of the library. The instructions of the library staff issued for compliance with the Library Rules must be observed. The reading room must remain quiet.

(3) An official ID and the library card must be presented to library staff upon request.

(4) Bags, coats, umbrellas, luggage, animals, food, drinks, etc. must not be taken into the library. Smoking, eating, and drinking are generally not permitted.

(5) Photographs, film, and sound recordings of any kind must only be made within the library upon the consent of the director of the university library.

(6) The media in the library as well as any media obtained through inter-library loans shall be handled with care. Writing in, marking, and underlining are forbidden.

(7) Anyone who loses or damages a medium or who damages any other working materials or objects of the university library shall be liable to pay compensation. The provisions of the German Civil Code (*Bürgerliches Gesetzbuch*) shall apply accordingly.

- (8) Any books, journals, and other media brought along must be clearly presented to the supervisor.
- (9) Any change to the residential address must be reported to the library at once. Anyone who does not comply with this obligation shall be liable to the library for any resulting costs and disadvantages.
- (10) The loss of a library card must be reported to the library without undue delay.

§ 6 Liability

- (1) The Bielefeld University does not guarantee that the offers and services can be provided without errors and without interruption. Furthermore, it assumes no responsibility or liability regarding the accuracy of the offers provided and for the content to which it merely provides access being accurate, complete, and up to date.
- (2) The Bielefeld University shall not be liable for loss of or damage to any items brought into the library.
- (3) The Bielefeld University shall only be liable for any damage caused by inaccurate, incomplete, omitted, or delayed library services in cases of intent and gross negligence. Liability for any damage from injury to life, limb, or health shall not be affected by this.

§ 7 Fees and expenses

- (1) Charging of fees and the reimbursement of expenses shall be subject to the fee rules of the Bielefeld university library and the relevant provisions under the laws covering universities and fees of the state of North Rhine-Westphalia as amended from time to time.
- (2) The director of the university library shall issue the fee and expense notices and decide on fee exemptions.

§ 8 Opening hours

- (1) The library's opening hours shall be determined by the director of the university library in coordination with the faculties and the rectorate. There is no guarantee that all library services will be available throughout the entire duration of the opening hours.
- (2) The director of the university library may close the library at short notice for urgent reasons. Closures shall be announced in a timely manner.

§ 9 Use in the library premises

- (1) The inventory of the university library is generally placed freely accessible in the individual departmental libraries.
- (2) The director of the university library shall stipulate the details of use in coordination with the respective faculties.

§ 10 Use within the university, external collections

In addition to loans in accordance with § 11, the university library's inventory may be used in external collections in the university premises outside of the library, provided that they are ensured to remain accessible to the library from Monday to Friday, 9:00 AM to 3:00 PM. External collections can only be set up in individual cases and usually only for academic staff of the university, and subject to the guarantee that the interests of other users are not unreasonably impaired by this. The director of the university library shall stipulate the details in coordination with the respective faculties.

§ 11 Loans

- (1) All media available in the library that are not subject to the restrictions of § 12 may be loaned for use outside of the library.

(2) Loans are only possible with a valid library card. The library shall have the right to determine whether the user is presenting their own or another person's library card.

(3) The library shall have the right to limit the number of items that can be borrowed by any one user or group of users at the same time.

(4) A loan account that can be viewed by them online shall be kept per user. The loan account shall provide information on

- a) the media currently loaned to the user, including the return dates and, if applicable, any renewal options,
- b) any media ordered or reserved by the user, and
- c) any (late) fees and expenses to be paid by the user.

§ 12 Restrictions on loans

(1) The following shall be generally excluded from loans:

- a) Reference collections of the departmental libraries,
- b) Manuscripts, autographs, and archive materials, as well as any other media of special value, in particular any incunabula and early prints, unique pieces, first editions, typographically significant prints, editions with original illustrations, press prints, graphic portfolios, media with artistically or historically significant bindings,
- c) media published in partial deliveries and individual journal issues,
- d) loose-leaf editions,
- e) semester collections,
- f) external collections.

(2) Use of the library inventories as referred to in paragraph (1)(b) shall require permission and is only possible in specific rooms and in the presence of library staff. The production of photographs and copies of such inventories is reserved to the library. Use of ink, ballpoint pens, copying pens, etc. is forbidden while using any manuscripts, incunabula, and autographs. Tracing is forbidden.

(3) The director of the university library may exclude additional media from loans or restrict their loans. In particular, they may temporarily block individual media or literature groups from loans or reclaim them if already loaned out.

(4) The director of the university library may stipulate special terms for reference collections of the departmental libraries.

§ 13 Loan periods, loan period renewals, reclaims

(1) The loan periods shall be determined based on medium and, if necessary, user group of the borrower in accordance with a period system imposed by the director of the university library in coordination with the faculties. There shall be a basic loan period and a maximum total loan period. At the same time, it shall be determined whether the loan period may be renewed if the medium is not pre-ordered by anyone else. The loan period system is targeted at permitting adjustment of the loan periods for future loans to the demand to date. The period system shall be disclosed in an appropriate manner. The loan periods may be adjusted individually in justified exceptions.

(2) Users generally can renew loan periods online in their loan accounts.

(3) The number of renewals is not limited until the maximum total loan period is reached. The renewal shall start a new loan period equal in duration with the original basic loan period, but not exceeding the maximum total loan period. Renewals must be made before the end of the loan period. Renewals after the expiration of the loan period shall not affect any late fees already incurred. Renewal shall be excluded once anyone else pre-orders the respective medium. Any renewal beyond the validity period of the library card shall be invalid.

(4) If an item is to be borrowed beyond the maximum total loan period, it must be returned to the library for a new loan.

(5) The library may reclaim items loaned out before the end of the loan period if they are required for a semester collection or for other library-related reasons. In particular, it may also order return of all media loaned out for the purpose of an audit. The loan period shall end on the date specified in the reclaim letter if an item is reclaimed.

§ 14

Return of the media

(1) The media of the university library as well as the media provided through inter-library loans must be returned before the end of the loan period. Proof of the timely return of media shall be provided by return receipts (usually by email) issued by the university library.

(2) The director of the university library shall issue a written return order if the media are not returned in time. Except in cases of imminent danger, the return order shall be issued no earlier than 30 days after the end of the loan period.

§ 15

Pre-orders

(1) Media that are loaned out may be pre-ordered for a loan or for use in the reading room.

(2) The director of the university library may limit the number of pre-orders that can be placed on the same medium.

(3) If a pre-ordered medium is not picked up within the provision period, the library may then use it otherwise.

§ 16

German and international inter-library loans

Works that are not available locally may be ordered from another library through the library as an intermediary by way of German or international inter-library loan. This loan shall take place in accordance with the provisions of the current lending rules, international agreements, and the special terms of the lending library.

§ 17

Reproduction service

(1) Upon request, the library may make digital reproductions from its inventory or have them made if the condition of the original permits this.

(2) The library may refer to other means of reproduction.

§ 18

Observance of copyrights

(1) Anyone who uses reproduction services must observe any applicable copyrights. If any third parties raise any claims against the Bielefeld University due to infringement of copyright, the responsible user shall indemnify the Bielefeld University against such claims.

(2) Users shall be responsible for complying with the relevant legal provisions (in particular copyright and personal rights) when making copies, scans, photographs, and other reproductions.

§ 19

Exclusion and restriction of use

(1) Anyone who has not returned a borrowed item in spite of exceeding the loan period by more than 40 days shall automatically be blocked from further loans until they return the item. This shall not affect the right to use the library collections in the reading rooms.

(2) The director of the university library may ban anyone who has not paid any fees or expenses that have become due in accordance with § 7(2) or who is liable for damages in accordance with § 5(9) from loans until the liabilities have been met in full. This shall not affect the right to use the library collections in the reading rooms.

(3) If the loan account has incurred a debt of at least 50 euros, the user will automatically be blocked for loans. This shall not affect the right to use the library collections in the reading rooms.

(4) The director of the university library may temporarily exclude or restrict use of the university library by anyone who repeatedly or seriously violates these Library Rules, in particular if they unlawfully remove any library assets from the university library, disturb or impair the work of other users, do not follow the instructions of the staff, or insult the staff. The rector of Bielefeld University shall decide on unlimited exclusion from use. The right to be heard must be granted before a decision is made. Exclusion and restriction of use may include any form of use of the university library, not limited to the particular services based on admission to use (§ 5(1)).

(5) This exclusion shall not affect any obligations arising from the Library Rules.

§ 20
Entering into effect

These Library Rules shall enter into effect on the day after they are announced in the Bielefeld University Gazette - Official Announcements. The Library Rules of the Bielefeld university library of 11 February 1999 (Bielefeld University Gazette - Official Announcements - year 28 no. 9 p. 27), last amended by the Third Regulation for the Amendment of the Library Rules of the Bielefeld university library of 15 February 2013 (Bielefeld University Gazette - Official Announcements - year 42 no. 4 p. 81) shall lose their effect at the same time.

No complaints

Claims from violation of any procedural or formal rules of the HG NRW or the university's regulatory or other autonomous law by these rules can only be asserted within one year of their publication, except if

- a) the rules have not been duly published,
- b) the rectorate has previously objected to the decision of the body adopting the rules,
- c) the university has been notified of the formal or procedural defect in advance and the violated legal provision and the fact giving rise to the defect have been designated in the course of this, or
- d) the legal consequence of the exclusion of complaint was not referred to in the public announcement of the rules.

The supervisory authorisations under § 76 HG shall not be affected by this.

Issued based on the resolution of the Senate of Bielefeld University of 21 April 2021. Bielefeld,

3 May 2021

The rector
of the Bielefeld University
University Professor Dr.-Ing. Gerhard Sagerer