

UniReport



Goethe-Universität | Frankfurt am Main

Satzungen und Ordnungen

Pursuant to Section 42, Paragraph 7 of the Universities Act of the Land of Hesse (Hessisches Hochschulgesetz), as amended on 5 November 2007 (Official Gazette of the Land of Hesse I, page 710), the Presidential Committee of the Johann Wolfgang Goethe University Frankfurt am Main has decided the following policy in connection with Section 12 of the Johann Wolfgang Goethe University's Library Regulation („Ordnung für das Bibliothekssystem der Johann Wolfgang Goethe-Universität“) dated 24 May 2005:

Policy of Use for the Library System of the Johann Wolfgang Goethe-Universität (Bibliotheksbenutzungsordnung) dated 23 September 2005 and as amended on 26 March 2013 (non-certified translation)

§ 1 Scope of Application

- (1) This Policy of Use for the Library System shall apply to the Library System (Bibliothekssystem) of the Johann Wolfgang Goethe University Frankfurt am Main.
- (2) The relationship between the users and the libraries is governed by public law.

§ 2 Purpose of the Library System

- (1) The University Library Johann Christian Senckenberg with the Central Library and its Decentralized Special Libraries form the Library System.
- (2) The Library System provides access to information resources for teaching, learning and research, and it is a resource for professional and further educational development for its members and for the associates of the Johann Wolfgang Goethe University Frankfurt am Main. For these purposes, it supplies the necessary literature, literature information and other media.
- (3) The University Library Johann Christian Senckenberg is simultaneously a public library, a regional and supra-regional literature supply resource; it functions as a general public academic library.

§ 3 Admission

- (1) Reading-rooms, catalogue rooms and other rooms designated for use can be accessed without a formal admission procedure. The Policy of Use for the Library shall be deemed accepted upon usage.
- (2) The use of computer work stations within the Library System and within the decentralized specialized libraries is governed by additional special regulations that are published in an appropriate form.
- (3) In particular, admission for certain user groups can be restricted if capacity is expected to be reached, so that the Library System can continue to function according to § 2,2nd clause. Restricted access will be deemed by the Head of the Library and will be announced in advance and via other known forms of appropriate communication.

§ 4 Rules of Conduct in Libraries

- (1) All users must abide by the Policy of Use for the Library; they have to show due consideration towards other users and act in a manner that is appropriate in an academic working environment.
- (2) The user shall immediately report any loss of or damage to books and/or other library items to the Head of the Library. All users shall be held liable for compensation in the case of loss and/or damage and they shall bear the burden of proof that they are not responsible for the breach of duty (according to section 280, paragraph 1, clause 2/BGB). The form and amount of such compensation shall be determined by the Head of the Library after due evaluation of the loss and/or damage.
- (3) Upon receipt of the loan items, the users must check the state of the books or other materials and report missing parts and/or other damage without delay. If the user fails to do so, the received item shall be deemed to have been received in an undamaged condition. Entries of any kind, such as underlining, correcting mistakes as well as folding or creasing pages are classified as damage.
- (4) Outdoor wear, hats, umbrellas, bags and similar items are not allowed in the reading rooms and other open stacks. When a library that is part of the Library System offers storage space (cloakrooms, wardrobe units, lockers) it will only accept liability for gross negligence and intent. The Head of the Library System can introduce rules/restrictions pertaining to the use of lockers. This information will be made public in the appropriate way.
- (5) When leaving the reading rooms and other open stacks, the users have to clear their working places. On leaving, the user has to show books and materials which he carries to the inspector at the exit without being prompted to do so.
- (6) Disorderly conduct has to be avoided in all library rooms that are freely accessible for use; this applies in particular to the reading rooms and information areas. Users may take water in customary, clear-transparent and re-sealable containers into the reading rooms; some particular working places and rooms may be exempted from this regulation. Eating and drinking is only allowed in the designated rooms. Animals are not permitted.
- (7) The libraries may restrict the use of voice recorders and data processing devices to designated working places. Wireless phones may only be used as silent data storage media; telephone calls and the use of devices of the entertainment industry are not permitted.
- (8) Closed stacks may only be accessed in duly justified cases and when a special permit has been obtained.
- (9) Taking photos, videos and tape recordings in library rooms require the prior approval of the Head of the Library System.
- (10) Non-compliance with these rules, in particular the repeated violation of loan periods, may lead to the temporary or permanent exclusion from use. All obligations existing under this Policy of Use will remain in effect after the exclusion.

§ 5 Inspections and Domestic Authority

- (1) The library is entitled to install control devices and to conduct inspections, and in particular, to control items brought into the library.
- (2) The Head of the Library System or a person duly authorized by the Head of the Library System shall have the right to exercise the domestic authority in the name of the President.

§ 6 Opening Hours

- (1) The opening hours shall be governed by the local conditions of the libraries. They will be determined by the Head of the Library System and they will be published on the notice board or communicated by other appropriate means.
- (2) The libraries may be closed for a short period of time to conduct a revision of their stocks or for other reasonable causes. Closures will be determined by the Head of the Library System and be announced in advance or communicated by other appropriate means.

§ 7 Costs (Fees, Expenses and Charges)

- (1) The use of the libraries, in particular borrowing literature and other media, may be tied to a user charge.
- (2) In addition, fees, expenses and charges for the use of the Library System will be levied according to the Schedule of Costs (Kostenordnung) as amended from time to time.
- (3) If the user is in default of payment (fees, expenses and charges) the library will refer the matter to the Finance Office, which will institute procedures to recover the money owed in accordance with the Hesse Administrative Enforcement Act (Hessisches Verwaltungsvollstreckungsgesetz (HessVwVG)) dated 04 July 1966 (GVBl. I, Page 151) and as amended from time to time.
- (4) The library is entitled to request reasonable pre-payments up to the expected amount of fees, expenses and charges.

§ 8 Use of Material in the Reading Room

Items in the reference section as well as valuable items or items older than 100 years may only be used in the rooms of the library. The decision to make exceptions lies with the Head of the Library System or a person duly authorized by Head of the Library System. The access to individual items and to parts of the stock may be limited to on-site use only. The details shall be decided on a case-by-case basis by the Head of the Library System or a person duly authorized by Head of the Library System.

...

§ 11 Admission to Borrow Items

- (1) Any person above the age of 16 who resides, studies or works in the State of Hesse and/or in the catchment area of the interlibrary loan region of Hesse/Rhineland-Palatine for a minimum period of 3 months can be admitted to loan items. All prospective users must produce a proof of identity, a proof of residence and accept the Policy of Use for the Library System by their signature before they are granted borrowing privileges for the University Library. Upon registration persons under age are required to produce a written consent of their legal guardian, in which the guardian commits to pay for any damages and losses as well as for fees, expenses and charges that may be incurred in the future.
- (2) Other persons may also be admitted to use the Library System if their admission will not affect the primary tasks of the library and they can provide proof of their place of residence.
- (3) Permission to borrow may be restricted to a certain period and to certain sections of the stocks of the library only.
- (4) Upon registration, the user will be informed in writing of the nature, scope and retention period of his or her personal data. The user will be issued a library card for lending purposes. For members of the university the student identity card or the university identity card (Goethe-Card) function as library user card. Only one type of card is valid within the Library System; borrowed items (books and other materials) must be returned; outstanding fees, expenses and charges have to be paid.
- (5) The library card entitles the holder to borrow books and other media and has to be produced when the user is borrowing items. It is not transferable; it remains the property of the University. Any transfer of the library card may result in the holder being excluded from using the Library System. Loss of the library card must be reported without delay to the issuing agency. The user, whose name is entered on the card, will be liable for all damages. The user shall also be held responsible if he or she fails to report the loss immediately. For re-issuing a lost library card, a fee will be charged based on the current Schedule of Costs (Kostenordnung) of the Library System as amended from time to time.
- (6) The user has to report any change of residence to the library without delay.
- (7) Students have to return all borrowed books and other materials, including their library card, upon removal from the register of students and they shall pay all outstanding fees, expenses and charges, if applicable.

- (8) If the user does not fulfill the requirements to qualify to use of the Library any longer, he or she has to inform the Central Library, return the borrowed books and other materials and pay all outstanding fees, expenses and charges, if applicable.

§ 12 Loans and Hold Requests for Items of the Central Library

- (1) The borrower is the person whose name is on the card which is used for lending.
- (2) Each loan has to be duly registered, usually by a library ticket or by automated loan booking. In the case of automated loan booking, a library ticket or a receipt may not be issued. This also applies to date due slips, provided the user is able to check the lending period elsewhere.
- (3) The Head of the Library System or persons duly authorized by the Head of the Library System may limit the number of items that one user is allowed to borrow at a time.
- (4) It is not permitted to pass on loans. All loans have to be returned prior to long-term absences.
- (5) In general, a hold request can be made for items that are out on loan. The Head of the Library System or persons duly authorized by the Head of the Library System may limit the number of items to be put on hold. The information that the media are available can be communicated electronically.
- (6) Loan periods for individuals
- The loan period is four weeks. If no hold request has been registered the loan period may be renewed twice, each period being four weeks. The extension may only be carried out online by the borrower or on enquiry at the lending library.
 - The books in the textbook collection must be returned by the due date of the loan period; renewals and direct new loans are not possible.
 - Journals and certain parts of the stock may be subject to special loan requirements determined by the Library.
 - Loan periods and renewals for interlibrary loans are subject to the policies of the lending library.
 - The Library may reclaim books for organizational purposes before the loan period has expired.
 - The Library may permit short-term loans for items in the reference section.
- (7) Loan periods for university facilities
- University facilities shall be granted a loan period of six months. At the end of this period all loans have to be returned. If the books are still required, new loans have to be made.
 - If a hold application exists, the loan has to be returned at the end of the loan period.

§ 13 Expiry of the Loan Period

- (1) If a loan is not returned at the end of the loan period, the user will be reminded in writing or per e-mail to immediately return the item. Overdue charges are levied on items which are returned late. The opening hours of each lending library have to be observed to return the items on due time.
- (2) The penalty becomes effective when a reminder has been issued. The penalty is always payable for each single borrowed item.
- (3) A new loan can be rejected when items for which a reminder has been sent are still outstanding and penalties have not been paid yet (loan ban). In the case of a loan ban according to section 12 paragraph 6a online renewals cannot be carried out.
- (4) When the reminder procedure has been unsuccessful, the outstanding amount will be enforced at the user's expense pursuant to the Administrative Enforcement Act of the Land of Hesse (Hessisches Verwaltungsvollstreckungsgesetz); the assertion of further claims pursuant to section 4, paragraph 2 (replacement of the book or media at the user's expense), the exclusion from admission to the library and embezzlement charges pursuant to the German Penal Code (StGB) Section 246, may ensue.

§ 14 Loans from the Stock of the Decentralized Specialized Libraries

- (1) The Decentralized Specialized Libraries are in general reference libraries with limited loan possibilities; they make their stock available in the form of free access libraries.

- (2) The loan procedure of a Decentralized Specialized Library shall be determined by the Head of the Library System and will be made public or communicated by other appropriate means.
- (3) For the professors of the Johann Wolfgang Goethe University, course reserves can be established upon application to the Head of the Library System. The bulk of the course reserves should not exceed 300 volumes. The course reserves are generally located on the borrower's premises. The items in the course reserves have to be included in the catalogue of the Library System. An item that solely exists within a course reserve has to be made available to users through the local Decentralized Specialized Library or through the Central Library or for viewing on site.
- (4) For ongoing courses semester reserves may be established in the Decentralized Specialized Libraries from the stock available in each specialized library; with the prior approval of the Head of the Library System it may also be compiled from the stocks of other libraries within the Library System. Parts of the items (e.g. magazines, bibliographies and reference books, other reference items or items from the textbook collection) may be excluded from the inclusion into semester reserves.

...

§ 16 Information

- (1) The Library will provide verbal and written information based on its catalogues and items on stock, whenever possible. All other services, such as bibliography, documentation and information, including online research made by the library staff, will be charged on the basis of fees, expenses and charges incurred.
- (2) The Library does not accept responsibility for the correctness and completeness of information provided.
- (3) The assessment of books and handwritten pieces are not part of the libraries' tasks.

§ 17 Technical Equipment

- (1) Whenever possible, the libraries of the Library System will provide the infrastructure for the use of digital documents, microforms as microfilm and microfiche, sound-carriers and audio-visual media and access to the data network of the University and other devices. Before operating a device, the users are required to verify its proper condition. The users must inform the library staff of any defects without delay. The user will be held liable for damages that are not the result of normal wear and tear. The use of personal data carriers and other media in connection with the devices of the libraries of the Library System is at the user's own risk. The General Policy of Use for the ICT Infrastructure of the Johann Wolfgang Goethe-University (Allgemeine IuK-Nutzungsordnung) dated 5 June 2001 and as amended from time to time has to be observed when operating data processing systems.
- (2) Personal portable data processing devices (notebooks and similar systems) may be used without special permission in reading rooms, provided the other users will not be disturbed; the use of other personal technical devices requires the consent of the head of each library. The users will be held liable for damage incurred on library-owned devices or files.

§ 18 Reproduction

- (1) Copies for personal use may be made on site using the self-service system.
- (2) The Library is capable of producing copies (photocopies, reproductions, microfilms etc) from own stocks and from those received from other libraries.
- (3) If the Library is unable to produce photocopies and microforms it will use a private contractor after the user's consent has been obtained. In this case, the Library shall receive compensation for all costs incurred.
- (4) The Library may exclude individual items and parts of the items in stock from being photocopied if this is necessary to protect the continued existence of its stocks.
- (5) Photos and photocopies of manuscripts, autographs and other valuable items on stock require the library's approval and must always be ordered with the Library. The Library may request

the user not to pass on reproductions of its manuscripts and autographs to third parties unless the library's approval has been obtained.

- (6) The user has the responsibility to observe existing copyrights or rights to privacy when copying or reproducing from books or other materials.
- (7) The production of photocopies from manuscripts, legacies, autographs and other valuable materials can only be approved for individual items.

§ 19 Scope of Applicability

- (1) The below listed actions shall not be defined as "use" for the purposes of this Policy of Use:
 - i. loans for the purpose of exhibitions,
 - ii. production and publication of photographs and other copies for commercial purposes.
- (2) The above listed aspects and other instances that are not governed by the Policy of Use for the Library System may be regulated by the Library at its own discretion on a case-by-case basis.

§ 20 Exclusion from Usage

He who acts against the Policy or repeatedly violates the regulations of the library can be excluded temporarily or permanently from using the Library System. Other unacceptable reasons can also apply.

§ 21 Expiry Date of the Existing Policy

Policy of Use for the Library System of the Johann Wolfgang Goethe-Universität (Bibliotheksbenutzungsordnung) dated 23 September 2005 shall become ineffective.

§ 22 Effective Date

This Policy of Use of the Library System shall take effect on 1 April 2013.

Frankfurt am Main, 26 March 2013

Prof. Dr. Enrico Schleiff
Vice President