

# Conditions of Use

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# Table of Contents

Table of Contents .....	2
A General section .....	3
§ 1 Tasks .....	3
§ 2 Use relationship and use entitlement .....	3
§ 3 Controls.....	4
§ 4 General obligations and liability .....	4
B Use in the Library .....	6
§ 5 Ordering and provision .....	6
§ 6 Reservations .....	6
§ 7 Use of special Library materials; archival materials .....	7
C Loans.....	8
§ 8 Lending to other libraries .....	8
§ 9 Borrowing from other libraries.....	8
D Other user services.....	9
§ 10 Information .....	9
§ 11 Production of copies .....	9
§ 12 Use of the Internet.....	9
§ 13 Guided tours .....	10
E Exclusion from use of the Library.....	11
F Exceptions to the scope of application .....	11
G Commencement.....	11

# A General section

## § 1 Tasks

1. The German National Library – hereinafter the “Library” – is the central archiving library and national bibliography centre of the Federal Republic of Germany. For the following publications:
  - all media publications issued in Germany since 1913
  - media publications published abroad in German from 1913, translations of German media publications into other languages and foreign-language media publications about Germany,
  - it has been tasked with collecting, cataloguing, bibliographically indexing and making inventories of the originals, ensuring their long-term preservation and making them available to the general public. It is also responsible for providing central library and national bibliographic services. Further tasks include:
    - running the German Exile Archive 1933–1945, the Anne-Frank-Shoah Library and the German Museum of Books and Writing.
    - collaborating with the relevant specialist bodies in Germany and abroad, and contributing to national and international professional organisations.
2. The tasks of the Library also include providing information services (including the use of corresponding facilities), reprographic services and use of the Federal German library lending system, as well as guided tours and exhibitions. The Library charges fees for the use of its services based on the latest version of the Cost Regulations of the Library.

## § 2 Use relationship and use entitlement

1. These Conditions of Use based on the Law regarding the German National Library of 22 June 2006 constitute the basis of the public use relationship.
2. The holdings of the Library are made available for use in the reading rooms by any natural person or corporate entity with a verifiable and legitimate academic, professional, technical or official interest in them. They may not, however, be removed from the building, due to the archival nature of the Library and its national bibliography mandate.
3. The Library can be used by all persons who have reached the age of 18. A valid ID card or passport in combination with official confirmation of residence should be presented when applying for a library card.

In justified exceptional cases, it may be possible, at the Library's discretion, for individuals under the age of 18 to use the Library's services if written consent is also provided by a legal guardian. Authorisation to use the Library is granted upon issue of the library card. The Library may restrict use of the Library's facilities by minors on youth protection grounds.

4. Each applicant shall receive a copy of the Conditions of Use. By signing the application form/library card, he or she accepts the Conditions of Use.

5. All authorised users receive a library card. The card remains the property of the Library and should be kept carefully. The library card should be presented when entering the use areas of the Library and when borrowing any items. The Library should be informed immediately of any changes to the name or address, or in the event of the card being lost. Failure to comply with this obligation will result in the user being held liable for any costs incurred as a result. The user shall assume liability for any damage caused to the Library which results from misuse of the lost card. If the Library is notified of the loss, a replacement card will be issued. The fee is based on the Library's Cost Regulations.

The library card is not transferable. Should the card be made available, illegitimately, to a third party, the user may temporarily be excluded from using the Library. In this case, the library card shall be withdrawn.

An increased usage fee will be charged in the event of serious violations of the Conditions of Use.

6. The Library is entitled to collect personal data to the extent that this is necessary for the legitimate performance of its duties. This specifically includes the user's first and last name, address, and email address. Such personal data is collected, processed and used exclusively for the intended purpose in accordance with the regulations of the Federal Data Protection Act. The data is not forwarded to third parties.
7. The Library provides as comprehensive a service as possible within its operational, technical and legal framework. If certain services cannot be provided temporarily, or can only be provided in part, this shall not entitle the user to a (partial) refund of the usage fee.

## § 3 Controls

The Library is entitled to deploy monitoring equipment and to carry out controls. The Library employees, or third parties appointed by the Library, are entitled to inspect the contents of briefcases, bags, etc. and any printed publications and other materials about the user's person.

The Library staff, or third parties appointed by it, are entitled to check the data given on the library card against that on an official photo-bearing identification document of the user.

If there is reasonable suspicion of violation of the Conditions of Use, all Library employees, or those of third parties appointed by the Library, are entitled to take appropriate action.

The Library employees, or those of third parties appointed by the Library, are entitled to exercise the Library's rights as operator of the premises. They are authorised to issue instructions to users; such instructions must be complied with. Failure to comply with such instructions can result in users' being asked to leave the building.

## § 4 General obligations and liability

1. Coats and other outdoor garments, umbrellas, briefcases, backpacks, laptop cases and similar receptacles must be handed in at the cloakroom or placed in the lockers before entering the reading rooms. Larger, heavy or bulky items may not be taken into the Library. It is not permitted to take perishable goods or hazardous substances into the Library. Objects which interfere with Library operations (radios, players, recorders etc.) may not be taken into the reading rooms.

Any items handed into the cloakroom must be retrieved by closing time on the same day, and all lockers emptied. The Library reserves the right to clear unemptied lockers and/or withhold the locker deposit. Uncollected items and the contents of cleared lockers will be treated as lost property.

A fee will be charged for the loss of a cloakroom token or a locker key, and for the clearing of a locker, based on the Library's Cost Regulations.

The bags loaned by the Library for personal items must be returned before leaving.

2. All animals, with the exception of guide dogs accompanying blind or visually impaired users, must remain outside the library.
3. The Library accepts no liability for loss of, or damage to, objects placed in its custody, unless the damage occurred is deliberate or caused by gross negligence. The same applies to objects that are placed in the lockers, on condition that the locker is used properly and the damage is not caused by unauthorised intervention of third parties in the locker system. Liability can only be assumed if the item is picked up again on the same day and any damage reported immediately.
4. Users should behave in such a way that no other person's legitimate rights are affected, library operation is not hindered and no library materials or fittings are damaged.
5. In the interests of everyone, users must be as quiet as possible in the Library, especially in the reading rooms, with the exception of the areas explicitly designated for group work. Electronic devices may only be used in muted mode in the usage areas of the Library; touch tones and other acoustic signals should be switched off. It is prohibited to make calls.
6. Food and beverages and other utensils which are likely to damage library materials may not be taken into the reading rooms.

Eating and drinking are only allowed in the designated areas. It is not allowed to take library materials into these spaces. Smoking is prohibited in all parts of the Library.

7. The holdings of the Library are archival documents which are to be permanently preserved. Users should treat the publications with great care and protect them from damage. Users are obliged to check the state of the media publications upon receiving them and to report any damage immediately. It is prohibited to make any comments, underline passages or insert self-adhesive bookmarks in the Library's holdings, or to remove pages, tables, maps etc. from such holdings, or to crease or fold pages, or to make tracings or other alterations in them. Archival materials should be left in the order in which they are provided.

In addition, the loss of any Library materials must be reported immediately.

The costs arising from any loss or damage to Library materials during use must be covered in full, even if the user him/herself carries no blame.

8. It is forbidden to repair damage oneself, or to have such damage repaired.

It is not permitted to forward Library materials to third parties.

## B Use in the Library

### § 5 Ordering and provision

1. An order request should be made for each publication via the Library's electronic provision system (except for open access holdings). It is only possible to process the request quickly if appropriate specifications are provided. These include details of the pages and volumes, issue numbers, publication years.

In order to ensure timely provision for as many users as possible, individual users should restrict themselves to no more than ten requests per day.

The Library reserves the right to determine how and in what form the requested works are provided.

2. The requested works are issued at the designated distribution points at the specified opening times, in most cases two hours at the earliest after ordering. Different delivery times may apply for special types of media. Reserved items will be issued at the specified time and date. The requested works will be issued for use in the reading rooms upon presentation of the library card.

Specific media publications or materials (such as electronic publications, archival documents, sheet music) are provided in separate reading rooms or at specially designated workplaces in compliance with the relevant copyright provisions.

Non-physical media publications are provided in accordance with applicable copyright regulations or on the basis of special bilateral agreements.

Separate appointments may be necessary for the provision of non-physical media publications on data carriers as well as archival material.

3. The period of use is 14 days. This can be extended no more than two times by a further 14 days unless the publication is reserved. In individual cases, special library and archival materials can be used for a longer period following prior approval. Publications which are made available but not used within one week after ordering, will be withdrawn and can only be accessed again after submitting a further request. Alternative usage time limits can be set for certain types of media.
4. Users are not permitted to transfer use independently to a different user. Re-use is only possible after a further reservation or request has been submitted.
5. Works required for official purposes by the Library can be withdrawn temporarily from use.
6. Media publications which are not suitable for unrestricted use may be subject to specific restrictions and requirements.

### § 6 Reservations

If a request cannot be processed, the user is informed in an appropriate manner. Publications which are currently in use can be reserved. Notification is sent via the user account once a reserved publication is ready for issue. If a valid e-mail address has been given, this will be used to notify the user.

## § 7 Use of special Library materials; archival materials

1. Use can be restricted for special Library materials because, in its role as a central archive library, the Library is obliged to preserve its holdings permanently and to protect them from misuse.
2. The open access holdings in all reading rooms are freely accessible. They should be returned to their correct place after use.
3. The holdings of the reference libraries are managed by the relevant information desks; they may only be viewed in the reading rooms.
4. Authorisation to use the archival holdings must be applied for in writing.

Only the archival materials which are needed to work on the specified topic are made available for use. If archival documents for a different or modified topic are required, a new application should be made.

For the use of manuscripts, letters and life documents, the authors or recipients of which are still alive, the applicant should obtain the written consent of these persons and present this to the Library.

Permission for use shall be refused if

- a) copyright and personal rights are violated
- b) contractual arrangements to the contrary exist, or
- c) the preservation and physical status of the archive materials require this.

Approval for use of archival materials does not include authorisation to publish texts in whole or in part. Publication of these requires the special permission of the Library. Any such publications must declare that the relevant archive materials originate from the Library.

If permission to publish a text is granted, the Library does not waive its own right to publish it or to permit other persons or institutions to do so. It assumes no responsibility for copyright infringement or copyright consent stipulations, even where personal rights are concerned.

Users will be asked to provide, unsolicited and at no cost, a copy of all publications to the Library which materials from the archive holdings were utilized to create; this can also be submitted electronically. The same applies for examination papers, Diplom, Magister, Master's and Bachelor's theses.

## C Loans

### § 8 Lending to other libraries

1. The Library lends its holdings to external libraries in accordance with the provisions of the “Interlibrary loan regulations in the Federal Republic of Germany – Interlibrary Loan Regulations (LVO)”. Works from the Library’s holdings may only be used on the premises of the borrowing libraries.
2. Archival documents, sound recordings, data carriers and sheet music are excluded from the lending system.
3. The Leipzig site of the German National Library is the first point of contact regarding interlibrary loans to other German libraries.

### § 9 Borrowing from other libraries

1. The Leipzig site may request, in individual cases and in accordance with the interlibrary loan regulations, books or journals required for academic, professional, technical, or official purposes that fall under the statutory collection mandate of the Library and which are not available from the holdings of the regional legal deposit libraries.
2. Charges are levied for the services performed on behalf of the user and are based on the latest version of the Library’s Cost Regulations.



## D Other user services

### § 10 Information

1. The information and advisory services of the Library can be made use of in accordance with the latest version of the Library's Cost Regulations.
2. Based on the latest version of the Library's Cost Regulations, the Library may provide bibliographic information, including compilations of literature, item location details and subject information.

### § 11 Production of copies

1. The Library is entitled to make copies, provided that such duplication is consistent with intellectual property, personal or other rights. Each copying request is considered by the Library, also taking collection care aspects into account. The Library reserves the right to determine the type of duplication as well as to impose restrictions or to deny approval.
2. Self-service copiers are available for users; these can be used in accordance with the restrictions imposed by the Library and the Copyright Act. Users may only photograph, film or scan the Library's media publications, or extracts thereof, using their own device assuming very careful treatment of the works, without any additional light source or flash light, and without hindering library operations. The Library reserves the right to prohibit use of such equipment in individual cases. Users are responsible for observing and complying with copyright regulations.

Independent copying, photographing and scanning of archive material and sheet music is not, however, permitted. The creation of copies, scans and photographs may be permitted to a limited extent and in accordance with the relevant provisions of the copyright and personal rights regulations.

The copying, scanning and photographing of archival documents and sheet music will be carried out, upon request, by the Library or by third parties appointed by it.

### § 12 Use of the Internet

1. The Library offers its registered users access to the Internet in its reading rooms via wireless network (Wi-Fi) or on specially designated desktop computers. A valid library card is required for this.
2. The Library asks users to ensure that their user ID and other personal access data are not made available to third parties.
3. The Internet access provided by the Library is unencrypted. The Library accepts no liability for any data transferred via its facilities. The user ID, IP address and duration of use are logged whenever the Internet service is used to prevent abuse of the Library's DFN access. The Library uses cookies to support user navigation during each session. No personal data is collected for this.

The German National Library services accessed by users are stored in log files for statistical purposes only. No personal evaluation is conducted.

4. The Internet services provided on the Library's premises are intended for academic, cultural, professional, technical, business or educational purposes. It is forbidden to view offensive or unlawful content; users should consult the relevant provisions in criminal law and law of supplementary penalties, as well as in the protection of minors and data protection legislation regarding unlawful content. The Library reserves the right to limit the time spent on the Internet desktop computer provided by the Library.

The Library can block Internet access to minors for youth protection reasons.

5. The Library is not responsible for any consequences arising from users' activities on the Internet, such as financial obligations arising from orders or the use of paid services.

In addition, it offers no assurance of continuous Internet access at all times.

6. Users undertake
  - to assume the costs for remedying any damage caused by improper use of the Library equipment and media,
  - to assume any costs which are incurred as a result of passing their access authorisation to third parties.

In justified individual cases the Library may use the access log generated as part of the network security measures as evidence.

## § 13 Guided tours

1. Guided tours of the Library or Library exhibitions must be registered in advance.
2. Photography and filming on the premises require the Library's prior approval.

## E Exclusion from use of the Library

Users who violate the Conditions of Use can be temporarily or permanently banned from using the Library; violations may result in criminal law measures being taken. In the case of serious infringements, the Library is entitled to inform other libraries of the exclusion for their own protection.

## F Exceptions to the scope of application

1. The following are not covered by these Conditions of Use:
  - a) The borrowing of library holdings for exhibitions,
  - b) The provision of items for reprinting,
  - c) Filming.


These exceptions are approved and regulated individually by the Director General or her permanent representatives in Leipzig and Frankfurt am Main after careful review and consideration of all interests.

2. The latest version of the Cost Regulations apply for the production or reproduction of photographic images, and other reproductions for commercial purposes, conducted by or on behalf of users.
3. Specific agreements are required in the above and similar cases which are outside the scope of these Conditions of Use.

## G Commencement

These Conditions of Use shall come into force on the date upon which they are signed.

The Chairman of the Administrative Council of the German National Library

2.10.2014   
\_\_\_\_\_  
(Datum, Unterschrift)

(Date, signature)