

(4) The loss and modification of materials must be reported immediately. They oblige the borrower to pay damages. Damages do not only include price of the book or other materials, but also the additional costs for the library-fit restoration and inclusion in the library's stock.

If the relevant materials are no longer available on the market, the borrower must pay all costs for replacement procurement.

(5) The borrower shall be liable for any damage caused through misuse of their user card. This also applies in case of its loss until the loss has been reported to the Stadtbibliothek.

#### § 10 Return

(1) The issued materials must be returned no later than the last day of the return period without special request.

(2) If the return period is exceeded, an overdue fine of € 1.00 will be charged per borrowed copy for adults and € 0.50 for children/young people up to the age of 18 per working day. No reminder fees will be charged to institutions such as schools and kindergartens.

(3) If the borrowed materials are not returned after a period of 20 working days, they will be invoiced to the borrower. In addition to the overdue fine incurred, a processing fee of € 10.00 will be charged for this letter.

(4) There are individual return periods for the mobile library according to the timetable.

(5) Recovery will subsequently take place in accordance with the provisions of the Saarland Administrative Enforcement Act and the processing fee of the Stadtbibliothek. The processing fee is calculated based on the age of the materials:

- a. 5 calendar years and younger 100%
- b. 6 calendar years and older 50%

The actual replacement costs will be charged for collections from the historical association and the regional department.

(6) Late fees must also be paid if no written reminder has been issued.

#### § 11 Incurring fees and due dates

(1) The debtors required to pay fees charged according to § 6 (5), § 8 and § 10 are the borrowers. The annual user fee specified in § 6 (2) is payable when the user card is issued, the respective first use in the following year and upon reissue.

The fees specified according to § 7, § 8 and § 10 are payable when the debtor is informed of the determination of fees.

(2) The debtor can be informally informed of the determination of fees according to (1).

(3) The entitlement to reimbursement of expenses pursuant to § 8 sentences 6 and 7 arises with the performance of the acts which require the disbursements. It is payable upon request for the reimbursement of expenses.

#### § 12 Use of the internet and other electronic software and hardware

(1) The general library rules and user policy shall also apply for the use of electronic software and hardware and the internet.

(2) Access to websites containing content that is unlawful, racist, pornographic or glorifying violence as well as content that violates the fundamental rights from article 1 of the German Constitution is not permitted.

(3) It is not permitted to make any changes to the electronic software and hardware provided by the library. It is also not permitted to unlawfully gain access or try to gain access to external or library-owned electronic software provided by the Stadtbibliothek.

(4) Further rules may be specified by the library, if required.

#### § 13 Additional charges for separate services

(1) The Stadtbibliothek may apply charges for events.

(2) Organisations and institutions which are not in the non-profit sector may use particular rooms for a fee.

(3) Cost-covering charges will be applied for these special Stadtbibliothek services. The charges must be paid during the application or order placement process.

#### § 14 Right to determine who shall be allowed or denied access

The library management has the right to determine who shall be allowed or denied access. Exercising the right to determine who shall be allowed or denied access is transferable.

#### § 15 Liability

(1) The Saarbrücken Stadtbibliothek and its staff shall not be liable for the cloakroom and private belongings which are lost by library users on the premises of the library.

(2) The Stadtbibliothek shall not be liable for damages caused to the files and data carriers of library users, e.g. by undetected virus programmes.

#### § 16 Exceptions

The Stadtbibliothek may allow exceptions to the provisions of these statutes upon request in justified individual cases, unless contrary to the public interest.

#### § 17 Entry into force

These statutes shall enter into force on the day following publication.

Saarbrücken, 29.10.2019  
Uwe Conradt  
Senior Mayor

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# STATUTES

## concerning the use of the Stadtbibliothek (public library)

[www.stadtbibliothek.saarbruecken.de](http://www.stadtbibliothek.saarbruecken.de)



Landeshauptstadt  
**SAAR  
BRÜ  
CKEN**

## **Statutes concerning the use of the Stadtbibliothek**

On the basis of § 12 of the local self-administration law (KSVG) in the version published on 27 June 1997 (official gazette p. 682), last amended by Act no. 788 dated 15.06.2016 (official gazette p. 840) and §§ 4 and 6 of the Community Charges Act (KAG) in the version published on 29 May 1998 (official gazette p. 691), last amended by Art. 21 of the Act on the Adaptation of the Area-Specific Data Protection Law to Regulation (EU) 2016/679 dated 22 August 2018 (official gazette I p. 674), the following statutes are adopted by decision of the city council dated (current date):

### **§ 1 Purpose**

The library of the state capital of Saarbrücken (“Saarbrücken Stadtbibliothek”) is a public institution for education and cultural public services. It shall exclusively and directly pursue objectives of public benefit within the meaning of the “tax-privileged purposes” section of the German tax code.

The purpose of the Stadtbibliothek is to promote the education, training and information, cultural public services and leisure activities of the population. The purpose of the statutes is realised by a range of offerings: Current books, games, newspapers, magazines and electronic media for all ages as well as events on current topics open up individual access to knowledge and information for library users.

In addition to the offerings for self-directed learning, the library is involved in the targeted promotion of reading and conveys media and information literacy. The advisory support of the expert library staff is an important part of this.

The library is also a meeting point and hub. You can stay, read, work, learn, obtain information and work in groups on site.

### **§ 2 Selflessness**

The Stadtbibliothek of the state capital of Saarbrücken shall work selflessly; it does not primarily pursue economic purposes.

### **§ 3 Use of resources**

The resources of the “Saarbrücken Stadtbibliothek” may only be used for statutory purposes. The supporting entity receives no benefits from the Stadtbibliothek resources. In case of the termination or the suspension of the Stadtbibliothek or the discontinuation of tax-privileged purposes, the state capital of Saarbrücken shall not receive more than its paid-up capital shares and the market value of its contributions in kind.

### **§ 4 Rule against granting special privileges**

No person may benefit from expenditures that are not related to the purpose of the Stadtbibliothek, or through inappropriately high allowances.

### **§ 5 Termination of operations**

In case of the termination or the suspension of the Stadtbibliothek or the discontinuation of tax-privileged purposes, the assets shall be transferred to the state capital of Saarbrücken, which must use them directly and exclusively for non-profit, benevolent or charitable purposes.

### **§ 6 Circle of library users, registration, user card, fees**

(1) Any person is entitled to use the Stadtbibliothek in the context of applicable laws and regulations. The library management may lay down additional provisions within the context of these statutes for the use of individual facilities for objective reasons. It is also authorised to adopt house rules.

(2) Persons who have significantly violated the provisions of these statutes or the provisions laid down by the library management pursuant to (1), sentence 2 and 3, or who have done so despite a warning, or those who continuously and unreasonably complicate the work of the Stadtbibliothek, may be fully, partly, temporarily or permanently excluded from using the Stadtbibliothek. This also applies to persons whose accounts are in debit for longer than 30 working days.

(3) Borrowers shall register personally by presenting their identification card. Alternatively, the pass can be used in combination with a registration certificate. Borrowers shall acknowledge the statutes by signing the library card. With regard to minors, written consent and a written directly enforceable declaration of guarantee from a legal representative is also required for all potential obligations from the user conditions for the minors. Alternatively, this may be carried out by another person of full age with the consent of the Stadtbibliothek. The guarantee is limited for the duration of the minority of the library user. Guarantors have the option to revoke the declaration of guarantee in writing at any time. In this case, the contractual relationship with the minor library user shall also end when receipt of the revocation is confirmed by the Saarbrücken Stadtbibliothek. Legal persons shall be registered by persons authorised by them in writing.

(4) The use of certain services is only permitted on presentation of a valid pass issued by the Stadtbibliothek. The Stadtbibliothek shall issue this pass to the registered borrower. It shall remain property of the city and it is non-transferable. The Stadtbibliothek must be informed immediately in case of loss or a name change and change of address. The pass shall be valid for 1 year in combination with the paid usage fee. Its validity will be extended by one more year following payment of the usakkjge fee.

The pass must be returned if the borrower is excluded from using the Stadtbibliothek or at the library’s request for organisational reasons which mean new passes must be issued. If a pass is lost, a new pass can be issued upon request and for a fee.

(5) An annual borrowing fee of € 20.00 is charged to use

the Stadtbibliothek. This card allows users to borrow materials in all libraries belonging to Saarland Bibliotheken e.V.

There is a joint card for co-habiting adults:

- a. 2 adults pay € 35
- b. 3 adults pay € 50

This card allows users to borrow materials in all libraries belonging to Saarland Bibliotheken e.V.

A short-term pass for three months costs € 8.00. There is no discount for this.

A day pass for use on site costs € 2.00. There is no discount for this.

Borrowing is free for children and young people up to the age of 18 (except for separate fee-based services).

Borrowing from the regional department (subject area D) is free for members of the historical association and the Working Group for Saarland Family Studies (who have contractually provided the Stadtbibliothek with significant portions of their association libraries).

School children, students and apprentices up to the age of 25, unemployed persons and volunteers in honorary posts with corresponding proof (e.g. Saarland honorary post card, Juleica), as well as persons who have registered in cultural and reading sessions, will pay € 17.00.

Persons with social pass cards and persons who receive basic security benefits according to Social Security Code XII as well as kindergartens and schools, are excluded from the annual usage fee.

Persons with their primary residences in France, who already have a valid pass from the Médiathèque in Sarreguemines or Médiathèque Roger Bichelberger in Forbach, shall receive a free pass to use the Stadtbibliothek for the validity period of the French pass.

A separate pass will be issued for the mobile library.

The fee for re-issuing a user card in case of loss is € 8.00 for all user groups.

(6) The Saarbrücken Stadtbibliothek stores the personal data required to use the library. The respectively valid data protection regulations shall apply for this.

### **§ 7 Borrowing**

(1) Books, magazines and other materials are issued on presentation of the user card. The Stadtbibliothek can limit the borrowing of media to a certain number.

(2) The borrowing period is normally 4 weeks. The library may specify a shorter or longer borrowing period in individual cases. An extension of the borrowing period is

possible if there are no pre-orders. The library will specify which media can have extended borrowing periods. The Stadtbibliothek may request a return before the end of the borrowing period for important reasons.

(3) Specially marked materials are only intended for use in the library rooms (e.g. reference books, loose-leaf collections).

(4) Receipts should be checked for accuracy immediately upon receipt. Later complaints cannot be taken into account.

(5) Special borrowing periods apply for the mobile library according to the timetable.

(6) The library may make the decision on the borrowing of further materials dependent on the return of reminded materials and outstanding payment obligations.

### **§ 8 External interlibrary borrowing**

(1) Books, magazines and other materials, which are not in stock at the Stadtbibliothek, can be obtained through external interlibrary borrowing at the request of the borrower, if possible. In this respect, the Stadtbibliothek is bound to the respectively applicable provisions of the interlibrary borrowing regulations of the German libraries and the corresponding international agreements. Regardless of whether the relevant materials can be obtained or not, a fee of € 2.50 will be charged per order. The borrower will be informed when the ordered materials are available for collection at the Stadtbibliothek. A fee of € 2.50 will be charged for an extension of the borrowing period for a borrowed interlibrary loan.

(2) Expenses incurred in excess of the usual amount must be paid by the borrower. These can include particularly high telephone charges and delivery charges as well as the costs charged by the external library in individual cases. These costs and fees must also be paid by the borrower if they do not collect ordered and delivered shipments despite being requested to do so.

### **§ 9 Handling of borrowed materials and liability**

(1) Borrowers are obliged to handle the borrowed materials carefully and protect them against loss, contamination, damage or other modifications. Markings in the text are considered to be damage. Borrowers are obliged to convince themselves of the proper condition of the materials upon issuance and immediately report any existing damage. If this is not reported, the issued materials will be considered to be in perfect condition.

(2) Borrowers are responsible for compliance with legal regulations in connection with the use of materials, especially copyright law.

(3) Audio-visual and digital materials must be returned in the packaging in which they were handed over.