

# Library Regulations of the German Literature Archive, Marbach

I. PREAMBLE.....	2
Functions and services of the German Literature Archive, Marbach .....	2
II. GENERAL .....	2
User admission .....	2
Data handling and data protection.....	2
Opening hours and delivery times .....	2
Fees and charges.....	2
Cloakroom .....	3
Electronic user register .....	3
User conduct in the reading rooms.....	3
Catalogues and enquiries .....	3
Usage restrictions .....	3
Reproductions.....	3
Publication permissions .....	5
Terms of use for publication copies .....	5
Proof of ownership .....	5
Specimen copy.....	5
Access to the stacks .....	6
The GLA's right of inspection .....	6
Users' duty of care and damages liability .....	6
Exclusion from use of the library and archive .....	6
House rules .....	6
GLA liability .....	6
III. LIBRARY / MEDIA DOCUMENTATION .....	7
In-person use and borrowing for use in the Collegienhaus.....	7
Reference library .....	7
Lending periods .....	7
Inter-library loans .....	7
Rare books .....	7
Image and sound media .....	7
IV. ARCHIVE / IMAGES AND OBJECTS.....	8
Registration and departure .....	8
In-person use only.....	8
Issue of materials.....	8
Returns .....	8
Permission rights of living persons .....	8
Use of digital literary (pre-death) estates .....	8
V. USE OF IT FACILITIES.....	9
On-site infrastructure (DLAN) .....	9
Restrictions and liability exemptions.....	9
Use of own devices and Internet access.....	9
Unencrypted data transfer and data security .....	10
User responsibilities .....	10
User liability .....	10
VI. FINAL PROVISIONS .....	11
Exceptions.....	11
Legal relationship.....	11
Validity .....	11

## **I. Preamble**

### **Functions and services of the German Literature Archive, Marbach**

The German Literature Archive, Marbach (henceforth GLA) is an institution of the German Schiller Association and provides services commensurate with its statutory functions. All further details are regulated by these regulations of use.

## **II. General**

### **User admission**

Only natural persons are permitted to use the GLA's facilities. Admission is granted upon submission of a written application detailing relevant interest and presentation of a valid identity card or passport. The GLA must be informed immediately of any changes to personal details (e.g. change of name or address). Admission is granted for the calendar year and admission must be renewed annually. Every user\* receives a user identification card, which permits them to enter the GLA's reading rooms. It is not transferable. Loss of the user identification card must be reported to the GLA immediately. The user is liable for any damages that occur through misuse of their user identification card by third parties.

By signing the user application form, the user acknowledges the user regulations in the currently valid version and undertakes to abide by them. They are liable for all damages and disadvantages that arise for the GLA in the event of non-compliance.

All libraries participating in the German and international lending system are considered permanently admitted.

### **Data handling and data protection**

User and usage data are captured and saved electronically. The data protection declaration of the GLA provides information about the purpose of data collection and the details of data handling in accordance with the applicable data protection regulations.

GLA users can receive information about the research interests of other users upon application if the respective user has expressly consented to this in their user application.

### **Opening hours and delivery times**

The opening hours and delivery times are announced on in-house notices and on the GLA website. In extraordinary circumstances, the GLA can, at short notice, be completely or partially closed. Users will be informed by in-house notices and via other appropriate channels.

### **Fees and charges**

The GLA's collections can be used free of charge for scholarly, literary or journalistic purposes and studies. Fees and charges are applied to special services such as provision of reproductions and their use.

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\* All terms are intended to be gender-neutral in use.

## **Cloakroom**

Jackets, coats, briefcases and bags are not permitted in the reading rooms. Transparent bags are permitted. Cloakroom lockers are available. These must be emptied daily by the time the GLA closes. The GLA reserves the right to empty cloakroom lockers that have not been cleared in a timely manner. Any items removed will be treated as lost property. No liability can be accepted for items stored in the cloakroom lockers. Similarly, no liability can be accepted for any valuables or cash brought into any area of the GLA.

## **Electronic user register**

Every user documents their presence in the reading rooms daily with an entry in the electronic user register.

## **User conduct in the reading rooms**

Food and drink are only permitted in the cafeteria. Silence is requested in the reading rooms; loud conversations are not permitted and electronic devices must be set to silent mode. Smoking is not permitted in the buildings of the GLA. Photography and filming are not permitted in the GLA's reading rooms. The Director of the GLA may permit exceptions upon application. Animals may not be brought into the GLA. The Director of the GLA may permit exceptions for support animals upon application.

## **Catalogues and enquiries**

The GLA provides information verbally and in writing on the basis of its catalogues and holdings, to the best of its knowledge and insofar as its work and personnel situation permits.

Staff in the reading rooms respond to all enquiries relating to use of the GLA's catalogues. Users requiring further advice will be referred to a research associate.

Materials requested for use are ordered via the online catalogue. Materials that are not available via the online catalogue can be ordered upon handwritten completion of a library ticket.

Catalogue cards may not be removed from the card catalogue.

## **Usage restrictions**

Materials in the collections can be closed to viewing or use or only be used under restricted conditions:

- For legal reasons (in particular, to protect copyright and personal rights),
- In special cases, for example, if the GLA itself is bound by special regulations,
- If the intended purpose of use can be met through the use of other, previously printed, film or digital materials,
- If the preservation or the condition of the materials make this necessary,
- If the items are currently required for use by the GLA itself (e.g. in an exhibition or for an edition).

## **Reproductions**

Reproductions are produced or ordered by the GLA within the scope of existing reproduction possibilities. In order to request a reproduction, users must fill out the corresponding order form. Permission for reproduction is not equivalent to permission for publication. This must be applied for separately. Valid reproduction prices and the user charges for reproductions for publication are provided on the GLA website and via other appropriate channels.

Reproductions are intended exclusively for personal use. The user agrees that they will only use reproductions for scholarly or private purposes and will not pass them on to third parties.

By granting permission to reproduce or publish materials, the GLA forfeits neither its own right to use these materials in any form of reproduction nor its right to grant permission to other persons to do so.

In all cases, the user is responsible for compliance with the legal provisions associated with use of reproductions, in particular copyright.

In addition, the following conditions also apply:

*for archive material:*

Reproductions of materials from the Archive Department (including digital (pre-death) estates as well as materials from the Images and Objects Department) are produced or ordered exclusively by the GLA. In general, reproduction of archive materials can be authorised in a limited scope. Exceptions are decided on a case-by-case basis (Library & Archive Use Office).

*for library material:*

Reproductions of materials from the Library Department can also be ordered or in certain cases the user can produce reproductions themselves. Reproduction of materials by users using equipment provided by the GLA or their own contactless recording devices is only permitted in designated areas using the device or equipment prescribed by the GLA and without the use of flash or other additional lighting. The GLA is not under obligation to provide a device. The production of reproductions by the user in the reading rooms is explicitly forbidden.

The production of reproductions by users may be subject to conditions, restricted or prohibited altogether, in particular for organisational, conservational or legal reasons. The following are excluded from the permission granted to users to produce their own reproductions:

- Unique media, i.e. books, newspapers or other printed works with features specific to the particular item, such as dedications, ownership marks, marginalia, inserts or other traces of provenance
- Items or holdings categorised as rare objects
- Items that are heavily damaged or in poor condition
- Radio and TV manuscripts
- Image and sound media

Exceptions are decided by the Library & Archive Use Department.

Reproductions produced by the user and working digital copies made by the GLA may not be published. Reproductions suitable for publication must always be commissioned from the GLA.

## **Publication permissions**

Permission to consult unique materials (including all holdings of the Archive Department and the Images and Objects Department, as well as books, journals or other printed works with specimen-specific features such as dedications, ownership notes, marginalia, inserts or other traces of provenance) does not imply permission to publish these materials.

Any utilisation of unique materials in publications requires the prior consent of the GLA. This also applies to quotations and paraphrases. Consent must be obtained separately by applying for publication permission.

All publications, including public lectures, publications in the press, radio and television, as well as publications on electronic data carriers and in data networks, are subject to approval. In the event of a violation of this provision, the user may be excluded from further use of the GLA. The GLA reserves the right to assert further claims, in particular claims for damages.

In the case of unique materials that are protected by copyright, the application for permission to publish must be accompanied by permission from the entitled party or parties (the author/originator, their legal successor or other rights holders). If living persons are involved, their consent is also required. In the case of items that are deposits in the GLA, the permission of the owner must also be obtained. The user is responsible for ensuring that these rights are respected and is solely liable for them. There is also a reservation in the case of items intended for publications of the German Schiller Association.

## **Terms of use for publication items**

The publication items transferred for use are approved for single publication for the specified purpose only. Any use for other purposes requires explicit agreement. The archive cannot under any circumstances accept any claims for damages resulting from the use of the publication items; these are addressed to the person responsible for the use of the items. In the case of publication items provided on loan, the ordering party shall be liable for the careful handling of the items, including their return shipment. Compensation must be provided for any damaged or non-returned loaned originals. The payment of a fee for loss does not constitute a right of use.

Any use of publication items for reproduction purposes is subject to a fee. The usage fee to which the archive is entitled is charged regardless of any fee agreements with the copyright holders. Reproduction costs are generally charged when the reproductions are sent, and usage fees are charged after receipt of the specimen copy of publication. The fee rates apply in each case only for the one-time publication or broadcast and for the stated purpose. Any other use (e.g. for brochures, publisher's advertising, blurb, review, reprint, licensed editions, translations) is subject to additional fees and requires prior consent. In the event of unauthorised use or passing on of publication items, compensation must be paid.

## **Proof of ownership**

The publication must cite the GLA as the owner of the reproduced materials and producer of reproductions.

## **Specimen copy**

The user undertakes to send, free of charge within 14 days of publication, a specimen copy of the publication in all its forms, editions and subsequent uses in which they have used unique holdings of the GLA. A note must be included, stating the locations of any illustrations. Electronic specimen copies must not be equipped with copy protection or other technical restrictions on use. The obligation to send a specimen copy does not apply to seminar papers, bachelor's, master's or other theses not intended for publication.

### **Access to the stacks**

The closed stackrooms are not open to the public. Users and guests have no right to access.

### **The GLA's right of inspection**

Items users have brought with them must be presented to the reading room staff, without being asked, when leaving the reading rooms.

### **Users' duty of care and damages liability**

All materials must be handled with care and returned in the condition in which they were delivered to the user. The user must immediately report any damage or defects that they notice to the reading room supervisor. If no report is made, it is assumed that the user has received the materials in perfect condition. Similarly, on receipt and return, the user and the supervisor will jointly check that the borrowed materials are complete. Any removal, marking, underlining or strike-through, erasing, cutting out, etc. is prohibited. Only pencils may be used during the use of archive materials. These can be borrowed from the reading room supervisor if required. Writing in and on the objects and placing books or other materials on them is strictly prohibited. The materials may not be removed from the reading room area or passed on to other users. Exceptions are determined below in Section III. Library / Media Documentation. Return of materials is acknowledged with a copy or printout of the loan slip.

The user is liable for damage and loss of materials that occur during use, i.e. between the time of issue and the time of return of the materials.

### **Exclusion from use of the library and archive**

If a user seriously or repeatedly violates the provisions of the regulations of use for the library and archive, abuses the GLA-provided Internet access for illegal activities or if the continuation of a user relationship has become in some other way untenable due to special circumstances, the user may be excluded from the use of the GLA temporarily or permanently, completely or partially. The right of use granted with the library identity card and, if applicable, the individualised access code can thus be revoked at any time; such revocation is effective immediately. There is no legal claim to use. All obligations of the user arising from the user relationship shall continue to exist even after the right of use has been revoked.

### **House rules**

The Director of the GLA and the persons appointed by them maintain and apply the house rules. In addition to these regulations of use, the instructions of the responsible staff in the reading rooms and in the individual departments must be followed at all times.

In the event of an alarm, users and guests must leave the building immediately by the shortest route.

### **GLA liability**

The GLA's liability within the scope of its services is limited, in case of financial losses, to intent and gross negligence. This applies in particular to damages caused by incorrect, incomplete, omitted or delayed services. Otherwise, the statutory liability regulations apply.

### **III. Library / Media Documentation**

#### **In-person use and borrowing for use in the Collegienhaus**

The library's holdings can only be used in the reading rooms. Selected library items can be borrowed overnight or over the weekend, but may only be used in the Collegienhaus. Users must present the items in question to reading room staff for approval within the library's delivery periods. As a general rule, journals, reference library holdings, items from media documentation, specimens of special provenance, rare books and fragile materials are not lent out for use in the Collegienhaus. Further restrictions may apply.

#### **Reference library**

Reference works, essential texts for literary studies, editions and selected journals are available in the reference library and current literary and scholarly periodicals are available in the periodicals reading room. Users are requested to fill out a shelf slip when removing an item to use at their desk and to place the slip in the book's place on the shelf. We kindly ask that you only borrow reference works for a short period of time.

#### **Lending periods**

Items from the stacks may be borrowed for a maximum period of the duration of a user's stay at the GLA. All media must be returned no later than the day of departure. Individual media can be recalled if they are needed for official purposes or by other users. The number of materials to be provided can be limited. In the case of inter-library loans, the indicated loan period must be observed.

#### **Inter-library loans**

The GLA participates in both incoming and outgoing inter-library loans. In both cases, the current inter-library loan regulations (LVO) and the fee schedule of the state of Baden-Württemberg are binding. Titles not listed in the GLA can be ordered via inter-library loan. Inter-library loan TANs are available at the reading room counter. The use of inter-library loan items may be subject to special conditions.

#### **Rare books**

Rare or valuable prints and specimens of special provenance may be classified as rare or valuable. Their use is only permitted at designated reading desks.

#### **Image and sound media**

Image and sound media can be viewed or listened to after consultation in the media documentation studios equipped for this purpose.

## **IV. Archive / Images and Objects**

### **Registration and Departure**

Users are requested to inform us in writing of their arrival and the expected duration of their stay and their wishes for use in advance, if possible. For stays of several days, users are requested to inform the reading room supervisor of the end of their stay the day before their departure.

### **In-person use only**

Archival materials can only be viewed in the manuscript reading room, visual materials of all kinds in the catalogue room and the 'Images and Objects' study room.

### **Issue of materials**

Only those archival materials that are specified in the user's application as required for the topic of work will be issued. If archival materials are required for a different or a modified topic, the user must submit a new application. The number of materials to be provided can be limited.

### **Returns**

Archive materials must be returned to the desk if you leave your workplace for a longer period of time and at least 15 minutes before the reading room closes.

### **Permission rights of living persons**

Materials (manuscripts, letters, etc.) by authors who are still alive can only be made accessible if the persons concerned have given their consent. The same applies to recipients of letters who are still alive. Appropriate written permission must therefore be obtained by the user and submitted to the GLA before they may use the materials in question.

### **Use of digital (pre-death) estates**

Users are requested to register their requests for use of genuine digital (pre-death) estates (born-digitals) in writing in the manuscript reading room well in advance of their stay. The use of digital (pre-death) estates is only possible in the manuscript reading room at specially equipped computer workstations and may be subject to special conditions. Digital collections, like analogue collections, are subject to the relevant legal provisions, in particular copyright and personal rights. Reproduction by users is not permitted.



## **V. Use of IT Facilities**

### **On-site infrastructure (DLAN)**

The GLA's IT facilities (henceforth 'DLAN' - Deutsches Literaturarchiv Local Area Network) may only be used for scholarly, literary or journalistic work and study. Computer workstations are available for this purpose in the reading rooms and in the Collegienhaus. The computer workstations may not be used for purposes that impede the work and mission of the GLA, violate legal regulations (including criminal law, youth protection law, data protection law) or offend common decency.

It is not permitted

- to install or use software other than the software provided on the preconfigured computer workstations,
- to make changes to the hardware installations on the computer workstations,
- to alter the configuration of the computer workstations.

### **Restrictions and liability exemptions**

The services in DLAN are provided within the scope of available data processing, network and personnel capacities. This may be subject to limited access times or other conditions and requirements. The GLA does not guarantee that system functions will meet the specific requirements of the user, that the system will operate without error or interruption, or that the results will be correct or accurate.

The GLA is not responsible for the content and availability of third party offers or services that can be accessed via the provided channels and access points.

### **Use of own devices and Internet access**

For individual applications, users can connect their own devices (e.g. laptops) to the Internet at specific locations, either via Ethernet (with a cable) or via the wireless network (WLAN) using a GLA portal.

Temporary, individualised access codes for this purpose can be obtained upon request. The particular services provided by the computer workstations are not available with devices that are integrated into the network in this way and that have not been preconfigured by the GLA. The usable network services may be restricted.

If the GLA has reasonable grounds to suspect that a user is misusing the Internet access provided by the GLA, in particular for illegal activities, the GLA may block further access until the legal situation is sufficiently clarified.

The GLA maintains a user file recording their access authorisations, which contains the user ID (access code), name and address of the authorised users. While connected to the Internet, the GLA collects and uses all data required to provide Internet access. After the end of the connection, the GLA will use and store the traffic data of the connection in accordance with the law, if and to the extent this is necessary

- to establish further connections,
- to detect, isolate or eliminate Internet access faults or errors,
- to uncover and prevent service fraud or other illegal use of Internet access.

## **Unencrypted data transfer and data security**

The user is advised that data is generally transmitted unencrypted via the network access points provided (in particular, WLAN). The user is personally responsible for the protection of their personal data.

## **User responsibilities**

Every user is obliged

- to ensure that the available resources (workstations, disk space, channel capacities, etc.) are used responsibly, as they are only available in limited quantities,
- to work exclusively with their own access data for individual services,
- to protect access to individual services by keeping their access data strictly confidential,
- to take precautions to prevent unauthorised third parties from accessing DLAN,
- to report immediately any malfunctions and irregularities, in particular those that indicate computer viruses and improper use,
- to protect their own devices to current technological standards from being attacked by malicious software and misuse before they are connected to DLAN.

## **User liabilities**

Each user is fully responsible for all actions taken under their personal user ID.

The GLA is a member of the German Research Network (Deutsches Forschungsnetz, DFN) and provides its users with Internet access and value-added services from the DFN via Belwue. Irrespective of the user's liability in relation to the GLA, the DFN may, in accordance with its User Regulations (<https://www.dfn.de/dienstleistungen/dfninternet/benutzungsordnung/>), exclude individual persons or institutions from using its services or parts of its services due to unauthorised use of its communication services.

## **VI. Final Conditions**

### **Exceptions**

The following are not considered 'use' by these regulations

- the exhibition of the GLA's holdings and the borrowing of these items for exhibition,
- the facsimile reproduction of manuscripts, rare books, graphic works or photographs,
- the production of reproductions for commercial purposes.

In these and other cases which are not subject to the regulations of use, a special agreement with the GLA is required.

### **Legal relationship**

The legal relationship between the GLA and the user is governed by private law.

### **Validity**

The regulations of use are valid as of 1 January 2020. On this date, the provisions of any previous regulations of use ceased to be valid.

German Literature Archive Marbach  
The Director