

**Terms of Use and Regulations for Fees
for the Public Libraries of the State of Berlin (BÖBB)**

of 24 April 2018

**§ 1
General Information**

- (1) These Terms of Use apply to all Public Libraries of the State of Berlin.
- (2) Libraries may issue special provisions for their services and fees which are not regulated in these Terms of Use. The Terms of Use as well as the special regulations and opening hours must be posted in the Libraries.
- (3) The use of the Libraries is governed by private law.

**§ 2
Data Protection**

For the collection, processing and utilization of personal data the Libraries respect the legal data protection regulations.

**§ 3
Liability of the Libraries**

- (1) The Libraries are not liable for damages caused by incorrect, incomplete, omitted or delayed services.
- (2) The Libraries are liable for damages of any kind that may result from the use of the Library or media only in cases of intent and gross negligence. The legal liability for damages to life, body and health remains unaffected.

**§ 4
Right of Use**

- (1) The prerequisite for the use of a Library is the acceptance of its Terms of Use by the user. The user recognizes and accepts these terms by making use of the services of the Libraries, when entering a Library or by signature.
- (2) The use of the Libraries is free of charge, unless certain services under § 16 or special provisions under § 1 paragraph 2 are subject to a fee.

§ 5

Conduct in the Library

- (1) Users shall behave in such a way that the operation of the Library is not impaired and other users are not disturbed. The Libraries can regulate details in house rules. The management of the respective Library has the householder's rights. The exercise of these rights may be transferred.
- (2) The users are obliged to follow the instructions of the library staff. In particular, library staff may request users to show their library card or official ID card and the contents of bags.
- (3) Gender-discriminating, racist, pornographic, violence-glorifying or National Socialist content may not be brought along or accessed via electronic media.

§ 6

Use of the Libraries and Media

- (1) The Library, its equipment and media must be handled with care and be protected from loss, alteration, contamination or damage. The use of technical equipment in the Libraries can be specially regulated.
- (2) Loss, alteration, contamination and damage of the media must be reported to the library staff immediately; they oblige the party causing the loss, alteration, contamination or damage to pay compensation. It is not permitted to repair damages yourself or have damages repaired.
- (3) Users are obliged to observe copyrights or other rights of third parties in all media and digital offers made available to them. They release the Libraries from any liability in this respect.
- (4) Media which are marked accordingly due to their state of preservation may not be reproduced.
- (5) The regulations for the protection of minors are to be observed by the users. Minors may not use the media not released for them (e.g. according to Voluntary Self-Regulation/Independent Self-Regulation). Random checks are carried out as required.

§ 7

Special Regulations for Individual Media Categories and Services

- (1) Media which are part of the information stock or which may only be used in the Libraries due to their state of preservation or for other reasons (reference holdings) are specially marked as such and are excluded from lending.
- (2) The use of the reference holdings may be made dependent on the deposit of a suitable pledge. This also applies to the rental or borrowing of other objects.

- (3) In the interest of all users, the use of library services may be limited in time.

§ 8 Library Cards

- (1) The library card is issued on application. It is valid throughout the Association of Public Libraries in Berlin (VÖBB). Its validity is limited in time and can be extended. Prerequisite for the issuance of a library card or a replacement card or an extension of validity are
- a) official proof of a registered address in the Federal Republic of Germany by presentation of an identity card, passport with official confirmation of registration or a valid proof of residence or, for legal entities, proof of their registered office in the Federal Republic of Germany,
 - b) the payment of a fee according to § 16 paragraph 2 as well as
 - c) in the case of minors, the submission of the declaration of consent of the legal representative and the obligation to pay any fees incurred as well as official proof of a registered address in the Federal Republic of Germany in accordance with letter a. The declaration of consent includes the consent to the use of Internet access and the delivery service.
- (2) The library card is not transferable and remains the property of the State of Berlin.
- (3) Loss of library cards and changes of names and addresses must be reported to the Library without delay. The determination of the address as a result of omitted or faulty communication is subject to a charge. Until notification of the loss, the user is liable for any damage caused by the loss or misuse of his or her library card.
- (4) A reading room pass entitles the holder to use the media on site and will be issued free of charge to persons over 18 years of age upon request upon presentation of a valid pass or ID in accordance with paragraph 1 sentence 4 letter a. In all other respects, paragraph 2 and 3 shall apply to a reading room pass accordingly.

§ 9 Delivery Service

- (1) A valid library card is required to use the delivery service.
- (2) The delivery service provides available and borrowable media from other Libraries of the VÖBB on request for use on site or for borrowing at a charge.
- (3) Upon order, these media are delivered at a charge as borrowed items to the address given on the library card of the user.

§ 10

Lending and Borrowing

- (1) A valid library card is required for borrowing items. Libraries are entitled to check whether users present their own library card. A third-party or invalid library card may be retained by the Libraries.
- (2) Borrowing with a library card belonging to a third party is generally not permitted.
- (3) Users are obliged to ensure that the media are in proper condition and complete when borrowing them.
- (4) The passing on of borrowed items to third parties is not permitted. The user in whose name the items were borrowed is liable.

§ 11

Loan Period and Extension

- (1) The loan period is generally four weeks. Libraries can specify a different loan period for special offers/media types.
- (2) For each loan, users may receive a receipt stating the date of its return.
- (3) As a rule, the loan period can be extended twice, provided that the library card is valid and the media are not otherwise reserved. After that, it is possible to borrow again on presentation of the media and under the same terms and conditions.

§ 12

Return of Borrowed Items

- (1) The borrowed items shall be returned without request, at the latest upon expiry of the loan period. All borrowed items must be returned in the packaging in which they were lent.
- (2) If the items are not returned to the Library to whose holdings the items belong, a transport charge is to be paid.
- (3) Users may receive a return receipt upon return of the borrowed items.
- (4) A return as postal or parcel shipment is at the risk and expense of the user, the date of receipt at the Library applies.

§ 13

Reservation

- (1) Borrowed media can be reserved. The current borrower of an item may not place a reservation on this item.

- (2) The cost for the reservation of borrowed media shall be incurred upon provision. Upon request, the Library will notify the user of the availability. At the end of the collection period stated there provision ends.

§ 14

Interlibrary Loan

- (1) Media that are not available in a Library of the VÖBB can be ordered via interlibrary loan.
- (2) Interlibrary loans are subject to these Terms of Use and the lending regulations in their currently valid version.
- (3) Fees shall be charged for interlibrary loans. In addition, postage and delivery costs or reprographic charges may be incurred for the delivery. These are also to be paid if media are not collected despite notification.

§ 15

Exceeding the Loan Period and Duty to Provide Compensation

- (1) For media for which the loan period has been exceeded, a fee/fine is to be paid for each day the loan period has been exceeded up to a maximum of 60 calendar days, irrespective of a reminder letter.
- (2) After the maximum period has expired, an equivalent replacement copy may be obtained at the user's expense. An additional processing fee will be charged for replacement procurement.
- (3) Media shall be deemed not returned until their loss is reported to the library. The user must immediately obtain an equivalent replacement copy for lost or damaged media.
- (4) If the replacement is not procured, the Library shall assume this at the user's expense. If it is not possible to procure a replacement, compensation shall be paid in accordance with the statutory provisions. Independently of this, a processing fee is usually due. A processing fee is charged for the replacement procurement of barcodes or RFID-tags on the respective item for booking it into the management system of the Library.

§ 16

Fees and Fines

- (1) The fees and fines are due immediately.
- (2) Library card fees

- a) First issue/extension of a library card for natural persons from 18 years of age for 1 year: € 10.00
 - b) First issue/extension of a library card for minors and pupils over 18 years (verification with student card I) for 1 year: free of charge
 - c) First issue/extension of validity for 1 year for students, trainees or volunteers: € 5.00
 - d) First issue/extension of the period of validity for 1 year for recipients of Unemployment Benefit I and of state transfer payments (Unemployment Benefit II, social benefits, social assistance, basic social security according to Social Code Book XII, benefits according to the Asylum Seeker Benefits Act, housing benefit and victim's pensions according to the SED Unlawful Settlement Acts and recipients of equalization pensions in accordance with § 13 paragraph 1 of the Act on the Recognition and Provision of Political, Racial and Cultural or Religiously Persecuted Persons of National Socialism – PrVG) with berlinpass or with benefits notice for 1 year: free of charge
 - e) First issue/extension of the validity of a library card for legal entities for 1 year: € 60.00
 - f) First issue/extension of a library card for schools, nurseries and kindergartens for 1 year: free of charge
 - g) First issue/extension of the validity of a library card for legal persons and authorities within the meaning of § 2 of the General Jurisdiction Act (AZG) such as senate and district administrations including subordinate authorities, corporations, institutions and foundations under public law for 1 year: free of charge
 - h) Issue of a replacement card € 2.50
- (3) In the case of online registration, no discounts will be taken into account, also not at a later date.
- (4) Service fees
- a) Per order in interregional loan transactions, independent of positive completion: € 1.50
 - b) Provision of a reserved or ordered physical media unit/copy (also in interregional lending) € 1.00
- (5) Processing fees
Users are permitted to prove that no damage or reduction in value has occurred at all or is significantly lower than the lump sum. If this proof cannot be provided by the user, the following processing fees will apply:

- | | |
|---|---------|
| a) For lost or heavily damaged media per item: | € 15.00 |
| b) For the replacement of damaged barcodes or RFID-tags per barcode or tag: | € 2.50 |
| c) For an address inquiry: | € 15.00 |
| d) For the written demand for return or reminder for payment per official letter: | € 1.00 |
- (6) Fines for overdue borrowed items
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|---|--------|
| a) For persons referred to in paragraph 2(a), (c), (d) and (e) per item and calendar day: | € 0.25 |
| b) For persons referred to in paragraph 2(b) per item and calendar day: | € 0.10 |

§ 17 Exemptions

The Library may allow exemptions to these Terms of Use for the benefit of the user in justified individual cases and insofar as there is no public interest to the contrary.

§ 18 Violation of the Terms of Use

- (1) In the event of gross violations of these Terms of Use, temporary or permanent exclusion from use may be imposed.
- (2) Fees paid shall not be reimbursed.

§ 19 Entry into Force, Expiry

These Terms of Use come into force on the day after publication in the "Amtsblatt für Berlin" and expire ten years after publication. The Terms of Use for the Public Libraries of the State of Berlin (BÖBB) of 6 January 2009, "Amtsblatt für Berlin" p. 282 ff., shall cease to apply simultaneously with the entry into force of these Terms of Use.

Public Libraries of the State of Berlin
Verbund der Berliner Öffentlichen Bibliotheken (VÖBB)
www.voebb.de

Charlottenburg-Wilmersdorf

Dietrich Bonhoeffer-Bibliothek
(Mittelpunktbibliothek)
Brandenburgische Straße. 2
10713 Berlin
stadtbibliothek@charlottenburg-wilmersdorf.de
Tel: 9029 15900

Heinrich-Schulz-Bibliothek
(Bezirkszentralbibliothek)
Otto-Suhr-Allee 96
(Rathaus Charlottenburg)
10585 Berlin
stadtbibliothek@charlottenburg-wilmersdorf.de
Tel: 9029 12217

Friedrichshain-Kreuzberg

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Lichtenberg

Anna-Seghers-Bibliothek
im Linden-Center
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anna-seghers-bibliothek@t-online.de
Tel: 9279 6410

Marzahn-Hellersdorf

Mark Twain
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Mitte

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Neukölln

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Pankow

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Reinickendorf

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Spandau

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Treptow-Köpenick

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Mittelpunktbibliothek Köpenick

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Zentral- und Landesbibliothek Berlin

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