

## Rules and Regulations of the Public and Art Lending Library

### **Rules and Regulations regarding the establishment and use of the Public and Art Lending Library of Langenfeld, dated 1 June 1991 and as amended on 1 October 2014**

On 30 September 2014, the City Council of Langenfeld decided on the following amended version of the Rules and Regulations regarding the establishment and use of the Public and Art Lending Library, dated 1 June 1991:

#### **Legal Bases:**

- Secs. 7 and 41 of the Municipal Code of North Rhine-Westphalia (NRW) in the version published on 14 July 1994 (GV NW [Official Gazette of North Rhine-Westphalia, translator's note] p. 666/SGV NW [current laws and regulations in force in North Rhine-Westphalia, translator's note] 2023), as last amended by the Law of 17 December 1997 (GV NRW [Official Gazette of North Rhine-Westphalia, translator's note] p. 458)
- Secs. 1, 2, 4 and 6 of the Local Tax Act of North Rhine-Westphalia, dated 21 October 1969 (GV NW [Official Gazette of North Rhine-Westphalia, translator's note] 610) as amended from time to time.

#### **Section 1. General**

The Public Library and Art Lending Library are public institutions of the City of Langenfeld. They serve general educational interests, the transfer of information, basic and further training as well as leisure purposes and art education. The Public and Art Lending Library exclusively and directly pursues non-profit purposes according to the section "tax-privileged purposes" of the Fiscal Code (AO 1977).

Between the Public and Art Lending Library and its user exists a relationship of use governed by public law.

#### **Section 2. Users**

The Public and Art Lending Library may be used by anybody according to these Rules and Regulations. Minors are not allowed to use the Art Lending Library.

#### **Section 3. Registration, Reader's Card**

3.1 User shall register personally on production of his/her valid identity card or passport and certificate of registration. Children and youth under the age of 18 shall provide an informed consent of their legal representatives. The latter shall be liable for any potential claims regarding the loan and use of the library that the City may hold against the minor.

3.2 Upon registration, User or his/her legal representative shall accept the Rules and Regulations and agree to the storage of his/her personal details within the Public Library's computer system.

3.3 User shall receive a Reader's Card that entitles him/her to borrow items and paintings; this card shall be valid for 12 months from the date of issue. This card may also be issued as a Day Ticket that entitles the user to a single loan.

The Reader's Card is not transferable and shall remain municipal property.

3.4 User shall inform the Public and Art Lending Library immediately if his/her Reader's Card is lost or stolen or in case of any changes to his/her contact details.

## **Section 4. Loan, Renewal, Reservation**

4.1 Items and paintings shall only be lend on production of the Reader's Card. Certain items and/or paintings may permanently or temporarily be excluded from loan. The general loan period shall amount to a maximum of

8 weeks	for paintings
4 weeks	for books
2 weeks	for any other items.

The loan period may be reduced in particular cases. It shall expire at closing time on the respective day. The timely return of the items shall be carried out at the lending desk during the opening hours. The opportunity to return items via the external book return slot constitutes an additional offer the library shall not be held liable for. Returning items via the library's external book return slot shall happen at User's own risk. He/she shall be responsible to prove that he/she has returned all items in time and in proper condition. Examination of the returned items will not take place before the next working day.

4.2 Upon request, the loan period may be renewed before expiration. The regular application for renewal is carried out at the lending desk. It may be rejected in case items are reserved by other readers, User's account is charged with fees or the validity of his/her Reader's Card has expired.

Applications for renewal received via fax or e-mail after closing time shall be deemed late and will not be dealt with before the next working day. In case of online-renewals, the risk whether the application for renewal may be granted or not shall lie with the user. The Public Library shall not be liable for any technical or operating errors.

4.3 Items and paintings on loan may be reserved. In exceptional cases, the Public and Art Lending Library may also recall items and paintings on loan at any time.

4.4 Borrowing any items or paintings and particularly electronic media is carried out at User's own risk. There shall be no claims for damages against the Public Library.

## **Section 5. Interlibrary Loan, Internet Access**

5.1 Items that are not part of the collection of the Public Library may, upon application, be provided through interlibrary loan in accordance with the respective interlibrary loan code.

5.2 Information may also be retrieved via the Public Library's Internet accesses.

The Public Library shall not be responsible for any content, availability and quality of third party offers that are available online.

The use of online-research shall be subject to the instructions of the library staff.

## **Section 6. Liability, Damages**

User shall be obliged to protect all borrowed items and paintings against any alteration, dirt and damage. He/she shall be liable for any damage to or loss of borrowed items or paintings caused by him/her.

Loan commences with handing-over of the items to the User and terminates with the duly return to the Public and Art Lending Library. Paintings shall be returned within their original packaging. User shall also be liable for any damage or loss as defined above caused by misuse of his/her Reader's Card. In case of any claims for damages, the current replacement value shall be calculated. If a replacement is impossible, especially with regard to paintings of the Art Lending Library, the current market value shall prevail. Returning items via the external book return slot shall happen at User's own risk. He/she shall be liable for any unauthorized removal or damage.

## **Section 7. Fees**

7.1 User shall have to pay a fee in order to become a member of the Public and Art Lending Library. The amount of charges is defined in the enclosure, which constitutes an integral part of these Rules and Regulations.

7.2 A fee shall be charged for

1. the issuing of a Reader's Card or Replacement Card and the extension of its validity. This fee shall be due upon handing-over of the Reader's Card. Any person who holds a family or welfare card issued by the City of Langenfeld shall be exempt from this payment. This exemption does not apply to the issuing of a Replacement Card,
2. the provision of items through interlibrary loan when placing the order,
3. the loan and insurance costs of paintings of the Art Lending Library,
4. any replacement in case of damage or loss of packaging/sleeves of items / any replacement in case of damage or loss of security labels/transponders,
5. any items/paintings that are not returned in time (overdue charge).

7.3 The overdue charge is due on the **1<sup>st</sup> day** after expiration of the loan period and increases every 7 days.

7.4 In case a written reminder to return the item/painting after expiration of the loan period remains ineffective, the replacement value plus overdue charges that have incurred up to the respective date shall become immediately due and payable. An enforced recovery of claims will commence without any further notice in case a recovery of the item/painting is impossible.

## **Section 8. Suspension**

A breach of any stipulation of or based on these Rules and Regulations or any disturbance of the order of the Public and Art Lending Library may result in a temporary or permanent suspension of library privileges.

## **Section 9. Domestic Authority**

Mayor may transfer the domestic authority to the staff of the Public and Art Lending Library.

## **Section 10. Data protection**

Personal data shall be stored for twelve months exceeding the period of validity and/or use of the Reader's Card. Personal data regarding items/paintings on loan are stored until these items/paintings are returned or any claims the Public and Art Lending Library may hold due to their loan are covered in full.

## **Section 11. Public Interest**

The Public and Art Lending Library is a non-profit institution; therefore it does not primarily pursue any financial interests of its own. No person shall benefit from any expenses that don't comply with the statutory purpose of the Public and Art Lending Library or from any remunerations being excessively high.

## **Section 12. Use of Funds and Capital**

Budgetary means and any other funds of the Public and Art Lending Library shall solely and exclusively be used for statutory purposes. The City of Langenfeld shall not receive any financial benefits from the funds of the Public and Art Lending Library but rather grants an annual contribution. In case of closing or reorganization of the Public and Art Lending Library into a legal form governed by private law or in case of cessation of its tax-privileged purposes – promotion of culture, educational mission and national education - the City of Langenfeld does not receive any more than the general value of its contributions in kind and its paid-in shares. Any other remaining funds shall be used for tax-privileged purposes according to the decision of the City of Langenfeld.

## **Section 13. Legal Validity**

These Rules and Regulations come into force on the day of their announcement.

### **Enclosure to Sec. 7 of the Rules and Regulations regarding the establishment and use of the Public and Art Lending Library, dated 1 June 1991 and as amended on 1 October 2014**

The amount of charges mentioned in Sec. 7 is defined as follows:

1. for the issuing of a Reader's Card (or Replacement Card) and the extension of its validity
  - a) for persons over the age of 21, €16
  - b) Replacement Card for persons over the age of 21, €5
  - c) for persons from 14 – 20 years of age, €5
  - d) Replacement Card for persons from 14 – 20 years of age, €5
  - e) for persons under the age of 13, free of charge
  - f) Replacement Card for persons under the age of 13, €5
  - g) for a Day Ticket €3
2. for provision of items through interlibrary loan, €2 per item

3. for insurance costs regarding paintings of the Art Lending Library, €5 per painting
4. for the loan of paintings of the Art Lending Library, €5 per painting
5. for any damage or loss of packaging/ sleeves and security labels/ transponders, €2
6. for items/paintings not returned within the loan period (overdue charges)
  - a) for the first week exceeding the loan period (from the 1<sup>st</sup> day) €1 per item/painting
  - b) for any following week, €2 per item/painting

This constitutes the latest version of the Rules and Regulations being in force since 1 October 2014. Please note that they may be amended from time to time and inform yourself about any changes directly at the Public Library.