Regulations on the Use of the Swiss National Library (NL)
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In accordance with the Ordinance of 14 January 1998 on the Swiss National Library (Swiss National Library Ordinance, NLibO)¹, the Swiss National Library Management hereby issues the following Regulations:

A General provisions

Art. 1 Scope

1 These Regulations govern the use of the collections and premises of the NL in Bern.

2 Special arrangements apply to the lending of documents for exhibitions, and to the use of the collections and premises of the Centre Dürrenmatt Neuchâtel and the Swiss National Sound Archives in Lugano.

Art. 2 Access to the NL

The NL is a scientific library and is open to all interested persons.

Art. 3 General provisions on the use of the NL

1 The NL offers all users a wide range of services linked to the use of its collections: research, consultation of documents, circulation, reproductions, reading rooms, study carrels for individual or group use, reference collections and technical infrastructure.

2 Use of the majority of NL services is free of charge, subject to Art. 4.

3 All individuals aged 15 and over, as well as public and private institutions may use the NL and its collections.

Art. 4 Fees and charges

The fees for NL services are set out in the Ordinance of 1st October 2018² and the FDHA Ordinance of 1st October 2018³, both concerning the fees of the Swiss National Library.

Art. 5 Registration

1 Users must register in order to consult or borrow documents. An official identity document, or where applicable a residence permit⁴, must be produced when registering.

2 By registering, users undertake to comply with these Regulations.

¹ SR 432.211
² SR 432.219
³ SR 432.219.1
⁴ Valid C or B residence permit.
Art. 6 Conduct in the library

1. The conduct of users must not disturb those around them, especially other users.
2. It is forbidden to bring animals into the NL, with the exception of guide dogs for disabled users.
3. Smoking (including e-cigarettes) is not permitted anywhere in the building.
4. In work and study areas, mobile phones must be muted and their use to make calls or conduct conversations is prohibited. In general, the use of any electronic device should not cause any noise.
5. Library users must leave all briefcases, bags, coats, umbrellas and other large objects in the cloakroom or in the lockers provided for this purpose.
6. Eating and drinking is prohibited except in designated areas.
7. Filming or photographing the NL’s premises is permitted provided other users are not disturbed and that the images are for personal use only, subject also to Art. 26 et seqq.
8. In addition to these Regulations, instructions issued and communicated by NL staff have full force and effect, especially in emergencies.

Art. 7 Use of research tools and information media

The NL catalogues, general and specialist bibliographies, reference works and other research tools are freely accessible.

Art. 8 Use of documents

1. Documents must be handled with care. Valuable and special-format items, as well as items requiring careful handling, may only be consulted under supervision and at the workstations provided for this purpose.
2. Making notes or any other form of marks in documents, cutting or removing parts of them, and altering their arrangement are prohibited. To make notes in reading rooms, users may in principle only use portable computers and pencils.
3. Supervisory personnel are authorised to check documents that users are consulting or carrying.

Art. 9 Use of digital documents

1. Digital documents subject to copyright are accessible for personal use unless subject to special restrictions. In particular, Articles 21 et seqq. apply.
2. By accessing digital documents, users agree to accept the conditions of use set out above.
3. When accessing the other databases made available to the public by the NL, users agree to accept the conditions of use specific to each database.
Art. 10 Use of IT

1 The NL makes internet access available for users to search for documents or information. Use of the internet is restricted to a limited period of time and may be subject to a fee.

2 Users agree to comply with applicable law, such as copyright, the criminal law, data protection legislation, etc. In addition, users agree to refrain from consulting or disseminating any indecent or illegal content.

3 NL staff may carry out any necessary checks if misuse is suspected, and prohibit use of the internet.

Art 11 Reporting damage, repairs

1 The NL will verify that documents lent out are not damaged or incomplete.

2 Users must notify the NL immediately if they notice that a document is damaged or incomplete; in the absence of any such notification, it will be assumed that the documents supplied were in good condition and complete.

3 Users are responsible for any damage they cause to materials made available to them by the NL, and must bear any costs and expenses incurred.

4 Users may not carry out repairs themselves or have such repairs carried out by third parties. The NL will arrange for repairs and for the replacement of documents damaged or lost by users.

B General Collection

Art. 12 User card

1 A user card is required in order to borrow documents. The card is issued to any person aged 18 years or over who is a permanent resident of Switzerland or Liechtenstein and has proved their identity in accordance with Art. 5 para. 1.

2 Persons aged under 18 or who are not permanent residents of Switzerland or Liechtenstein must produce a written guarantee signed by a person over the age of 18 who is a permanent resident of Switzerland or Liechtenstein and has proved his/her identity in accordance with Art. 5 para. 1.

3 Legal entities and other collective bodies (other than libraries) must supply the name and address of an individual who is empowered to represent them in order to obtain a user card.

4 User cards are free of charge. Each user is responsible for protecting their card against misuse, failing which the card holder will be liable for any documents borrowed in their name. A charge will be made for a replacement user card.

5 User cards are personal and non-transferable.

6 In the event of a change of address, the user account must be amended or the NL notified immediately.

Art. 13 Loan conditions

1 Documents are loaned to the user only and may not be passed on to third parties.

2 Printed works published less than 50 years ago may be released by the NL for home loan.

3 Certain documents may only be consulted in the reading rooms. The loan conditions are indicated in the catalogue.

4 The use of originals is not permitted where the NL provides a substitute copy. Exceptions may be made upon written request to the NL’s Management.
The NL may prohibit the use of documents for reasons of conservation or compliance with copyright or personality rights.

Persons not permanently resident in Switzerland or Liechtenstein may borrow documents for a day in the NL reading room. They must deposit an official identity document as security.

A user may have no more than 50 items on loan at any one time.

Art. 14 Duration of loan

1 The loan period is 28 days.

2 Users may apply for an extension to the loan before this period expires. A maximum of five extensions may be granted.

3 The NL may limit the loan period or recall the item before expiry of the loan period, without giving reasons.

Art. 15 Recalls

1 Users must respond immediately on receipt of a recall for an item they have borrowed.

2 If the user fails to comply with the third recall notice sent to them, the NL will replace the item concerned and charge the resulting costs to the user.

Art. 16 Reservations

Users may reserve items. They will be notified as soon as the reserved items become available.

Art. 17 Inter-library loans

1 The NL will order documents that are not in its collections. The duration of the loan and conditions for the use of the documents are as stipulated by the lending library.

2 The costs incurred as a result of such orders must be paid by the user, even if the user does not collect the document ordered.

Art. 18 Postal dispatch

1 Documents may be sent by post provided they are in appropriate condition and the user is not domiciled in or around Bern.

2 Users must carefully package items when returning them and, if possible, re-use the NL’s original packaging. They are liable for any loss and/or damage to the items and are responsible for the postage and handling costs.
C Swiss Literary Archives (SLA) and Prints and Drawings Department (PDD)

Art. 19 Use of the collections

1 The collections of the SLA and PDD may be used for academic, literary and journalistic work and studies, to prepare exhibitions or for private research.

2 The SLA and PDD make their collections available in the reading room, unless agreements between the SLA / PDD and the authors or rights holders impose restrictions, and provided no infringement of copyright or personality rights is involved.

3 The SLA and PDD reserve the right to impose restrictions due to collection conservation and maintenance requirements.

Art. 20 Ordering and consulting documents

1 Users must state in advance their preferred arrival date and likely duration of their stay. They must indicate the subject of their research or provide a list of the documents they wish to consult. The date of their visit will be arranged by agreement with the staff of the SLA or PDD.

2 At the SLA, an order slip must be completed for each document requested.

3 Documents made available to users may only be consulted in a reading room under the supervision of staff and subject to the instructions issued by the staff.

4 A limit may be placed on the number of documents supplied to users at any one time. Particularly valuable documents will only be supplied one at a time.

D Reproductions and publication of reproductions

Art. 21 Reproduction by users of documents in the General Collection

1 Users may make copies of documents using the equipment made available by the NL, subject to copyright and personality rights. For conservation reasons, documents that are more than 50 years old may only be reproduced using the scanner or personal copying or photography devices.

2 The use of personal copying or photography devices is permitted for strictly personal use, as long as it does not endanger the physical integrity of the document. The device must not touch the document in any way and the use of flash or other additional lighting is strictly prohibited. The NL will provide the appropriate supports to ensure the correct and safe handling of documents when taking photographs.

3 For conservation reasons, users must inform the supervisory staff if they wish to make copies of items that are more than 50 years old. The NL may limit the right to make copies if it considers that the document is in danger of being damaged. If necessary, reproductions may be ordered from the NL’s Photography and Reprography service.

4 Copies may also be ordered from the NL’s Photography and Reprography service. Orders must be made in writing.

Art. 22 Reproductions of documents in the Swiss Literary Archives (SLA) and Prints and Drawings Department (PDD)

1 The use of personal copying and photography devices is subject to prior approval by staff of the SLA or PDD. It is permitted for personal use only and subject to copyright and personality rights, and provided it does not endanger the physical integrity of the document. Copies may not be made available to third parties. The copying device must not touch the document in any way and the use of flash or other additional lighting is strictly prohibited. The NL will provide the appropriate supports to ensure the correct and safe handling of documents when taking photographs.
Copies may also be ordered from the NL’s Photography and Reprography service.

The SLA reserve the right to lend copies of certain documents and require their return. In this case, the costs of reproduction will be borne by the SLA.

Art. 23 Restrictions on reproduction

The NL may refuse to permit reproduction
a) for conservation reasons,
b) for reasons of copyright or personality rights, or
c) for reasons of collection maintenance.

Art. 24 Publication of reproductions

Where a document is subject to copyright, the source of reproductions must be indicated (in full or using official abbreviations specified by the NL) each time they are published or used, in the following form:
- For reproductions of documents from the General Collection: “Swiss National Library (NL), Bern”, accompanied by a bibliographical reference.
- For reproductions of documents from the SLA: “Swiss Literary Archives (SLA), Bern”, followed by the name of the fonds from which the document comes.
- For reproductions of documents from the PDD: “Prints and Drawings Department, Swiss National Library, Bern”, followed by the name of the fonds from which the document comes.

Art. 25 Specimen copies

1 A free copy of every publication in which reproductions of documents from the General Collection, SLA or PDD that are not in the public domain are used must be supplied to the NL.

2 A second free copy of every publication in which reproductions of documents from the SLA or PDD are used is desirable, in order to complement the fonds from which the copies used come.

3 If the publication costs more than CHF 200, the NL must be granted a discount on the purchase price instead of a free copy.

E Copyright, personality rights and data protection

Art. 26 Compliance with applicable legislation

1 Users must adhere to copyright and personality rights when using documents.

2 Documents that are in the public domain are not subject to any restrictions on use.
Art. 27  General Collection

1 Persons using an analogue or digital document from the NL in any way, making reproductions of such a document themselves or obtaining reproductions from the NL, are responsible for complying with intellectual property law, in particular copyright and personality rights.

2 Reproductions are permitted for personal use only. Any other use is subject to the written consent of the copyright holder. It is the responsibility of users to establish whether the documents used are free from copyright before using them for any purpose that is not strictly personal.

Art. 28  Swiss Literary Archives (SLA) and Prints and Drawings Department (PDD)

1 Prior to any publication (partial or complete reprinting, reproduction, any kind of quotation of unpublished texts) of documents from the holdings of the SLA or PDD that are subject to copyright and personality rights, users must request permission from the copyright holder or persons protected and affected by personality rights or their legal heirs, as well as the SLA and PDD, by submitting to them a request for permission to publish.

2 Correspondence may only be used with the consent of the author and recipient or their legal heirs. Letters that, in particular, affect the personality rights of the author, the recipient or their legal heirs may not be published without their consent. The consequences for third parties and any protective rights they may hold must also be taken into account.

3 It is the responsibility of users to examine, from a legal perspective if necessary, any correspondence and personal documents whose content is sensitive and may affect personality rights or prejudice third parties before such documents may be used, published or disseminated. In the event of doubt, personality rights take precedence.

Art. 29  Data protection

The Swiss National Library respects and protects its users’ rights in respect of data protection and privacy. The collection and processing of users’ personal data is necessary for the provision of certain services that the NL offers under its statutory mandate. The NL has put in place the measures required by law to protect personal data. Detailed information on data protection at the NL can be found on the NL website.

Art. 30  Liability

1 The NL assumes no liability in respect of the use of digital or analogue documents from its collections by its users or other third parties. Users indemnify the NL and hold it harmless in respect of any claim against it relating to loss or damage caused by users or other third parties, in particular infringement of intellectual property and personality rights arising out of the use of such documents.

2 With regard to the use of IT tools, the NL is not responsible for the content, availability or quality of third-party offerings.

3 The NL disclaims all liability for personal, material or purely economic loss or damage arising out of the inadequate operation of IT tools.
F Breaches of the Regulations

Art. 31 Breaches of the NL Regulations and responsibility

1 The NL may impose the following sanctions if it establishes that users are breaching these Regulations:
   a) verbal or written warning, with the option to impose the sanctions set out in letters b and c of this paragraph or
   b) restrictions on usage rights or
   c) exclusion and blocking the user’s account.

2 The NL reserves the right to bring civil proceedings and file a criminal complaint in addition to the sanctions set out in paragraph 1.

3 Users against whom measures have been taken by the NL within the meaning of paragraph 1 or 2 of this Article remain subject to all the obligations arising out of their status as users.

4 In the event of disputes, the NL will decide on sanctions in accordance with the arrangements set out in paragraph 1. The decision will be subject to appeal in accordance with the Federal Act on Administrative Procedure of 20 December 1968 (APA, SR 172.021).

G Concluding provision

Art. 32 Entry into force

These Regulations come into force on 1st December 2018. They replace the Regulations on the Use of the Swiss National Library of 16th October 2017.

Swiss National Library NL

Marie-Christine Doffey
Director

Bern, 1st December 2018