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**Regulations for the use of the**  
**Center for Applied Computer Science of the University of Cologne**  
**- University-wide Service Department (ZAIK/RRZK) -**

**§ 1 Legal status**

The Center for Applied Informatics at the University of Cologne (ZAIK) is a central institution of the University of Cologne which, in accordance with § 33 of the University's Basic Regulations of 17.12.2002 (Amtliche Mitteilungen 1/2003), performs the task of a central operating unit ("University-wide Service") and a central academic institution ("Research and Teaching in Informatics" and "Research and Teaching in Business Informatics") in accordance with § 29 and § 30 of the NRW Higher Education Act. Details are laid down in the ZAIK statutes of August 5, 2003 (Amtliche Mitteilungen 47/2003). The "University-wide Service" division of ZAIK continues the tasks of the University Computer Center (RRZK).

**§ 2 Authorized users**

(1) The following may be authorized to use the ZAIK/RRZK

1. members and affiliates, institutions and administration of the University of Cologne;
2. representatives of the University for the fulfillment of their official duties;
3. members and affiliates or representatives of other universities in the state of North Rhine-Westphalia or universities outside the state of North Rhine-Westphalia on the basis of special agreements;
4. other persons and institutions as far as possible.

(2) The Director of the ZAIK/RRZK shall grant permission for use.

(3) The provisions of the user regulations and the operating regulations as well as the cost and fee regulations are part of the notice of admission to use the ZAIK/RRZK.

### **§ 3 Admission procedure**

(1) Admission to use the ZAIK/RRZK must be requested from the ZAIK/RRZK on a form which must contain the following information in particular:

1. name, address and signature of the applicant as well as his/her official position;
2. a brief description of the project
3. the equipment to be used and the programs or other ZAIK/RRZK services predominantly required, as well as the expected duration and estimated scope of use;
4. information as to whether personal data will be processed;
5. acceptance of the user regulations, the operating regulations and the cost and fee regulations;
6. reason for the use;
7. name and signature of the person responsible for the project
8. information on the financing of the project and whether the project is being carried out as part of a secondary activity or a third-party funded project and whether its results are to be utilized in return for payment;
9. assurance that the information provided is correct and complete.

ZAIK/RRZK must be informed of any changes without delay and without being asked.

(2) In the case of projects with high resource requirements, a detailed written description of the project and its resource requirements must be provided at the request of the ZAIK/RRZK in addition to the information specified in paragraph 1.

(3) Approval shall be granted for a limited period of time within the scope of the available capacities; it may be linked to a limitation of the resources to be used as well as to further requirements and conditions. Approval is granted in writing and a user ID is assigned. It is only valid for the project applied for.

(4) If the authorization is granted for a project that is related to a secondary occupation, the provisions of secondary occupation law shall remain unaffected.

(5) A simplified approval procedure is permitted for the use of the ZAIK/RRZK in the case of low resource requirements. Details are set out in the operating regulations.

#### **§ 4 Rights and obligations of users**

(1) Users have the right to make use of the facilities, equipment and services of the ZAIK/RRZK necessary for the processing of their problem in accordance with the authorization within the framework of these user regulations and the operating regulations.

(2) Users are obliged:

- to comply with the provisions of the user regulations and the operating regulations;
- to inform themselves regularly about the operating regulations in the information services provided by ZAIK/RRZK and to observe electronic mail messages sent to their user number in this regard;
- to treat ZAIK/RRZK equipment, systems, data carriers and other facilities with care and consideration;
- to notify ZAIK/RRZK immediately of any malfunctions, damage or faults in equipment, devices or data carriers;
- to follow the instructions of ZAIK/RRZK staff or authorized ZAIK/RRZK personnel when using ZAIK/RRZK equipment and facilities;
- to provide proof of authorization to use upon request;
- to restrict use to the project specified in the application;
- to protect the user ID from use by third parties;
- to secure their data and programs in such a way that no damage can occur through loss during processing at ZAIK/RRZK;
- to observe the requirements of data protection;
- to observe IT security requirements, in particular the security guidelines, and to comply with the security guidelines for IT at the University;
- to observe the copyright and license conditions, in particular not to copy any software or data available at the ZAIK/RRZK without express permission;
- to avoid disrupting the operation of the ZAIK/RRZK and interfering with other users;
- to provide information on programs and methods used and to grant access to the programs and data to employees authorized by the Director of the ZAIK/RRZK on request in individual cases - insofar as this is necessary to monitor compliance with the user regulations.

## **§ 5 Use of the ZAIK/RRZK**

(1) The details of the use of the ZAIK/RRZK shall be laid down in operating regulations issued by the Director of the ZAIK/RRZK.

(2) If the use of the ZAIK/RRZK requires the allocation of priorities for projects or individual orders, the following criteria shall apply:

- chronological order of the projects or orders;
- Demand for resources such as computing time, storage, etc;
- Membership of user groups in accordance with § 2 para. 1;
- type of financing of the project in accordance with § 3 para. 1 no. 8; and
- urgency of the project in special cases.

The details of the prioritization shall be determined by the Director of the ZAIK/RRZK.

## **§ 6 Liability**

(1) Users shall be liable for any damage they culpably cause to equipment and devices, data carriers and other facilities of the ZAIK/RRZK, for culpably caused losses and changes to the data and programs of the ZAIK/RRZK or third parties as well as for damages resulting from violations of legal provisions and the provisions of these regulations.

(2) ZAIK/RRZK shall be liable for damage caused by its employees intentionally or through gross negligence. However, liability extends only to compensation for direct damage. Users must take preventive measures to minimize possible damage.

(3) ZAIK/RRZK accepts no liability whatsoever for the malfunctioning of technical equipment or programs or for incorrect results in terms of content.

## **§ 7 User fees**

(1) The Chancellor of the University of Cologne is responsible for determining the costs for the services of the ZAIK/RRZK and for charging fees for users who are subject to charges.

(2) Tasks carried out by members and affiliates of the University of Cologne as part of their official duties are generally not subject to charges. Special costs incurred by the ZAIK/RRZK may be invoiced in accordance with the operating regulations.

(3) In the case of chargeable use, the charges are determined on the basis of charge levels that are defined by the type of project and its financing. The obligation to pay the fee arises at the start of use. Users who are liable to pay fees will receive notices of the fees they are required to pay. The fee is due upon receipt of the notification.

(4) Details of the user fee are set out, where necessary, in the cost and fee regulations for the ZAIK/RRZK, which are issued by the Chancellor of the University of Cologne at the suggestion of the Director of the ZAIK/RRZK.

## **§ 8 Restriction of user authorization and exclusion from use**

(1) If users violate the user regulations or the operating regulations or if their behavior seriously disrupts the operation of the ZAIK/RRZK or if users violate legal regulations on the premises of the ZAIK/RRZK or when using the equipment of the ZAIK/RRZK, the ZAIK/RRZK may restrict the admission of these users and, in particularly serious cases, block the user ID. Users must be informed of this in writing, stating the reasons. They can ask the Chair of the Senate Commission for the ZAIK for mediation. As a rule, such measures should not be taken without a warning.

(2) Users who seriously violate the user regulations or the operating regulations and do not desist from doing so even after measures in accordance with paragraph 1 may be excluded from further use of the ZAIK/RRZK. Exclusion from use is pronounced by the Rector of the University of Cologne at the request of the Director of the ZAIK/RRZK after hearing the Chairman of the Senate Commission for the ZAIK.

(3) The user's obligations arising from the user relationship shall not be affected by a restriction of admission or exclusion from use; in particular, the University's entitlement to the agreed fee within the scope of the use made shall remain unaffected.

(4) Users shall not be entitled to any claims for damages as a result of measures under paragraphs 1 and 2.

## **§ 9 Entry into force**

The ZAIK/RRZK user regulations come into force on the day after publication in the "Amtliche Mitteilungen der Universität zu Köln". At the same time, the user regulations for the University Computer Center of the University of Cologne dated 29.01.1992 (Amtliche Mitteilungen 6/92) expire.

Issued on the basis of the resolution of the University Senate of 05.11.2003.

The Rector of the University of Cologne

Cologne, November 10, 2003

Attn. Professor Dr. Tassilo Küpper