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**Regulations for the Computing Center of  
Hamburg University of Science and Technology  
(Technische Universität Hamburg-Harburg)**

Issued by: Hamburg University of Science and Technology  
Computing Center  
Denickestr. 17  
21073 Hamburg

Responsible: Manfred Schössler, -3103

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### **§ 1 Organisational Classification**

The computing center (RZ-TU) is an operating unit of the Technical University in accordance with § 110 of the Hamburg University Act (Hamburgisches Hochschulgesetz/HmbHG); as a central facility, it is assigned to the University Senate.

### **§ 2 Tasks**

1. The computing center runs the central computer systems for research and teaching and the computer network of the Technical University. Within this framework, the computing center provides services for the Technical University and assists it in fulfilling its tasks in accordance with the Hamburg University Act. The computing center undertakes coordinating and advice tasks for decentralised data processing systems.

2. In respect of all systems for data processing (hardware and software) and the computer network, the computing center performs in particular the following tasks:

- \* Advising on planning and procurement,
- \* Acquiring campus and multiple licenses for software after the Senate Committee for Data Processing has examined the need,
- \* Advising on and if need be becoming involved in the use of bought-in data processing capacity and information services,
- \* Information and advice to users and customers,
- \* Producing regular user information bulletins and an annual report.

3. In respect of the central computer systems and the computer network, the computing center performs in particular the following tasks:

- \* Operation, maintenance and provision,
- \* Organising and ensuring efficient deployment,
- \* System- and problem-related advice and instruction and information to users,
- \* Holding the computing centers system-related courses,
- \* Providing, updating and documenting system and basic software,
- \* Adapting, optimising, development, maintaining and documenting software so as to maintain and/or improve the computing centers efficiency.

### **§ 3 Management**

The computing center is managed by a full-time director. The Director represents the computing center and is responsible for carrying out the tasks, for economic application of the allocated equipment and for the deployment of the personnel of whom he/she is in charge.

### **§ 4 Fundamental Regulations and Guidelines**

1. Fundamental regulations and guidelines are drawn up on behalf of the University Senate by the Senate Committee for Data Processing (Committee of the University Senate in accordance with § 86 par. 2 HmbHG). In respect of the computing center, the Committee has in particular the task of drawing up proposals and recommendations for:

- \* Fundamental regulations as regards planning, procurement and upkeep of systems and equipment for data processing and of the computing network,
- \* Campus and multiple licenses,
- \* Submissions for budget and medium-term financial planning,
- \* Drawing up concepts for central and decentral computing equipment and the computer network.

2. The Director is an advisory member of the Senate by virtue of his/her office.

### **§ 5 Data Protection**

The provisions of the current version of the Hamburg Data Protection Act (Hamburgisches Datenschutzgesetz/HmbDSG) of 31. 03. 1981 (Gazette, p. 71) must be complied with, in particular the regulations relating to the obligation to maintain data confidentiality (§ 7 HmbDSG) and to technical and organisational measures for data protection (§ 8 HmbDSG).

### **§ 6 Users**

1. Members of the Technical University can use the services of the computing center to fulfil their tasks in accordance with the Hamburg University Act.

2. Other persons and institutions can be admitted as users for academic purposes by special agreement. This also applies to the use of the computing center by members of the Technical University within the framework of subsidiary gainful activities. In this case, the relevant rules on subsidiary gainful activities must be taken into account. Any use for other purposes requires the consent of the university Senate.

### **§ 7 Authorisation procedure**

1. A written application must be made to the computing center to use the central computer system and the computer network. The application must state the purpose of use, the foreseeable extent and the duration of use, the persons entitled to use and the customer, and must state whether personal data is to be processed. Authorisation to use will be issued in writing, as a rule for a limited period. This can be extended on application.

2. The computing center will grant authorisation within the framework of available resources. It may be tied to a limitation of operating resources (computing time, storage capacity, etc.) and to other conditions. Authorisation is not transferable.

3. The provisions of this regulation must be made a part of the contractual agreements and of authorisation notifications.

4. Authorisation may be refused, revoked or subsequently restricted if:

- \* there is no proper application,
- \* the information given in the application is not, or no longer, correct,
- \* the preconditions for proper use are not, or no longer, fulfilled,
- \* the authorized user has been excluded from use in accordance with § 10,
- \* the fee specified for use is not paid,
- \* this is necessary in view of the purpose for which the computing center was set up.

### **§ 8 Rights and Duties of Users**

1. Users have the right to use the central computer systems and the computer network of the Technical University in accordance with the authorization and to make use of the services offered.
2. Users undertake,
  - \* to make use of the computing center facilities solely within the framework of these regulations and to refrain from anything that runs counter to proper and efficient operation in the computing center,
  - \* to treat equipment, systems, data carriers and other computing center facilities carefully,
  - \* to prove their entitlement to use on request,
  - \* to report malfunctions, damage to and faults in equipment, systems and data carriers and other facilities to the computing center immediately,
  - \* to follow the computing center personnel's instructions in the computing center premises and when making use of equipment, systems, data carriers and other facilities,
  - \* to ensure correct and proper use of the computing center, on request and paying heed to confidentiality to allow the computing center director or his/her representative information about software and methods used and to look at the software,
  - \* to process personal data only by special agreement with the computing center director,
  - \* not to pass on passwords and access codes,
  - \* to inform the computing center director, or in his/her absence a responsible member of staff, immediately about any security loopholes that become known; a record must be made of the notification and signed by the informer and the person making the record,
  - \* not to pass on or to use themselves any information that becomes known about third-party software and data,
  - \* to save their data and software in such a way as not to cause damage.

### **§ 9 Misuse**

Misuse of the services made available by the computing center is constituted in particular if one of the following applies:

- \* Unauthorized use of user permits

e. g.:

Using the computing center services without a valid user permit; working with the own user permit for a purpose that is not stated in the application; working with a third-party user permit,

- \* deliberate infringement of access entitlements,

e. g.:

Reading, altering, deleting or storing data and/or software of other users or of the computing center without their express permission,

\* Using on such a scale that other users are hampered, if this could have been avoided at reasonable expense.

## **§ 10 Exclusion and Cancellation of Approval**

1. Users who break these regulations, who commit or collude in criminal acts during use, can be excluded from further use temporarily or permanently. Exclusion does not affect the user's obligations arising from the user relationship. The user is not entitled to claim compensation on account of the exclusion.
2. The Technical University reserves the right to withdraw wholly or partially from the agreements under §6 para. 2 if the approval is withdrawn or limited for the reasons stated in § 7 par. 4. The Technical University is not obliged to pay any compensation.
3. In the cases of paragraphs 1 and 2 the Technical University's claim to the agreed fee for use will remain within the framework of the use that has taken place.

## **§ 11 Liability**

1. The liability of the Hamburg University of Science and Technology and its employees is confined to deliberate acts and gross negligence. The Hamburg University of Science and Technology accepts no liability for the correct functioning of the equipment and systems operated by the computing center and of software provided by it or another party or for the correctness of data and observance of deadlines.
2. Members of the Technical University (§ 8 HmbHG) are liable as users in accordance with the provisions of federal state law.
3. Persons who use the computing center without being members according to Par. 2, or who make actual use of the computing center are liable to the Technical University and third parties for all culpably caused damage arising from use of or other resource to the computing center. The Technical University must be freed from third-party claims for compensation.

## **§ 12 Priority Ranking, Quotas**

1. The chronological sequence of order processing will be geared to the order type, scope and waiting time. Exceptions to this in particular cases to this are only permissible if they do not disrupt the general running of the computing center.
2. If the computing center capacity is not sufficient to cope with all requests, operating resources will be limited by quotas for individual applicants.
3. The University Senate can issue quota regulations after hearing the Senate Committee for Data Processing.
4. In order to fix quotas, requests will be divided into task groups and processed in the following order of priority:

Task group	Priority ranking
1. Teaching work of the TU and academic work that is financed mainly by Technical University funds;	1
2. Academic work that is financed mainly by central government, the federal state, the German Research Foundation (Deutsche Forschungsgemeinschaft) or the Volkswagen Foundation and carried out by members of the Technical University	1
3. Academic work that is financed mainly by funds of Max Planck Institutes or of other mainly publicly funded non-university institutes and research establishments, insofar as they belong to the institutions participating in the computing center;	1
4. All other tasks of the Technical University based on statutory requirements, administrative regulations or instructions, and tasks of the Hamburg Ministry of Science and Research (Behörde für Wissenschaft und Forschung) as the supervisory authority;	1
5. Academic work of members of the Technical University that is financed mainly out of non-public funds, insofar as there is a public interest;	1
6. Academic work that is financed mainly out of the funds of other universities in the federal state of Hamburg;	2
7. Academic work that is financed mainly by central government, a federal state, the German Research Foundation (Deutsche Forschungsgemeinschaft) or the Volkswagen Foundation and carried out by members of other universities in the federal state of Hamburg;	2
8. Academic work that is financed mainly from funds of universities outside the federal state of Hamburg;	2
9. Academic work that is financed mainly by central government, a federal state, the German Research Foundation (Deutsche Forschungsgemeinschaft) or the Volkswagen Foundation and carried out by members of other universities outside the federal state of Hamburg	3
10. Academic work that is financed mainly by funds of Max Planck Institutes or by funds of other mainly publicly funded non-university institutes and research establishments that do not belong to the institutions participating in the computing center;	3
11. Academic work that is financed by other public funds;	3
12. Academic work that is not carried out by members of the Technical University and that is mainly financed by non-public funds, insofar as there is a public interest;	4
13. Other work	4

### § 13 Calculation of Fees

1. Computing center services will be charged for task groups as follows:

Task groups 1–7	Free of charge
Task group 8–9	Free of charge so long as a quota of 10% is not exceeded; otherwise at cost price as approved by the federal state
Task group 10	Cost price as approved by the federal state

Task group 11 – Teaching	Free of charge so long as a quota of 10% is not exceeded; otherwise at cost price as approved by the federal state
– Research	Cost price as approved by the federal state
Task groups 12–13	Market rates

\* Cost price as approved by the federal state will be calculated in accordance with the principles for setting up and operating university computing centers adopted by the Standing Conference of German State Education Ministers (Kultusministerkonferenz/KMK) on 18 October 1962 in the version dated 26 January 1989.

\* Market rates will be based on the prices charged by commercial institutes for comparable computing work; they must cover costs.

\* Special costs incurred for carrying out individual tasks can be charged separately.

2. The University Senate, after hearing the Senate Committee for Data Processing, will lay down the rates for the task groups in a charges schedule.

3. The obligation to pay the fee comes into being with the start of use. The fee becomes due on invoicing.

#### **§ 14 Coming into Force**

These regulations come into force on publication.

Note: These regulations were adopted unanimously by the Technical University Senate at its 36th meeting on 28 February 1990.