

**Note:**

The following Guideline is a consolidated version. It is legally non-binding and for informational purposes only.

The legally binding versions are found in the University of Innsbruck Bulletins (in German).

**Guideline for the partial publication of scientific papers in electronic form acc. to §27 para. 2 of the "Study Law Regulations" part of the Statutes of the University of Innsbruck**

The Director of Studies of the University of Innsbruck establishes the following guideline for the partial publication of academic papers in electronic form in accordance with §27 para. 2 and §1 para. 4 of the "Study Law Regulations" part of the Statutes:

- (1) The publication of academic papers pursuant to §86 par. 1 Universities Act shall be carried out electronically in the repository of the "Universitäts- und Landesbibliothek Tirol" (ULB) library pursuant to §27 par. 1 of the "Study Law Regulations" part of the Statutes.
- (2) Students must comply with the Rectorate's guideline on safeguarding good scientific practice and ensure that no third-party rights are infringed by online publication, in particular image rights, other copyrights or ancillary copyrights, data protection rights and business secrets.
- (3) Scientific papers, individual parts or contents for which this is not possible for legal reasons are excluded from publication in electronic form. In this context, it must first be examined whether publication (of individual parts and/or the entire version) in electronic form would be possible after the expiry of an embargo period of up to 5 years pursuant to §86 para. 4 Universities Act. In this case, an embargo rather than a partial publication in electronic form must be requested.

The following cases are to be distinguished:

**a) Scientific papers for which submission to a publisher for commercial publication is intended after assessment has taken place:**

The scientific paper must be submitted in its entirety in electronic form for assessment and publication. An embargo for up to five years can be requested in order not to impair the economic exploitability. The student must refer to the date of electronic publication at the "Universitäts- und Landesbibliothek Tirol" (ULB) library when negotiating with publishers.

**b) Scientific papers, in particular cumulative papers/collective papers which have already been published commercially in whole or in part prior to submission for assessment and/or have been submitted for publication/publication has been applied for:**

Before submitting the scientific work for assessment, it must be clarified with the editor(s) and/or the publisher(s) in the publications of which publication has taken place or is expected to take place whether **subsequent publication in electronic form (secondary exploitation)** in the repository of the University of Innsbruck is possible, if necessary, after expiry of an "embargo period". It must also be agreed which version may be published (preprint, accepted manuscript version or formatted final version).

- I. If **secondary exploitation** is permitted, the scientific work must be submitted in its entirety for electronic publication. If embargo periods have to be observed, a block pursuant to §86 para. 4 Universities Act shall be applied for for the required duration (five years at the most).

- II. If **secondary exploitation is not permitted in whole or in part**, three versions must be submitted/submitted:
- a. a **complete electronic version** including any attachments **for assessment** and archiving;
  - b. a **complete bound paper version** of the scientific paper including any appendices **for publication** at the “Universitäts- und Landesbibliothek Tirol” (ULB) library;
  - c. in the case of a **dissertation, another complete bound paper version** of the scientific work including any appendices **for publication at the Austrian National Library**;
  - d. a **version for electronic partial publication** in which those parts already published that may not be published electronically for legal reasons are linked. If parts have been submitted for publication but not yet published and have been removed from the electronic version, the publisher/journal in which publication is planned should be indicated instead, and reference should be made to the complete bound paper version at the “Universitäts- und Landesbibliothek Tirol” (ULB) library.

In this case, too, an application for an embargo of the scientific work pursuant to §86 (4) Universities Act must be filed if electronic publication is possible for individual parts of a cumulative work after an embargo period, but not for other parts. Only the latter parts are not to be published electronically.

### **(c) Removal of individual contents of a scientific paper in the electronic version**

As a rule, only content for which electronic publication is legally unobjectionable may be included in scientific papers. In particular, this applies to photographs, images and illustrations, for which the corresponding permission for use must be available.

**In individual cases, the use of content that is protected by copyright or otherwise may be absolutely necessary for the treatment of a scientific question** (e.g. photographs of works of modern art and (interior) architecture, software/code, large literary quotations, musical quotations, etc.). If it is demonstrably or with reasonable effort not possible to obtain permission to use the work for the electronic publication of this content, it is permitted to remove the legally protected content in the electronic version of the scientific work.

In such cases, three versions are to be submitted:

- a. a **complete electronic version** including any attachments **for assessment** and archiving;
- b. a complete **bound paper version** of the academic paper incl. any attachments on paper or digital data carriers **for publication** at the “Universitäts- und Landesbibliothek Tirol” (ULB) library;
- c. in the case of a **dissertation, another complete bound paper version** of the scientific work including any appendices **for publication at the Austrian National Library**;
- d. an **electronic version for publication** in which those contents or attachments that may not be published electronically for legal reasons have been removed. This version shall contain a reference to the removed parts and the publication of the complete bound paper version at the “Universitäts- und Landesbibliothek Tirol” (ULB) library in a suitable place.

The text of both electronic versions must be identical to the text of the bound paper version. In this case, too, an additional application for blocking of the scientific work is possible according to §86 para. 4 Universities Act.

(4) The Director of Studies decides on the application for an embargo for the scientific work according to §86 para. 4 Universities Act and/or on the partial publication in electronic form. In the application for the embargo and/or partial publication in electronic form, it must be shown credibly that important legal or economic interests of the student are at risk. The approval of the application must be submitted with the scientific paper.