

[This English translation is provided solely for the purpose of information. Only the German original is legally binding.]

General Information/Terms of Use Relating to the E-Government of the City of Linz (e-linz)

Table of Contents

1. Introduction	1
2. Authorized Users	1
3. Application/Submission	2
4. Possible Special Cases in Procedures	2
5. Confirmation of Receipt.....	3
6. Electronic Correspondence During the Processing of the Application/Acceptance/Rejection	3
7. Fees/Payment Obligation	3
8. Diligence/Disclaimer of Liability/Maintenance.....	3
9. Technical Maintenance	4
10. References and Links	4
11. Copyright	4
12. Data Protection Principles of the City of Linz.....	5
13. Cookies.....	5

1. Introduction

Within the framework of e-government – specifically through the initiative "e-linz" – the City of Linz offers various electronic services. These were partly supported through "help.gv". Services provided within the framework of the "e-linz" initiative can be accessed via the homepage of the Provincial Capital City of Linz (www.linz.at), among others. The offers available through the portal address www.linz.at comprise extensive information and services relating to the most diverse areas of life and many additional services. These electronic services can only be conducted smoothly, if the respective required data entered by the user is complete and correct. Contact persons for the respective services are available at our TeleserviceCenter from Monday to Friday from 7:00 am to 6:00 pm under the telephone number +43 (0)732/7070-0.

2. Authorized Users

The services listed under Item 1 can be used by all natural and legal persons, also by partnerships under trade laws desiring to make use of public law or private commercial services, especially those provided by the Linz City Administration via the Internet under the same conditions.

3. Application/Submission

Electronic applications/submissions (e-mail) submitted and received outside opening hours – yet within the given deadline – are considered submitted on time. However, official deadlines for decisions begin with the next beginning of opening hours (see also Item 5). Reference is made here expressly to [§ 13 AVG](#); this also applies to Item 4 "Possible Special Cases in Procedures".

Opening hours are listed under http://www.linz.at/Verwaltung/verwaltung_26423.asp .

4. Possible Special Cases in Procedures

The basic principle is that written applications/submissions may principally be submitted according to the available technical means (especially via e-mail).

On the legally valid submission of applications, please see "Announcement by the Linz City Administration Pursuant to § 13 General Administration Procedures Law 1991 – AVG" (http://www.linz.at/images/kundmachung_p13_avg.pdf).

Inquiries of a general nature are to be directed to the Citizens' Services Center at info@mag.linz.at. If the content of an application/submission is not entirely legible due to technical reasons, the government agency/office must request a repeat submission.

E-mails containing viruses or that are encrypted will not be accepted.

E-Mails that are not delivered through an electronic delivery service in the sense of the delivery regulations are not secure and can be intercepted, altered or falsified by third parties. The Provincial Capital City of Linz therefore assumes no liability for the intactness of such e-mails, once they have left the facilities of the City of Linz.

The transfer of e-mails can also be insecure due to provider failures, virus filters, spam filters, etc.

For this reason, the Provincial Capital City of Linz principally recommends the use of one of the relevant specific forms offered on the homepage in the section Service A – Z (<http://www.linz.at/services/formulare.asp>) or online services (<http://www.linz.at/services/onlineformulare.asp>).

The electronic transfer of messages is therefore carried out – outside an electronic delivery service – solely at the risk of the recipient (especially in the case of transfer and delivery problems, the risk of the absence of the recipient and the risk of a violation of confidentiality).

Automatic receipt and reading confirmations are not binding as a confirmation that your message has been received.

If the relevant legal regulations or the subject matter of the application/submission require proof of the identity of the applicant and a secure digital signature is not possible, then a handwritten signature is to be provided within the given deadline on request from the government agency/office. This also applies to those cases, in which there is doubt that an application/submission has originated from the person applying.

In such cases, the lack of a handwritten signature or the lack of a required enclosure in the original is considered a deficiency that can be rectified by presentation within the given deadline. Otherwise the application/submission is considered withdrawn and will not be further treated.

The collection or stipulation of fees and charges is carried out in the course of the respective proceedings.

5. Confirmation of Receipt

The receipt of an electronic application/submission will principally be promptly confirmed electronically. As long as no electronic confirmation of receipt has been provided (for instance, due to technical difficulties), it should be assumed that the electronic application/submission has not yet been received.

6. Electronic Correspondence During the Processing of the Application/Acceptance/Rejection

By making use of an electronic service (see Item 1), the user agrees to electronic correspondence. The government agency/office can send communications, requests, other correspondence and acceptances in the course of processing the application via email to the given user address. This is also the case, if the user has explicitly agreed to electronic correspondence in the course of the processing of a different application. Additional postal contact with the user can be omitted in both cases. The government agency/office may also require the recipient to pick up a decision to be delivered from a technical facility operated by the government agency/office. The holding of the communication to be delivered by the aforementioned facility corresponds to a deposition.

Until the full implementation of the E-Government Law – but until 31 December 2007 at the latest – the electronic sent confirmation in the electronic mailbox of the government agency/office is considered proof of an electronic delivery.

Electronic correspondence in the course of the handling of an application will be excluded, if the user explicitly declares that he/she does not agree and explicitly objects to it.

7. Fees/Payment Obligation

The Provincial Capital City of Linz offers these services free of charge. Apart from this, however, fees and charges are to be paid that arise from the respectively applicable legal regulations. Due to federal law regulations, certain specially marked entries in the public law operational sphere of the City of Linz are subject to payment obligations.

Please note: Costs to you may arise from your use of the Internet (e.g. provider fees).

Please note: Some government agency transactions may be carried out more economically with the Citizen Card. You will find more information about this at www.buergerkarte.at.

8. Diligence/Disclaimer of Liability/Maintenance

The contents published on www.linz.at and its subdomains are checked with great diligence, and the technical services are programmed as well as possible. Nevertheless, the City of Linz can assume no liability for the complete correctness of all the contents. All information is provided without warranty. The City of Linz assumes no liability for damages that might result from the use of contents or services under www.linz.at and its subdomains. Should a user suffer disadvantages (for instance, due to misuse by third parties), the Provincial Capital City of Linz cannot be held liable.

For technical reasons, the Provincial Capital City of Linz cannot claim to guarantee unlimited access to the services listed under Item 1 at all times, but strives for the best possible technical accessibility.

Content Management/Design:

The services offered under www.linz.at and its subdomains consist of a part under the direction of the editing staff and numerous service-oriented applications. The offers are contributed by various City Administration departments and external partners. The decentral creation and maintenance of the contents by the individual departments ensures that the content is always as up to date as possible.

The contents of the Internet services and information offered by the City of Linz under www.linz.at and the design are coordinated by City Communication (City Communication, Altes Rathaus, Hauptplatz 1, A-4041 Linz; E-Mail: komm@mag.linz.at). In case of content problems, please contact info@mag.linz.at or our TeleserviceCenter +43 (0)732/7070-0.

9. Technical Maintenance

The Department of Information Technology operates the entire server and network infrastructure (Information Technology; Gruberstraße 40 - 42, A-4041 Linz; [e-mail: webmaster@mag.linz.at](mailto:webmaster@mag.linz.at)). It is also responsible for the programming of inhouse applications, which are designated as such.

10. References and Links

Direct or indirect references (links) to external Internet sites are also found among the services and information offered under www.linz.at and its subdomains. These sites are outside the area of responsibility of City Communication and/or the respective offices and the city partners.

The City of Linz expressly declares that the corresponding linked sites were free from illegal content at the time the links were set. The City of Linz has no influence whatsoever over the current and future design or the contents of the linked sites. For this reason, the City of Linz – along with staff members from the responsible offices – explicitly distances itself from the contents of all linked sites that have been altered since the links were set.

The City of Linz assumes no liability for these sites (unless it were possible to prevent the use of a linked site with illegal content, for example). This statement applies to all the links and references within the Internet offers of the City of Linz and to external entries by third parties to our platform. The provider of the linked site is solely liable for erroneous, illegal or incomplete contents, or for damages resulting from the use of these contents.

11. Copyright

The layout and design of the services and information offered and all the individual elements are protected by copyright. This also applies to the contributions from the editors and their selection and composition. A public use of this service is subject to agreement with City Communication.

Excepted from this are the official, free communications and information from the City of Linz (news, photo gallery, Linz in the Picture). Their contents can be used freely and without special permission – however, the source must be named.

12. Data Protection Principles of the City of Linz

DVR: 0002852

The City Administration of the City of Linz accepts and respects the citizens' right to self-determination over their data.

The City Administration collects and processes person-related data only to the extent that this is required for administration in the interests of the citizens. The data is only stored as long as necessary.

The City Administration undertakes all reasonable endeavors to ensure that the data processed according to these principles is correct and relevant.

The City Administration undertakes all reasonable endeavors to ensure that stored and processed data is only accessible to the respective responsible official in the course of handling business.

The use of data must be reasonable and has to be monitored.

13. Cookies

Cookies are text files that the browser stores on visitors' hard disks. The files contain the name of the web site or server, from which the cookies are sent. One of the principles of the City of Linz is to keep the use of cookies as limited as possible. They are only used where the functionality of the applications would be difficult or impossible without cookies. In general, cookies are only used by the City of Linz for application matters for the duration of an operation. The use of cookies does not serve to store information about the user or the user's input for a longer period of time.