

# InterPARES Trust Project Report



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## Executive Summary

The proposed research looked into various possibilities for making the deposit of digital print masters a part of the standard legal deposit system or a system where national publishers would deliver their digital print masters on an entirely voluntary basis. It also addressed the issue of ensuring permanent access to all forms of the national digital publishing output. During its first stage the research focused on the analysis of existing deposit practices in EU countries, whether those that are part of national legal deposit systems or those operating on a voluntary basis, along with the examination of the related legal issues regarding the legal deposit in 39 European countries (EU28+).

It was shown that most of the countries have multiple legal deposit institutions alongside the national library, they have the legal deposit regulated via some kind of law, mostly connected to libraries in general as a part of the library institutions legislative, but the large number of relevant documents were only available in original languages which made the analysis much more challenging. As expected, all the countries include printed materials in their legal deposit, most of them include also audiovisual and electronic materials, and the fewest include some kind of web archive of their respective domains. It was shown that most of the countries had to add certain articles or provisions regarding the deposit of electronic resources in the recent years, where most of the documents were amended since the year 2000 and later, and there are significant differences between the countries both in minimum and maximum number of copies, deadlines and sanctions for the legal deposit

The second stage of the research focused on collecting data from Croatian national publishers. The survey included 9 major national newspaper publishers that were asked to provide information regarding a model that they use for archiving of their digital print masters (concerning extent, format(s), size, etc.) as well as their attitude towards participating in a public-private partnership which would enable long-term preservation of digital print masters. The survey was sent by email to 9 Croatian publishers who altogether publish 12 titles of daily newspapers. In advance to the survey, preliminary interviews with the publishers were conducted in order to introduce the survey and to raise awareness and ignite interest of the publishers for the long-term preservation of digital print masters. During the data acquisition additional interviews with the publishers were also conducted. The survey results showed that publishers have different storage systems, that the additional backup in the National and University Library in Zagreb would be most welcomed and that the publisher's attitude regarding the participation in the project for building a system for long-term preservation of digital print masters is positive.

In order to examine good practices, technical solutions and workflows associated with the legal deposit system or a voluntary delivery of the national publishing output, three of existing systems were analyzed. Case studies of the developed and operational digital print masters' submission systems with examples of good practice business with digital matrices in the case of Germany, Norway and France are presented in detail.

Phase 2 was aimed at providing insight into the preservation policies of national institutions necessary for ensuring long-term preservation of digital print masters.

Institutions that have a digitized collection of serial publications (newspapers or journals) were surveyed on their management and preservation policies of digital collections. A questionnaire with 16 questions was created [Appendix III) and sent to over 500 e-mail addresses of Croatian heritage institutions. It was shown that institutions mostly digitize periodicals or newspapers in cooperation with an external service provider by scanning or photographing them to preserve the original and to provide online access. They store digitized files in PDF or JPEG and those files can be browsed or searched online. Most of the institutions have less than 1TB of data which they backup locally in TIFF format. The findings of this research will be used as a basis for the establishment of a reliable digital repository that would be managed by the National and University Library in Zagreb. This reliable repository would also prevent, otherwise necessary, digitization of the archived masters' print versions and offer easier access.

# Long-term Preservation of Digital Print Masters of National Publishers (EU24)

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## Background

According to the provisions of the Croatian Library Law (Zakon o knjižnicama, 1997) publishers are obliged to submit digital publications to deposit institutions as part of the national legal deposit system. Non-print legal deposit covers electronic publications (offline), online publications and web content, leaving out the deposit of digital print masters. Thus data on the repositories of digital print masters as well as information on their infrastructure, quality and quantity of metadata, format and preservation method are currently not available. Public institutions (libraries, archives, government services, etc.) are interested in long term preservation of all forms of the national (digital) publishing output since they represent a valuable part of national cultural heritage.

Gaining insight into print masters repositories and the related preservation policies (provided that there are any) would be the basis for a partnership necessary for the

management of this type of digital content and the development and implementation of the national policy and standards aimed at its archiving and preservation.

The project is of interest to the InterPARES Trust for the following reasons:

- it provides a comprehensive overview of European deposit practices analysing the available relevant legislative documents regarding the legal deposit in 39 European countries (EU28+).
- it provides insight into the attitudes of national publishers towards the establishment of a public-private partnership necessary for ensuring long-term preservation of digital print masters
- it examines good practices, technical solutions and workflows associated with the legal deposit system or a voluntary delivery of the national publishing output for the purpose of developing an efficient and reliable system for the archiving of digital print masters

## **Aims and Objectives/Goals**

The proposed research looked into various possibilities for making the deposit of digital print masters a part of the standard legal deposit system or a system where national publishers would deliver their digital print masters on an entirely voluntary basis. It also addressed the issue of ensuring permanent access to all forms of the national digital publishing output.

The first objective was to analyze and identify the role of legal deposit within the legal framework of European countries.

The second objective was to provide insight into the attitudes of national publishers towards the establishment of a public-private partnership necessary for ensuring long-term preservation of digital print masters

The third objective was to examine good practices, technical solutions and workflows associated with the legal deposit system or a voluntary delivery of the national publishing output for the purpose of developing an efficient and reliable system for the archiving of digital print masters.

The first three objectives would then be used as a basis for the establishment of a reliable digital repository that would be managed by the National and University Library in Zagreb. Apart from a long-term preservation of digital print masters created by national publishers, the repository would enable the use of archived masters, the conditions of which would be defined in agreement with national publishers. This reliable repository would also prevent, otherwise necessary, digitization of the archived masters' print versions and offer easier access.

## **PHASE 1**

### **Stage 1 - Overview of deposit practices in Europe**

Providing a comprehensive overview of European deposit practices analysing the available relevant legislative documents regarding the legal deposit in 39 European countries (EU28+).

### **Stage 2 - survey of the Croatian national publishers**

Providing insight into the preservation policies and attitudes of national publishers towards the establishment of a public-private partnership necessary for ensuring long-term preservation of digital print masters

### **Stage 3 - Case studies**

Examining good practices, technical solutions and workflows associated with the legal deposit system by conducting case studies

## **PHASE 2**

Phase 2 was aimed at providing insight into the preservation policies of national institutions necessary for ensuring long-term preservation of digital print masters. Institutions that have a digitized collection of serial publications (newspapers or journals) were surveyed on their management and preservation policies of digital collections. A questionnaire with 16 questions was created [Appendix III] and sent to over 500 e-mail addresses of Croatian heritage institutions

### **Stage 1 - Overview of deposit practices in Europe**

During its first stage, the research focused on the analysis of existing deposit practices in EU countries, both those that are part of national legal deposit systems and those operating on a voluntary basis, along with the examination of related legal issues.

For the purpose of the analysis, a questionnaire was created (Appendix I) and sent to contacts found on the websites of respective national libraries pertaining to the legal deposit questions. A total of 46 contacts for 39 countries were selected for survey. After a period of one month, only 7 countries responded (Bulgaria, Estonia, Latvia, Malta, Poland, Slovenia, Spain).



In order to examine the documents on a larger scale, it was decided that additional analysis is needed. First, The Digital Information Documentation Office of the Government of the Republic of Croatia gathered all available relevant documents regarding the legal deposit in 39 European countries (EU28+). By using the survey questionnaire, GRAs analyzed the relevant documents and extracted relevant data from them.

The next part provides short overviews for each country analyzed. This is done in order for the reader to be able to have a quick overview of the existing deposit practices in each country. It should be noted that some information was missing or only available in the original language so Google translate was used for those cases.

## The analysis of documents regarding the legal deposit (EU 28+)

### 01-EU-Austria

According to *Federal Act on the Press and other Publication Media (Media Act – MedienG)* Mandatory copies should be delivered to the Austrian National Library and the university, study or provincial libraries as determined by administrative regulation and should be offered and, if so requested within a one months' period, delivered at his expense to the library of Parliament and the administrative library of the Federal Chancellery. There are 7 to 12 copies required.

In determining the libraries and the number of copies, the tasks of filing and of information and the interests of science, research, education and teaching as well as the federal structure of the Republic of Austria shall be taken into account. Austrian National Library can request certain number of copies.

The number of copies of periodical print media products must not exceed twelve, of other media not more than seven.

Original version of this document dates from 1981 and it is called *Federal Law Gazette No. 314/1981*. Last version of document is from year 2015.

### 02-EU-Belgium

The deposit institution in Belgium is the Royal Library of Belgium (Koninklijke Bibliotheek van België; Bibliothèque royale de Belgique), and it started collecting legal deposit copies on 1 January 1966. The legal deposit in the Royal Library of Belgium was established through the Law of 1965: *Loi du 8 avril 1965 instituant le dépôt légal à la Bibliothèque royale de Belgique (Moniteur belge du 18 juin 1965)*. The Law was followed by the Royal Decree of 1966: *Arrêté royal du 31 décembre 1965 (Moniteur belge du 19 janvier 1966)*. The Law was last amended in 2014 (*Loi du 25 avril 2014 modifiant la loi du 8 avril 1965 instituant le dépôt légal à la Bibliothèque royale de Belgique (Moniteur belge du 13 juin 2014)*). More information about legal deposit legislation in Belgium can be found on the website of the Royal Library of Belgium.

The legal deposit applies to materials such as books, brochures, newspapers, magazines, annual reports, microfilms and materials on physical media (e.g. on CDs, DVDs). Legal deposit materials have to be delivered in either a single copy (periodicals) or two copies (non-periodical publication, books, brochures, materials on physical media). The copies have to be delivered within fifteen days of the date of their first dissemination (both non-

periodicals and periodicals). Copies of works of Belgian authors published abroad have to be delivered within two months of the publication date.

Those who fail to deliver legal deposit copies are liable to a fine between 156 euros and 1,500 euros for a first offense, while repeat offenders are liable to a fine between 300 euros and 6,000 euros.

The Royal Library of Belgium also manages the e-depot, which functions on a voluntary basis and which serves for depositing electronic publications (online documents).

### **03-EU-Bulgaria**

Bulgarian law закон за задължителното депозиране на печатни и други произведения (Zakon za zadlžitelното depozirane na pečatni i drugi proizvedenija) regulates legal deposit. It was passed in 2001, and amended in 2009. Publishers need to deliver between 3 and 12 copies to the National library. If publishers do not comply with the law they will pay a fine ranging from 152 EUR to 1,512 EUR. The deadline to deliver the copies is not defined by law.

### **04-EU-Croatia**

The deposit institution in Croatia is the National and University Library in Zagreb. The first legal provisions which enabled the National and University Library to require a regular delivery of legal deposit were introduced in 1816. In 1997, the new Library Law came into force with minor changes in 1998, 2000, 2009 and includes legal deposit provisions of delivery of nine copies of all print and non-print publications, as well as audiovisual and electronic material. Publications that are subjected to the provisions of the legal deposit are: a) printed material: books, brochures, study prints, separates, journals, newspapers, magazines, bulletins, geographical and other maps, reproductions of pictorial works of art, music, catalogues, calendars, theatre and other programs and their supplements in printed, audiovisual and electronic form, posters, leaflets, short advertisements and notifications, postcards, official and commercial forms, b) audiovisual materials: phonograph records, audio and video tapes, cassette tapes, recorded microfilms and compact discs, c) electronic materials: compact discs, DVDs, magnetic tapes, floppy disks, online publications.

At the expense of the depositor, nine legal deposit copies on physical carrier have to be submitted to the National and University Library in Zagreb, which is responsible for collecting and distributing legal deposit copies. Publishers and authors of online publications notify the Library of the existence of a resource using the Registration Form. The Library stores online resources in Croatian Web Archive.

The National and University Library keeps two legal deposit copies of every publication and further delivers one copy of that publication to each of the university libraries in Split, Rijeka, Pula, Osijek and Mostar as well as to general research libraries in Dubrovnik and Zadar.

Apart from submitting the nine mandatory legal deposit copies, all publishers of official publications are bound to submit to the National and University Library two additional copies of their publications and another copy to the Digital Information Documentation Office of the Government of the Republic of Croatia. The publishers of official publications of counties, the City of Zagreb, cities and municipalities must submit one copy of their publication to the central library in their county, i.e. the City of Zagreb,

while the publishers of official publications of cities and municipalities must submit a copy to the public library of which they are founders. Publications which may be categorized as official are those published by government bodies, i.e. bodies of local self-government and government as their official publications.

In addition to that, every publisher must submit one additional copy of their publication to the central library in the county where the publisher is located, for the purpose of assembling the local history collection. The printing company which is located in one county and prints materials for a publisher located in another county must submit one copy of every such publication to the central library in the county where the printing company is located.

The delivery deadline for legal deposit copy is no later than 30 days after completion of printing, copying or producing.

Non-compliance with legal deposit requirements is financially sanctioned by a fine of 532 EUR to 6,660 EUR for natural persons or legal entities and 66 EUR to 1,332 EUR for responsible persons within legal entities.

Terms of use are regulated by the deposit Library. Delivery formats of publications are not defined in the Library Law.

For now, digital print masters do not fall under the provisions of the Croatian Library Law.

## **06-EU-Cyprus**

According A report on the History and Application of Legal Deposit in the European Union Member Nations, Cyprus do not have legislation compelling deposit. In Cyprus there is voluntary system established, and format of the „Cyprus’ national library, formally established in 1927, was founded with the idea to collect material produced within the republic despite a lack of regulated deposit responsibilities.”

Content of the publications and not the format is the main criterion for selection of publications in the Library's acquisition policy.

## **06-EU-Czech Republic**

The Czech Republic has two laws regarding legal deposit. The first law, *Zákon č. 37/1995 ze dne 8. února 1995 o neperiodických publikacích* applies to non-periodic publications. It was passed in 1995 and has not been changed since. Deposit institutions are: the National library of Czech Republic (2 copies), Moravska library (1 copy), National scientific library in Olomouca (1 copy) and a local library (1 copy) in the area in which the publication giver is working. According to the law the publisher is obliged to deliver between two and four copies of the material and the deadline to deliver the publications to the deposit institutions is four weeks. In case the publisher does not deliver the legal number of publications in the given time, he will receive a fine of in the amount of 1,851 EUR.

The second law, *Zákony o povinném výtisku periodické produkce* relates to the periodic publications. It was declared in 2000 and changed in 2002, 2009, 2012, and 2013. The deposit institutions to which the publisher is obliged to deliver at least one copy, at most two are: the National Library of the Czech Republic (2), Moravian library in Brno (1), the library of National Museum in Prague (1), Parliamentary library (1), Municipal library of Prague (1) and the library of KeMasan printing office in Prague (1 copy for the blind and visually impaired). There are no sanctions for not obliging with the law.

### **07-EU-Denmark**

In Denmark, legal deposit has been required since 1697, and was handled by the Royal Danish Library (for most written works) and by the State and University Library (for newspapers, audio, and video). *Act on Legal Deposit of Published Material* from 2004 comprises legal deposit of works published in physical form; material published in electronic communication networks, cf. part; radio and television program and films produced with a view to public showing. According to that act two copies should be delivered to a legal deposit institution. This also includes works in digital format, and the publisher may be required to supply the necessary passwords. Copies deposited are stored in two different geographical localities as determined by the Minister for Culture. All other important facts are determined by the Minister for Culture, such as sanctions etc.

### **08-EU-Estonia**

Legal deposit in Estonia is governed by *Sundeksemplari seadus* (Legal Deposit Act), first published in 1997 and last changed in 2015. Type of materials that are included in the legal deposit are books, brochures, periodicals (magazines, newspapers), serial publications (proceedings, series), atlases, maps, sheet music, exhibition catalogues, Braille publications, audio discs, tapes and cassettes, video tapes, microcards, electronic publications on a physical data carriers (CD-ROMs, DVDs, discs). Legal deposits of web publications are books, newspapers, magazines, serial publications, maps and sheet music that are published on the Internet. The number of copies deposited to the libraries depends on the type of the publication. Depositors are obliged to submit eight copies of printed publications prepared in Estonia or in a foreign country by the order of Estonian publishers except for Braille publications, four copies of printed publications in Estonian or related to Estonia printed in a foreign country and imported for distribution in Estonia, except for Braille publications, two copies of Braille publications, two copies of audiovisuals and electronic publications and one copy of web publications. The deposit copies are distributed to different deposit institutions that are: the National Library of Estonia (Eesti Rahvusraamatukogu), the University of Tartu Library (Tartu Ülikooli Raamatukogu), the Archival Library of the Estonian Literary Museum (Eesti Kirjandusmuuseumi Arhiivraamatukogu), Academic Library of Tallin University (Tallinna Ülikooli Akadeemiline Raamatukogu) and Tallin Technical University Library (Tallinna Tehnikaülikooli Raamatukogu). According to the law the copies shall be deposited at the latest within 20 days after the completion of the first circulation or after the first imports into Estonia. The violation of the Legal Deposit Act shall cause administrative or criminal liability prescribed by the law. Those who fail to submit legal deposit copies shall be punished by a fine up to 200 penalty units.

Digital print masters are not part of the legal deposit system but, according to the answers we got from the National Library of Estonia to the questionnaire that was sent to them, the new Legal Deposit Act is going to regulate the collecting of digital print masters from January 2017. All digital source materials of publications (including e-books and newspapers) and films can be delivered as digital copies and according to the new Legal Deposit Act digital materials have to be sent via publisher's portal. The digital materials are available through the digital archive DIGAR.

## **09-EU-Finland**

Legal deposit in Finland is regulated by *Laki kulttuuriaineistojen tallettamisesta ja säilyttämisestä* (Act on Collecting and Preserving Cultural Materials). It was first published in 2007 and the last change was made in 2015. Type of materials included in the legal deposit are books, periodicals, serial publications, sheet music, newspapers, ephemera, online publications, films, and radio and television programs. The number of copies that need to be delivered depends on the type of the materials. Depositors are obliged to deliver 6 copies for printed publications, 2 copies for ephemera, 1 copy of newspapers and 1 copy of all other publications. The deadline for the delivery of deposit copies is 30 days after the end of each quarter or for the printed publication manufactured abroad 30 days after they are imported to Finland. The deadline for online publications is 60 days after the National Library of Finland has notified the online publisher of the legal deposit responsibility. The deposit institutions are: Kansalliskirjasto (The National Library of Finland), Turun yliopiston kirjasto (Turku University Library), Jyväskylän yliopiston kirjasto (Jyväskylä University Library), Åbo Akademin kirjasto (Åbo Akademi University Library), Oulun yliopiston kirjasto (Oulu University Library), Itä-Suomen yliopiston kirjasto (University of Eastern Finland Library). Anyone who willfully or through gross negligence fails to comply with the Law will be sentenced to pay a fine. The digital print masters are not included in the current Law.

## **10-EU-France**

The website of the National Library of France (Bibliothèque nationale de France, Bnf), the main deposit institution in France, offers valuable information on the legal deposit in that country. Legal deposit in France was introduced for the first time in 1537 for printed material. Today, it is governed by the French Heritage Law (Code du patrimoine): Articles L131-1 to L133-1 and R131-1 to R133-1, which entered into force on 20 February 2004, together with several additional related decrees, which were published in 1995, 1996 and 2006. The one published in 2006, the DADVSI law (Droit d'auteur et droits voisins dans la société de l'information) extended legal deposit to the Web.

Legal deposit in France applies to printed material; prints, maps and plans; sheet music; photographs and sound recordings; posters; video recordings and multimedia documents; multimedia, software and databases; Internet. The number of copies varies from a single copy, which applies to, for example, books, journals, magazines, sheet music, maps, atlases, photo albums, postcards, illustrated calendars, posters, to two copies, which applies to, for example, sound recordings, CDs, video recordings, DVDs, multimedia documents, videogames, databases, software, electronic periodicals, books with audio CDs. These numbers refer to the number of copies that are to be deposited with the National Library of France by publishers.

In addition to the National Library of France, the main deposit institution, there are several other deposit institution, more precisely the French National Audiovisual Institute (Institut national de l'audiovisuel), the French National Centre of Cinematography and the Moving Image (Centre national du cinéma et de l'image animée) and libraries authorized by the decree of the minister of culture. For instance, printers are obliged to deposit a copy of the document with the authorized library in their region (les bibliothèques de dépôt légal imprimeur – BDLI).

Legal deposit also applies to e-books, which are automatically collected by the National Library of France, as is the case with the legal deposit of the Internet. If an online e-book coexists with a version in paper or electronic format (e.g. CD), it is still subject to legal deposit, i.e. one type of deposit does not replace the other.

Materials such as books, periodicals, cartographic materials, sheet music, sound recordings, video recordings, graphic materials and multimedia documents, software and databases are to be deposited no later than the day they are released or made available to the public.

Those who do not comply with legal deposit are subject to a fine of 75,000 EUR.

The French Heritage Law (consolidated version of 9 October 2016) is available online.

### **11-EU-Germany**

German law act that regulates legal deposit or mandatory copies is *Verordnung über die Pflichtablieferung von Medienwerken an die Deutsche Nationalbibliothek* from 2008.

In Germany, the law about the German National Library requires that two copies of every printed media and some nonprinted media be sent to the German National Library in either Frankfurt am Main or Leipzig (depending on the publishers location). Additionally, each Bundesland requires one or two copies to be sent to their respective legal deposit (usually state university libraries). All the physical and non-physical media publications fall within the mandate of the collection, including all text-based, graphical and audio presentations, should be stored. Mandatory deposit should be given to German National Library within one week from the date on which distribution began or the media work was made accessible to the public. Otherwise, the Library shall, after a warning has been issued and a further three weeks have passed fruitlessly, be entitled to acquire the media works through other channels at the expense of the depositors.

### **12-EU-Greece**

Legal deposit in Greece is governed by *Νόμος 3149/2003, Εθνική Βιβλιοθήκη της Ελλάδας, Δημόσιες Βιβλιοθήκες και άλλες διατάξεις* (Law 3149/2003 on National library, public libraries and other issues) and *Αριθμ. 190/2009, Κατά νόμο προσφορά υλικού στις Δημόσιες Βιβλιοθήκες* (Ministerial Decision 190/2009 Legal deposit in public libraries). The main deposit institution is the National Library of Greece (Εθνική Βιβλιοθήκη).

Materials included in the legal deposit system are those created to store or transfer information in handwritten, printed, graphic, digital, visual, auditory or any other form. This includes audio-visual and electronic publications on physical media and electronic versions available online. The number of copies to be delivered ranges from a single copy to three copies. Audio-visual and electronic publications, as well as periodical publications and newspapers are to be delivered in a single copy. The deadline for delivery ranges from a month before the release to a month after the release.

### **13-EU-Hungary**

The current law on legal deposit in Hungary is *A Kormány 60/1998. (III. 27.) Korm rendelete a sajtótermékek kötelezpéldányainak szolgáltatásáról és hasznosításáról* published in 1998. Mandatory copies include all publications, printed publications published in more than 50 copies, electronic publications, video publications etc. which are produced in Hungary, press products produced abroad and published in Hungary and

film, video and electronic documents produced in Hungary, produced abroad and published in Hungary without reference of copies. Number of mandatory copies is 6 and they should be delivered to National Library -Országos Széchenyi Könyvtár-OSZK. Also, publishers have to provide 1 copy for the competent regional library. There is a special request for serial publications that they should be delivered by the 15th day of the month following the month of issue. According to consulted law, there are no sanctions.

#### **14-EU-Ireland**

Ireland's legal deposit is governed by the Copyright and Related Rights Act, published in 2000. Type of materials that is to be delivered to the libraries are encyclopedias, books, newspapers, reviews, magazines, maps, sheet music, etc. The depositor shall deliver nine copies within one month after the publication. The deposit libraries are as follows: the National Library of Ireland, the library of Trinity College, Dublin, the library of the University of Limeric, the library of Dublin City University, the Board of the British Library and the National University of Ireland. If a publisher fails to comply with the Law he or she will be guilty of an offence and will be liable on summary conviction to a fine not exceeding 561 EUR and the person will be liable to comply with the Law. The deposit of digital print masters is not included in the current act for legal deposit.

#### **15-EU-Italy**

The law on legal deposit in Italy is called *Norme relative al deposito legale dei documenti di interesse culturale destinati all'uso pubblico, pubblicata nella Gazzetta Ufficiale* published in 2004. According to that document a copy of each publication should be sent to the National Central Library of Florence and National Central Library of Rome. The categories of documents intended for legal deposit are books; leaflets; periodical publications; geographical and topographical maps; atlases; graphic art; video artist; posters; picture postcards; printed music; microforms; photographs and any other photographic document on any medium made by any technical. Additionally, there is Regulation from 2006 about digital holdings. According to Regulation from 2007 which is applicable from 2008, there are more deposit institutions. The regions determine local regional and provincial legal deposit libraries, which receive two more copies. The list of all libraries was published on the "Gazzetta Ufficiale", so it has a legal value. The documents must be delivered within fifteen days from the first distribution. Sanctions in case that the legal deposit is not delivered is from amount three times greater than the commercial price of the publication, to a maximum of 1,500 EUR.

#### **16-EU-Latvia**

Latvian legal deposit is regulated by *Obligāto eksemplāru likums* (Legal Deposit Law), published in 2006. Type of materials that are included in the legal deposit are printed publications, "grey literature", electronic publications and online publications. The number of copies varies according to the type of the materials and it is as follows: 5 copies for printed publications (except for books, brochures and Braille publications), 7 copies for books and brochures, 1 copy for Braille publications, 3 copies for electronic publications and 2 copies for "grey literature". The copies of books and electronic publications need to be delivered within 14 days of the publication and the deadline for the delivery of "grey literature" is 30 days after the announcement thereof. The legal

deposit copies are sent to the National Library of Latvia (Latvijas Nacionālajai bibliotēkai) which then distributes the copies to the following libraries: The Latvian Academic Library (Latvijas Akadēmiskajai bibliotēkai); The University Library of Latvia (Latvijas Universitātes bibliotēkai); The Riga Technical University Scientific Library (Rīgas Tehniskās universitātes Zinātniskajai bibliotēkai); The Fundamental Library of the Latvian University of Agriculture (Latvijas Lauksaimniecības universitātes Fundamentālajai bibliotēkai); the Patent Technology Library of Latvia (Latvijas Patentu tehniskajai bibliotēkai); the Medical Library of Latvia (Latvijas Medicīnas zinātniskajai bibliotēkai); the Latvian Library for the Blind (Latvijas Neredzīgo bibliotēkai); the Latgale Central Library (Latgales Centrālajai bibliotēkai); the Central Library of Liepāja (Liepājas pilsētas Centrālajai zinātniskajai bibliotēkai). Persons at fault regarding the violation of this Law will be held liable in accordance with the procedures specified in the Latvian Administrative Violations Code but an exact amount of money to be paid is not specified.

As stated in the questionnaire we got back from the National Library of Latvia, digital print masters are a part of the legal deposit system. Types of materials that can be delivered as e-publications to an e-mail or uploaded to a NLL server as digital copies are newspapers and ebooks. Digital materials delivered to the library are saved to DOM (Digital Object Management system).

### **17-EU-Lithuania**

Legal deposit in Lithuania is governed by Nutarimas Dėl lietuvių respublikos (Act of the Government of the Republic of Lithuania) which was passed on 11 November 2006. The act covers books, periodicals, printed music, micro-forms, audio-visual, cartographic, pictorial and electronic publications as well as materials published in Braille.<sup>1</sup>

The depositor needs to deliver seven copies within 2 days of publication to the following deposit libraries: Lietuvos nacionalinei Martyno Mažvydo bibliotekai (The National Library of Lithuania), Kauno apskrities viešajai bibliotekai (Kaunas County Public Library), Vilniaus universiteto bibliotekai (Vilnius University Library), Lietuvos mokslų akademijos bibliotekai (The Lithuanian Academy of Sciences Library), Lietuvos aklųjų bibliotekai (Lithuanian Library for the Blind), and Lietuvos technikos bibliotekai (Lithuania Technical Library). The deposit of digital print masters is not included in the current act for legal deposit.

### **18-EU-Luxembourg**

Legal deposit in Luxembourg is regulated by Règlement grand-ducal du 6 novembre 2009 relatif au dépôt légal which was published in 2009. Books, brochures and periodicals need to be delivered in four copies, newspapers, calendars, posters, postcards, maps, plans, sheet music, programs and reprints in two copies, gravures, Braille publications and publications whose price is higher than 250 EUR in one copy and printed and digital versions of PhD thesis and scientific papers in one copy. Printed publications and digital publications on a physical media are to be delivered to the National Library of Luxembourg (Bibliothèque nationale de Luxembourg), which is the deposit institution, within one month of the publication, and PhD thesis and scientific papers need to be delivered within four months. There are no sanctions prescribed by the

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<sup>1</sup> <http://www.ifla.org/book/export/html/8302>



Law for persons that do not comply with it. The digital print masters are not included in the current Law for legal deposit.

### **19-EU-Malta**

The deposit libraries in Malta are the National Library, the Gozo Public Library and, if it requests a copy, the library of the University of Malta. The legal deposit is in Malta regulated by the Malta Libraries Act, which was passed in 2011 and can be found online. Publishers of every publication printed or published in Malta need to deliver one copy to the deposit libraries before the document is made available to the public. Any person that fails to comply with the Law shall be liable to a fine as the Minister may determine.

According to the answer from the National Library of Malta the deposit library is only the National Library of Malta and the depositors are to deliver 2 copies of the publication. Sanctions if a copy is not delivered are repeated chasing and the library will not buy any books from the individual/publisher/distributor. Also, the digital print masters are a part of the legal deposit system but the Malta Libraries are yet to implement its policy on the legal deposit of non-print material which is currently being drafted. The depositors need to deliver e-books and copies of statistical reports.

### **20-EU-Netherlands**

There is no legal deposit regulation in the Netherlands. More information regarding the deposit arrangement in the Netherlands can be found online, on the website of the Koninklijke Bibliotheek (KB), the National Library of the Netherlands.

The Deposit Library for Dutch Publication was established in 1974 within the KB to preserve the national published output. In order for this to be achieved, there is an agreement between the KB and the Netherlands Publishers Association. This arrangement relies on publishers voluntarily delivering one copy of each publication to the Deposit Collection. There are no sanctions for those who do not deliver.

The term “publication” includes the following types of materials: books, newspapers, journals, magazines, theses, educational tools, cartographic material, yearbooks, reports and brochures. According to the answer from the KB, materials that are collected are mostly those containing text (and images); they can be in print format or in digital format(s), published offline (with carrier) or online. Moreover, if a publication is published in both print and digital format, only the digital format should be delivered (policy from 2016/2017 onwards) in order for the same publication not to be processed and stored twice.

According to the answer from the KB, digital print masters are not part of the legal deposit system, although, for instance, Printing on Demand PDF files can be delivered instead of the print copy. Regarding digital materials, apart from publisher being able to upload files, e-books, e-journal articles and issues, the KB harvests Dutch websites. In addition to that, newly published e-books are automatically loaded via the biggest Dutch central e-book distributor since mid-2016. There is an e-Depot storage system for digital materials. Additional information regarding e-Depot can be found online.

### **21-EU-Poland**

Legal deposit in Poland is regulated by the two laws. The first law, *Ustawa z dnia 7 listopada 1996 r. o obowiązkowych egzemplarzach bibliotecznych* was passed in 1996,

and changed in 2003, 2008, and 2012. The law applies to brochures, newspapers, graphics, graphic products, AV material saved on electronic devices and software. According to the law, the publisher must deliver at least one copy and at most two to the following deposit institutions: the National library in Warsaw and Jagiellonian Library in Krakow, Parliamentary library, Sejm Library, the National Film Archive, the main library at the Maria Curie-Skłodowska University, the library of the Lodz University, University library in Torun, Poznań University Library, the library of the Warsaw University, the library of Wrocław University, The Silesian Library, Warsaw Public Library (Biblioteka Publiczna m. st. Warszawy - Biblioteka Główna Województwa Mazowieckiego), The Pomeranian Library in Szczecin, the Library of the University of Gdańsk, the Library of John Paul II Catholic University of Lublin, The Main Library of the University of Opole, the Library of Łukasza Gornickog in Białymstok.

The deadline to deliver the deposit copies and the sanctions for not complying with it are not defined in the law.

The second law, *Rozporządzenie Ministra Kultury i Sztuki z dnia 6 marca 1997 r. w sprawie wykazu bibliotekuprawnionych do otrzymywania egzemplarzy obowiązkowych poszczególnych rodzajówpublikacji oraz zasad i trybu ich przekazywania* was passed in 1997. The deadline for the delivery from 5 days to two weeks after the publication. There are no sanctions defined in the law for not complying with it.

## **22-EU-Portugal**

First issue of legal act on legal deposit in Portugal was published 1982. It is called *Decreto- Lei 74/82, de 3 de Março*. According to this document number of mandatory copies is 11. 2 copies should be delivered to the National library, Biblioteca Nacional de Portugal, as it is written in the act of Law, sufficiently in advance. Other deposit institutions are Biblioteca da Academia das Ciências de Lisboa; Biblioteca Geral de Universidade de Coimbra, Biblioteca Municipal de Lisboa, Biblioteca Publica Municipal do Porto, Biblioteca Publica e Distrital de Évora, Biblioteca Geral e Arquivo Histórico da Universidade do Minho, Biblioteca Popular de Lisboa, Biblioteca Municipal de Coimbra, Biblioteca de Macau, Biblioteca do Real Gabinete Português de Leitura do Rio de Janeiro, Região Autónoma dos Açores, Região Autónoma da Madeira. However, on webpage of Biblioteca Nacional de Portugal, it is written that number of copies is 11. The Legal Deposit is obligatory for publications printed or published anywhere in the country; publications printed abroad by a publisher that is domiciled in Portugal; and Master's and Doctoral theses and dissertations. Alos, there is an exemption for printed materials that have no value as bibliographic publications, such as commercial invoices, financial securities, calendars; coloring albums; coupons other similar materials. If mandatory copies are not delivered, there are sanctions imposed by the law. Document about online publications *Preservação de publicações electrónicas na Internet os arquivos imperfeitos* was published in 2001 and those publications are also part of legal deposit.

## **23-EU-Romania**

Legal deposit in Romania is governed by *Lege Nr. 111 din 21 noiembrie 1995*, i.e. *Legea Depozitului Legal*, a law on legal deposit from 1995. The law was amended in 2007. In 2014, there were more changes in legal deposit legislation regarding sanctions for non-

compliance with the law. There is also a guide to legal deposit in Romania (*Ghidul de aplicare a legii depozitului legal*) available online.

The main legal deposit institution is the National Library of Romania (Bibliotecii Naționale a României). Other deposit institutions are: Biblioteca Academiei Române, Biblioteca Centrală Universitară “Lucian Blaga” Cluj-Napoca, Biblioteca Centrală Universitară “Mihai Eminescu” Iași, Biblioteca Centrală Universitară “Eugen Todoran” Timișoara, Biblioteca Militară Națională, Centrul de Studii și Păstrare a Arhivelor Militare Istorice Pitești; and on the local level: Biblioteca Metropolitană București and county libraries.

Types of materials to which legal deposit applies include: books, brochures, serial publications, newspapers, magazines, calendars, sheet music, photographs, postcards, atlases, maps, plans, posters, theses and abstracts, electronic materials on physical media (CDs, DVDs, microfilms etc.), official publications, numismatic and philatelic materials, materials multiplied by procedures of lithography, photography, phonography, videography.

Materials are to be delivered in up to seven copies. For instance, books, brochures and excerpts from serial publications have to be delivered in seven copies, while numismatic and philatelic materials have to be delivered in a single copy. Materials have to be delivered within 30 days from publication. The fine for non-compliance with legal deposit can range from around 67 EUR (300 lei) to around 1,123 EUR (5,000 lei).

#### **24-EU-Slovakia**

According to Slovak law *Zákon o povinných výtlačkoch periodických publikácií, neperiodických publikácií a rozmnoženín audiovizuálnych diel* from 1997 deposit institutions are University Library in Bratislava, Slovak National Library in Matica Slovakia and Center for Scientific and Technical Information of the Slovak Republic and the registering authority. This Law regulates the duty of the publisher of periodicals, non-periodical publications, publisher and manufacturer of Audiovisual Works hand over a copy of a periodical publication and non-publication copies of a Slovak audiovisual publications.

Two mandatory copies should be given to the University Library in Bratislava and the Slovak National Library in Matica Slovakia and one copy of the Center for Scientific and Technical Information of the Slovak Republic and the registering authority. Publisher should deliver mandatory copies within 10 days from the publishing.

Fine in case you are not obliged to deliver a copy of it to maximum of 75.000,00 Sk or approximately 28.000 EUR.

#### **25-EU-Slovenia**

Legal deposit in Slovenia is regulated by two laws. *Pravilnik o hranjenju, uporabi in izločanju obveznih izvodov publikacij* was passed in 2007 and has not been changed since. It applies to using and saving deposit copies. The needed amount of copies to be delivered is not defined by the law. The deposit institutions are: the National and University library in Ljubljana, University library in Maribor and other libraries (to which the National and University library distributes the copies). There are no sanctions for not complying with the law.

Pravilnik o vrstah in izboru elektronskih publikacij za obvezni izvod applies to electronic publications. The law was passed in 2007. The deposit institution is the National and University Library in Ljubljana which keeps the publications related to Slovenian national treasure. There are also no sanctions for not complying with the law. The website of the National and University library contains information that publishers must deliver between 4 and 16 copies.

## **26-EU-Spain**

In Spain the legal deposit history dates back to 1616 for the Library of El Escorial and 1716 for the Royal Library in Madrid, today National Library of Spain. First organization of legal deposit for Spain was performed by the *Service Regulations approved by Legal Deposit Decree* of 23 December 1957. With the number of legal deposit and administrative system developed for control offices of legal deposit, first it achieved effective enforcement of legal deposit.

Publications that are included in legal deposit are books and pamphlets on paper; continuing resources such as serials, periodicals, yearbooks, reports, journals; Scores; Maps and plans; Photographs; Sound recordings; Audiovisual documents; Web pages and online publications. Deposit institution is The National Library of Spain and the conservation centers of the Autonomous Regions. There are two copies for documents on paper requested and one copy for electronic publications. The sanctioning authority belongs to the competent bodies of the Autonomous Regions. But, to date, sanctions don't exist. Digital print masters are not considered as objects of legal deposit explicitly, but the newspapers publishers are depositing at the library the pdf version instead of one copy of the printed version. National library get one physical copy and the pdf version, for newspapers with both printed and online versions. There are some types of materials that can be delivered as digital copies. It is every online publication (no matter the format –pdf, epub...- neither the type of publication –books, newspapers, music...). Also, if some publication has both printed and online version, both should be deposited. According to the questionnaire, delivery of digital copies is organized regarding publicly accessible web sites. Automated web archiving is used to collect and preserve the content. If the web sites are protected with user and password, a paywall applies or the content is only accessible using a search interface, the libraries with competencies on legal deposit must contact the publishers or distributors to find the easiest and most efficient way to deliver the publications to the libraries (hard disks, ftp...).

July 30 is published in the BOE Law 23/2011, legal deposit. There are two major new features of this law. The publisher, if established as depositor, becomes the basic subject depositor. Furthermore, new feature is also archiving of online resources. Number of mandatory copies depends on publication. It is required 2 copies of the first editions of books, 1 copy when there are multiple editions, 2 copies of scores, one copy of school textbooks. Legal deposit institutions are The National Library of Spain and the conservation centers of the Autonomous Regions -19 of them.

The sanctioning authority belongs to the competent bodies of the Autonomous Regions. There are prescribed sanctions in the amount of 1.000,0 to 2.000,00 EUR up to higher offense - from 2.001,00 to 30.000,00 EUR. But, to date, sanctions were never applied.

## **27-EU-Sweden**

Legal deposit in Sweden is regulated by two acts. The *Lag (1993:1392) om pliktexemplar av document* encompasses printed and electronic materials (DVD, audiovisual materials, CDs)<sup>2</sup> and the *Lag (2012:492) om pliktexemplar av elektroniskt material* covers only electronic materials that has been made available to the public and their transfer via network.<sup>3</sup> *Lag (1993:1392) om pliktexemplar av document* was passed on 1 January 1994 and was last amended in 2012.<sup>4</sup> One legal deposit copy must be sent to the National Library of Sweden (Kungliga biblioteket) and six university libraries. Printed publications and combination material is deposited once per quarter, electronic documents, phonograms, videograms and multimedia publications are to be deposited within one month of the date the document became available to the public, and newspapers must be deposited in January, March, May, July, September and November.<sup>5</sup> Persons that fail to fulfill their obligations to provide legal deposit under this Act may by the authority appointed by the Government be ordered to fulfill it.<sup>6</sup>

*Lag (2012:492) om pliktexemplar av elektroniskt material* was passed on 1 July 2012 and has been amended twice. The depositor needs to deliver one copy of the publication within three months after it had been published. The deposit institution is the National Library of Sweden. Persons that fail to fulfill their obligations to provide legal deposit under this Act may by the authority appointed by the Government be ordered to fulfill it.

## **28-EU-United Kingdom**

Legal deposit in United Kingdom is governed by The Legal Deposit Libraries Act 2003 that covers printed publications and works published in a medium other than print (sound recordings or film) and the Legal Deposit Libraries (Non-Print Works) Regulations 2013 which included works published online and offline in mediums other than print (websites, blogs, e-journals, e-books).

According to the Legal Deposit Libraries Act the deposit libraries are entitled to delivery of one copy of every work published in print. The deposit libraries are as follows: the British Library, the National Library of Scotland, the National Library of Wales, the Bodleian Library, Oxford, the University Library, Cambridge, and the Library of Trinity College, Dublin. The copy must be delivered within one month beginning with the day of publication to the British Library and for others libraries within one month beginning with the day on which the request for the copy is received. If a person fails to comply with the obligation to deliver the deposit copy, the library may apply to the county court (or in Scotland, to the sheriff) for an order requiring the publisher to comply with the obligation.

## **29-Albania**

Legal deposit in Albania is declared by Ligj Nr. 9616, datë 27.9.2006 Për librin në Republikën e Shqipëris. The law was passed in 2006 and has not been changed since. The minimal number of copies to deliver is 5, but there is no maximum number of copies. The

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<sup>2</sup> <https://www.notisum.se/rnp/sls/lag/19931392.htm>

<sup>3</sup> <http://www.notisum.se/rnp/sls/lag/20120492.htm>

<sup>4</sup> <https://www.notisum.se/rnp/sls/lag/19931392.htm>

<sup>5</sup> <http://www.kb.se/english/services/deposits/>

<sup>6</sup> <https://www.notisum.se/rnp/sls/lag/19931392.htm>

deposit institutions are: the National library, Parliamentary library, and local libraries. The deadline for delivering the copies to the deposit institutions is four weeks but there are no sanctions defined by the law if a person fails to fulfill their obligation.

### **30-Bosnia and Herzegovina**

Bosnia and Herzegovina has more written laws about the legal deposit. "*Zakon o bibliotečnoj djelatnosti*" was passed in 1995, and it had been amended in 2003. Publishers need to deliver between 10 and 15 copies. The deposit institution is the National and University library. There is no deadline for delivering the copies but persons who fail to fulfill their obligations need to pay a fine whose amount ranges from 256 EUR to 1,534 EUR.

The second law has the same name as the first one and was passed in 2001, and then amended in 2003. Deposit institution is the National and university library of "Republika Srpska", to which the publisher has to deliver between 10 and 15 copies. The deadline to deliver the copies is as soon as the publication has been printed. Persons who fail to fulfill their obligations need to pay a fine whose amount ranges from 252 EUR to 2,518 EUR .

### **31-Iceland**

The National and University Library of Iceland (Landsbókasafn Íslands – Háskólabókasafn) is the main deposit library in Iceland. Legal deposit in Iceland is regulated by the Law on Library Deposit (Lög um skylduskil til safna), which entered into force on 1 January 2003, and the Regulation on Library Deposit (Reglugerð um skylduskil til safna), which was published on 5 December 2003. The version of the Law from 1 January 2016 is available online.

Materials covered by legal deposit include: works on paper (such as books, periodicals, reports, maps, ephemera), microforms and slides, sound recordings, materials in electronic format (e.g. those for use on the computer or materials issued on CDs or DVDs), websites and other electronic materials available online, materials appearing in different types of media, broadcast materials (from radio and television), films. Number of copies that have to be delivered varies from one (e.g. of broadcast materials) to four copies (e.g. of works on paper). Legal deposit materials (not including films) have to be delivered as soon as possible after the date of their release and no later than 1 February and 1 August of each year for works issued in the six months leading to these dates. Films have to be delivered within a year from the last show, i.e. within a year from the release on a DVD or tape. Those who fail to deliver materials within the prescribed time frame are subject to fine.

Apart from the National and University Library of Iceland, there are two more deposit institutions: the Municipal Library of Akureyri and the National Film Archive of Iceland.

### **32-Israel**

The legal deposit in Israel is governed by the Books Law – Legal Deposit, which can be found online. The Books Law was passed in 2000, and new ordinances were put into effect in 2015 to include electronically published publications in the legal deposit. However, it must be noted that the beginnings of the legal deposit in Israel can be traced back to 1924.

The main deposit institution in Israel is the National Library of Israel (NLI), with the Israeli State Archive and the Knesset Library as additional deposit institutions. The website of the National Library of Israel offers some basic information regarding legal deposit.

Legal deposit applies to the following types of materials: books, journals, newspapers, pamphlets, collections of pictures, music sheets, sketches, photographs, maps, audio and video tapes, CDs, diskettes, films, microfilms, slides and movies, as well as electronically published publications.

Publishers have to deliver 2 copies of a publication to the National Library of Israel within a month of publication. Those who fail to comply are subject to a fine. An additional copy is to be delivered to the Israeli State Archive and to the Knesset Library if requested.

According to the answer from the National Library of Israel, digital print masters are part of the legal deposit system, and digital copies of e-books, newspapers, journals and any other publication that falls under the law (blogs, databases, newsletters, etc.) can be delivered to the Receiving Department at the NLI. A separate repository for this purpose is also currently under consideration. Additional information can be found online (in Hebrew).

Apart from working to include electronic publications in the legal deposit system, the NLI established an Israel Internet Archive – ARCHINET.

### **33-Macedonia**

Legal deposit in Macedonia is regulated by закон за задолжителниот примерок which was passed in 1994, and amended in 2008 and 2011. Publishers need to deliver 5 copies of a publication and they need to be delivered before they are available to the public or immediately after they are printed. Deposit institutions are: the National and University library "Kliment Ohridski" in Bitola, and the Library "Goce Delchev" in Štipu. If publishers do not comply with the law they will pay a fine ranging from 500 EUR to 1,000 EUR.

### **34-Montenegro**

Legal deposit in Montenegro is governed by Ukaz o proglašenju zakona o izdavačkoj djelatnosti. It was passed in 2012 and has not been changed since. Deposit institution is the National library. The publisher needs to deliver at least one copy within one week. If publishers do not comply with the law they will pay a fine ranging from 1000 EUR to 5,000 EUR.

### **35-Norway**

The main deposit institution in Norway is the National Library of Norway. There are several legal documents on which the collection of legal deposit is based on: the law (*Lov om avleveringsplikt for allment tilgjengelege dokument (pliktavleveringslova)*), which entered into force on 1 July 1990; the instructions (*Instruks for institusjonar som forvaltar dokument innkomne etter lov om avleveringsplikt for allment tilgjengelege dokument*), which entered into force on 1 July 1990; the regulations (*Forskrift om avleveringsplikt for allment tilgjengelege dokument*), which entered into force on 6 August 1990; and their amendements. The last amendment was an amendment (LOV-

2015-06-19-72) to the law (LOV-1989-06-09-32), and it entered into force on 1 January 2016.

Types of materials covered by legal deposit include: books, newspapers, digital documents (websites, individual documents, digital documents stored on physical media, e-books), films (both the master copy and copies for use – all versions and formats), maps, publications of local authorities, broadcast materials (radio and television), audiobooks, music (CDs, vinyl records, digital music releases, pamphlets, posters), music videos (the master copy, a copy for use), sheet music, posters, postcards, pamphlets (also materials such as brochures, calendars, advertising materials), theatre materials (performance recording, posters, leaflets, manuscripts), journals (also magazines, comics), videos (all formats; the master copy can be delivered voluntarily), annual reports.

The number of copies that have to be delivered ranges from two copies (of, for example, audiobooks and posters) to seven copies (of, for example, books and newspapers). The deadline for delivery varies according to the type of material. For instance, copies of video recordings have to be delivered immediately after publication, while the deadline for delivering copies of films ranges from one month after the copy is made (for the master copy) to a year after the first public viewing (for the copies for use). In most cases, the deadline for submission is the day the document is made available to the public, and this applies to all types of materials for which no specific deadline for delivery is specified.

Legal deposit copies are received by the following deposit institutions: the National Library in Rana and Oslo, university libraries in Bergen, Trondheim, Tromsø and Oslo, the Sámi special library in Karasjok.

It is worth mentioning that the National Library of Norway works on digitizing its collection. In addition to that, the Library is trying to expand legal digital deposit legislation for it to cover a wider range of publication so that more digital content makes up the Library's collection. The aim is to receive the digital source.

What is more, master copies of some types of materials are already included in the legal deposit system: for films, it is obligatory to deliver the master copy, while master copies of videos are delivered on a voluntary basis.

### **36-Russia**

Russia's legal deposit is regulated by Федеральный закон от 29 декабря 1994 г. N 77-ФЗ "Об обязательном экземпляре документов (Federal'nyj zakon ot 29 dekabrja 1994 g. N 77-F3 "Ob objazatel'nom ekzempljare dokumentov") which was passed in 1994 and has not been changed since. Publishers need to deliver from 2 to 16 copies within 4 weeks to these deposit institutions: Russian country library, Moscow medical academy library, Institute for science information, Russian science academy, Parliamentary library, The International Science and Technology Center, "Integral" Research Institute, Moscow, Presidential Library.

### **37-Serbia**

Legal deposit in Serbia is governed by *Pravilnik o dostavljanju obaveznog primerka elektronskih publikacija depozitnim bibliotekama i njihovom korišćenju*. The law defines that publishers need to deliver 5 copies to these deposit institutions: the National library



of Serbia and Matica Srpska Library. They have another law (*Zakon o obaveznom primerku publikacija*) which defines that the publisher needs to deliver at least 1 copy to the National library of Serbia and Matica Srpska Library within one week.

### **38-Switzerland**

There is no legal deposit regulation in Switzerland. Information about national collection development in Switzerland can be found on the website of the Swiss National Library (NL).

The NL collects the following types of materials: printed documents, pictorial documents and photographs, video documents, digital documents, manuscripts; sound documents are collected by the Swiss National Sound Archives.

The NL has established complimentary deposit convention with the two main publishing associations: the ASDEL (Association Suisse des Diffuseurs, Editeurs et Libraires, formerly SLESR) and the SBVV (Schweizerischer Buchhändler- und Verleger-Verband). In 2001, the NL started the e-Helvetica project. This project refers to collecting “digitally born” publication relating to Switzerland, including e-books, e-journals and websites, and archiving these publications. The practice of the NL collecting online materials is in accordance with the federal law on the Swiss National Library (SNL SR 432.21, December 18, 1992) and the Application Ordinance (January 14 1998, status February 3, 1998).

The Swiss National Library is responsible for developing a collection of documents/materials relevant to Switzerland. More information regarding legal documents that regulate the functioning of the NL can be found online.

### **39-Turkey**

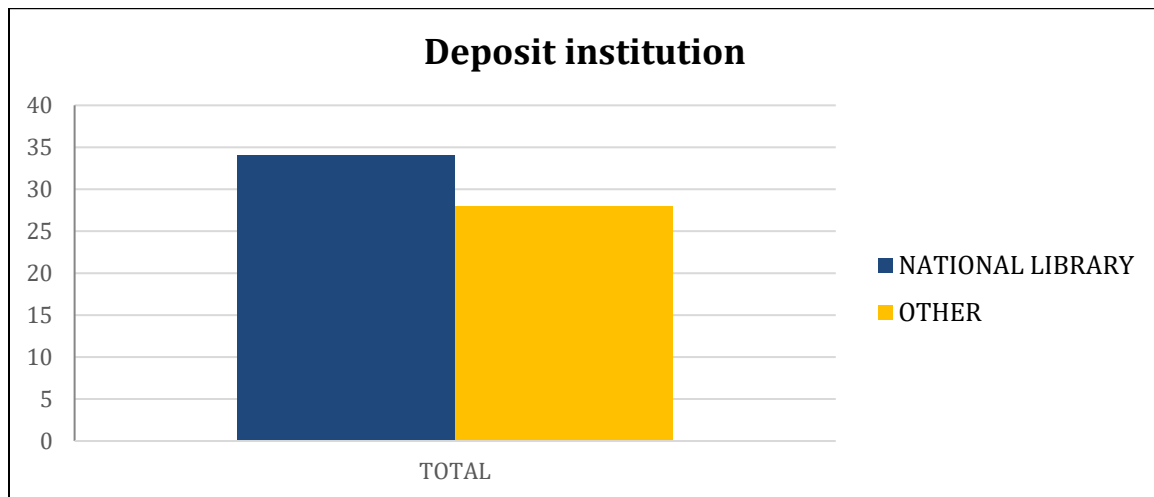
The main deposit institution in Turkey is the National Library of Turkey. Legal deposit legislation is based on Basma Yazı ve Resimleri Derleme Kanunu, a law from 1934. The most recent changes to the law were in 2008.

Materials to which legal deposit applies include: books, newspapers, magazines, pamphlets, theses, maps, atlases, plans, manuals, sheet music, theatre plays, reports, catalogues, calendars, other publications including texts and images. Copies are to be delivered in five (to six) copies. The deadline for delivery is fifteen days. Among other deposit institutions are: Ankara Umumi Kütüphanesine, İstanbul Üniversitesi Kütüphanesine, İstanbul Umumi Kütüphanesine, İzmir Umumi Kütüphanesine etc.

## Comparative analysis of the results

In this section the survey data was quantified and compared in order to provide additional insight into the legal deposit practices where possible. Since some information was missing, the data is presented only for the countries where the information was available.

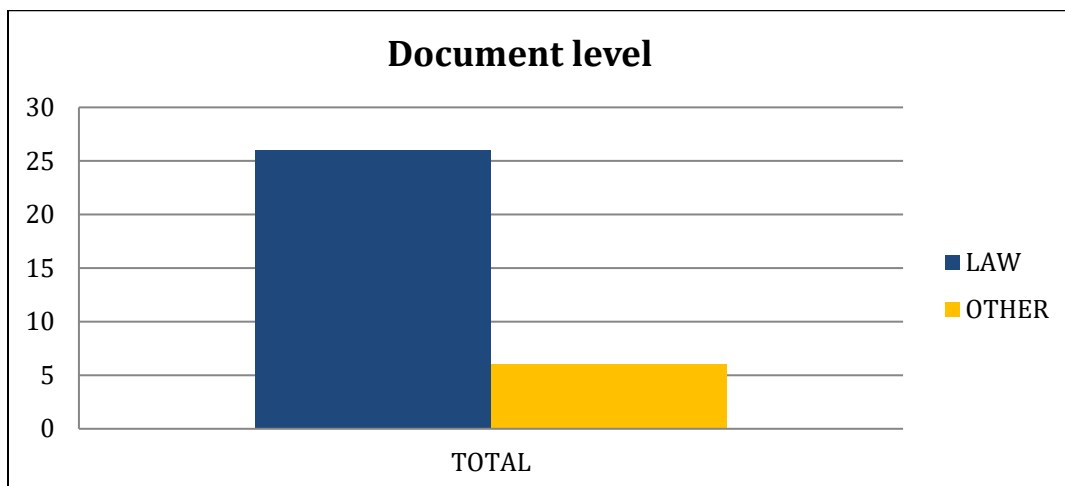
### Question 1 – The deposit institution



Picture 1 –The deposit institutions across countries

This question explored the deposit institution of each country, i.e. where the copies of legal deposit should be delivered. It was shown that most of the countries have multiple legal deposit institutions alongside the national library, mostly local libraries.

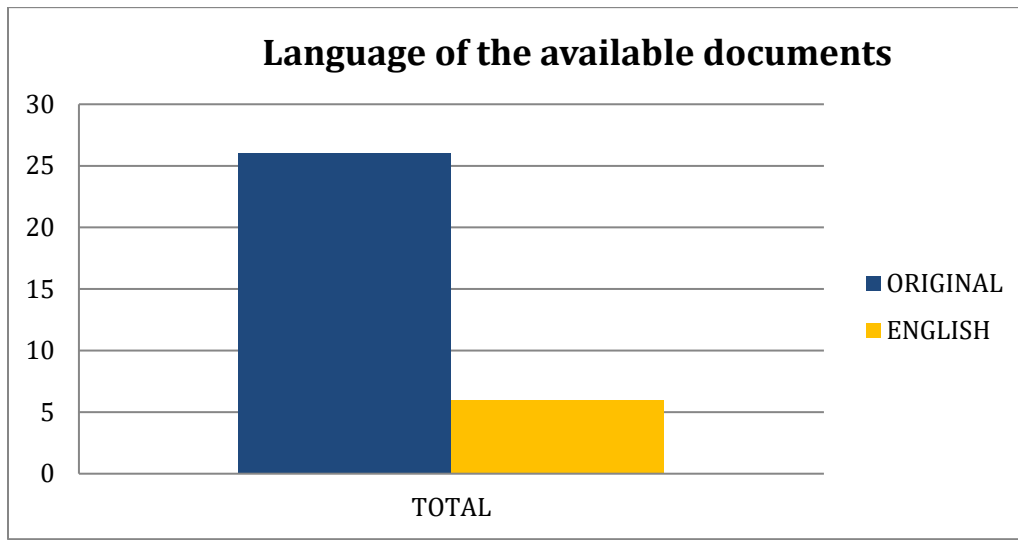
### Question 2 - Level of the legal document on which the collection of legal deposit is based on



Picture 2 - Level of the legal document

This question was aimed at exploring whether the legal deposit is regulated within the law system of the country or by some documents of lower importance (guidelines, recommendations, etc.). It was shown that legal deposit in most of the countries is regulated by some kind of law, mostly connected to libraries in general as a part of the library institutions legislative.

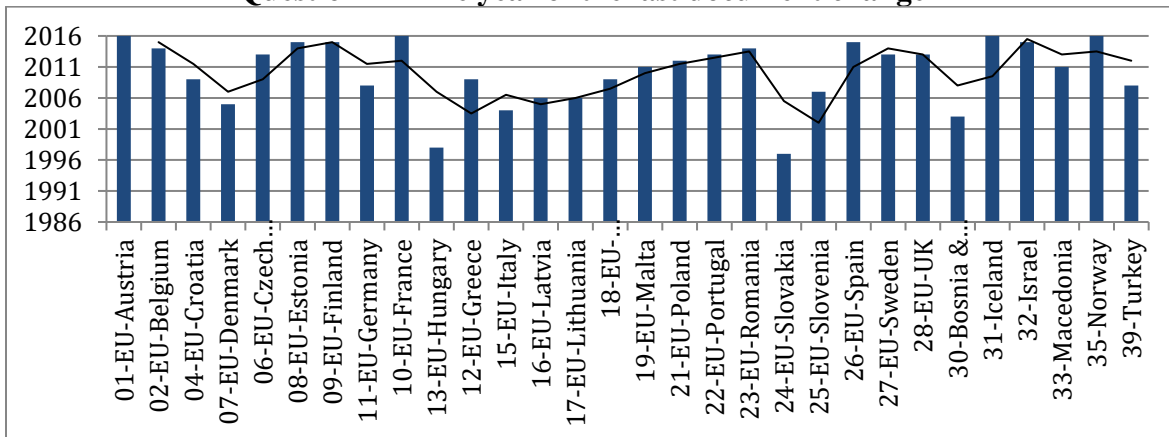
### Question 3 - The language of the document analyzed



Picture 3 - Language of the analyzed document

Since the analysis was carried out on gathered documents from different relevant websites, a large number of documents were only available in original languages which made the analysis much more challenging. Fortunately, some of the GRAs are studying languages so they could comprehend a number of various languages: English, French, and Slovenian.

### Question 4 – The year of the last document change

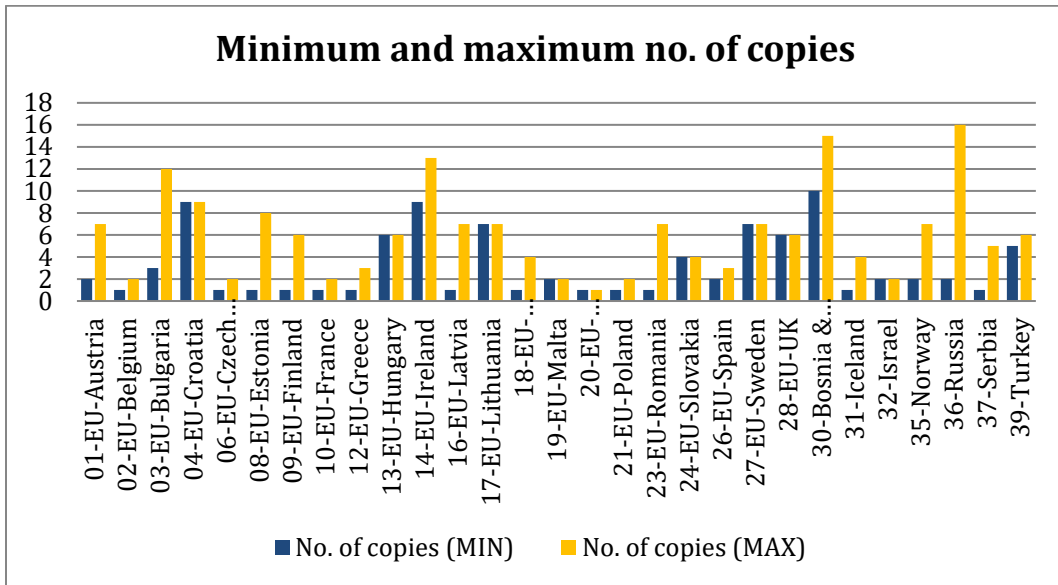


Picture 4 - Year of the last document change

This question was aimed at exploring the need for amending the documents regulating legal deposit having in mind the issues that the electronic environment brings. It was shown that most of the countries had to add certain articles or provisions regarding the deposit of electronic resources in the recent years, where most of the documents have been amended since 2000.

Two countries had the original documents dating back to 1934 (Turkey) and 1924 (Israel).

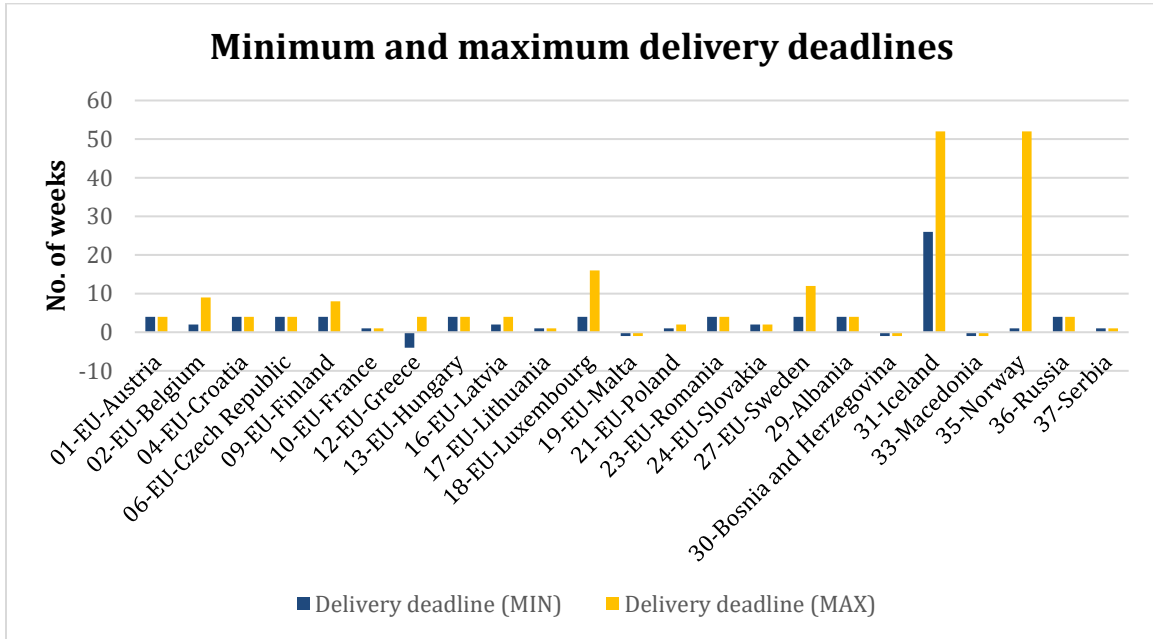
**Question 5 – Number of delivery copies for the legal deposit**



Picture 5 - Prescribed number of copies for the legal deposit

Since different numbers of copies are in some cases prescribed for different materials and formats, the analysis included the minimum and maximum number of copies. The analysis of relevant documents showed that there are significant differences between the countries both in minimum and maximum number of copies, ranging from 1 to 10 for the minimum number, and 1 to 16 for the maximum.

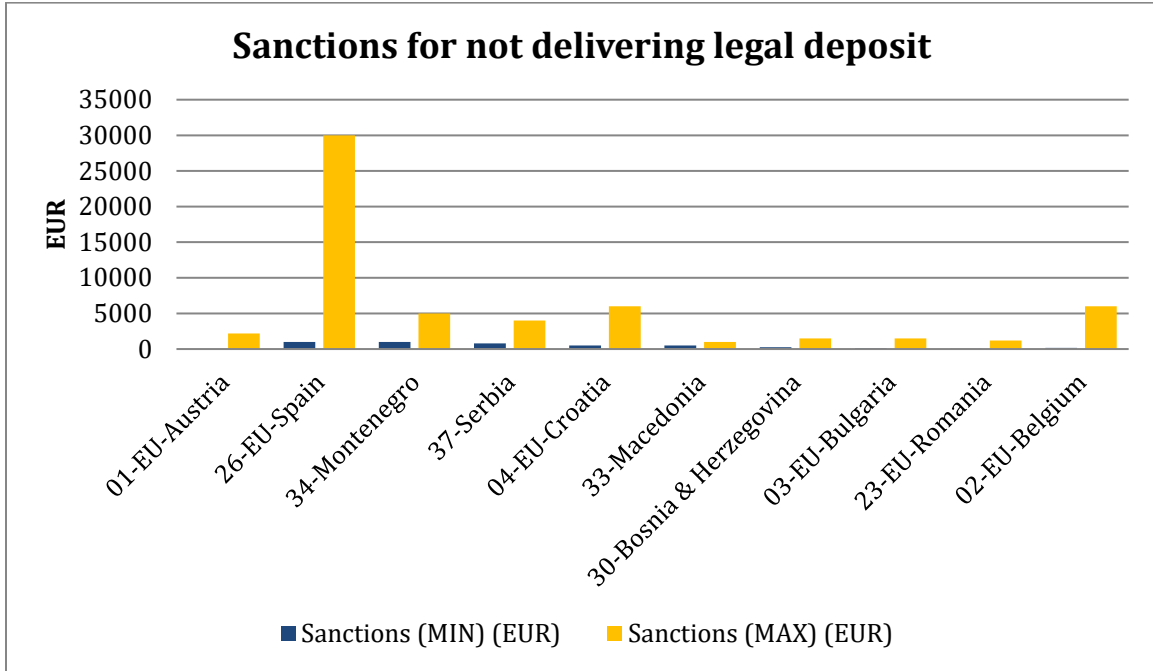
**Question 6 – Minimum and maximum deadlines for delivering copies of legal deposit**



Picture 6 - Minimum and maximum delivery deadlines

This question explored the prescribed deadlines for delivering legal deposit copies to the deposit institution. It was shown that the deadlines vary significantly, from 2 weeks before the publication is even made available to the public, and up to a year after the publication has been published.

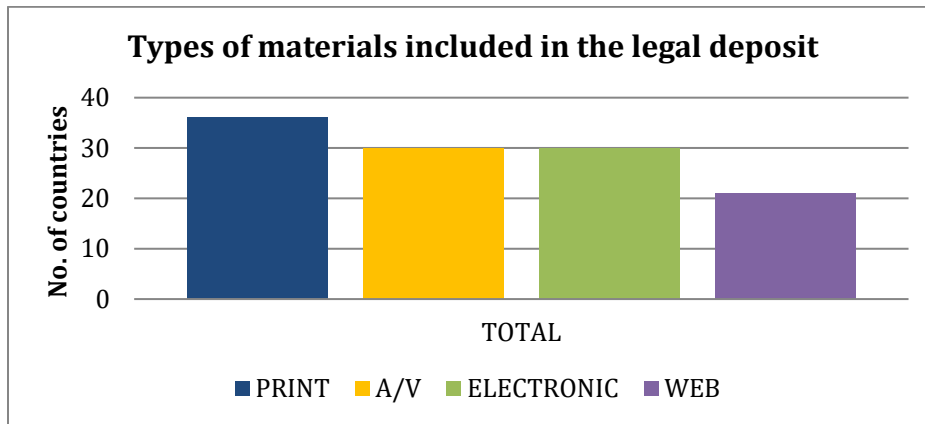
**Question 7 – Minimum and maximum sanctions for not delivering the legal deposit**



Picture 7 - Prescribed sanctions for not delivering the legal deposit

Since the legal deposit is an obligation for the publishers in most European countries, this question explored the prescribed sanctions for not delivering the copies of legal deposit within defined deadlines. As we can see from the data, most countries don't have any sanctions, and those that do vary significantly. The range is mostly between 1,000 and 5,000 EUR for legal entities, except Spain where there is a 30,000 EUR fine prescribed. However, according to their answer, no fines were ever collected from the publishers.

**Question 8 – Types of materials included in the legal deposit**



Picture 8 - Materials included in the legal deposit

This question analyzed which types of materials are included in the legal deposit system. As expected, all the countries include printed materials, most of them also include audiovisual and electronic materials, and several include some kind of web archive of their respective domains.

## Stage 2 – Survey of the Croatian national publishers

The second stage of the research focused on collecting data from Croatian national publishers. The survey included 9 major national newspaper publishers that were asked to provide information regarding the model they use for archiving their digital print masters (concerning extent, format(s), size, etc.), as well as their attitude towards participating in a public-private partnership which would enable long-term preservation of digital print masters.

The survey was sent by email to 9 Croatian publishers who altogether publish 12 titles of daily newspapers. In advance to the survey, preliminary interviews with the publishers were conducted in order to introduce the survey and to raise awareness and ignite interest of the publishers for the long-term preservation of digital print masters. During the data acquisition additional interviews with the publishers were also conducted.

The survey consisted of 9 following questions (Appendix II):

1.	Do you keep the digital print masters archive?
2.	On which media?
3.	In which format?
4.	Total size of the archive?
5.	Average size of one file (issue)?
6.	Do you keep the archive of all newspaper daily editions?
7.	Do you keep backup of the archive?
8.	Do you think that the digital print masters' storage system with the additional backup at the NSK would make your archive management easier?
9.	Are you interested in participating in the project?

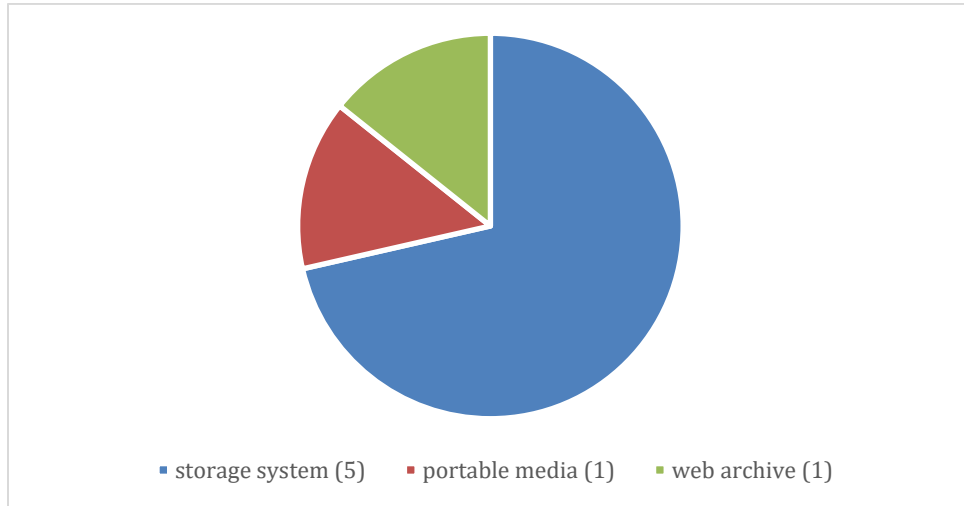
The answers from 5 publishers (55.6 %), who altogether publish 6 daily newspaper titles (50 %), were received.

The analyzed data from the surveys showed the following results:

All six newspaper titles keep their own digital print masters archive, in PDF format, on different media. Picture 9 shows types of digital print masters archives that publishers



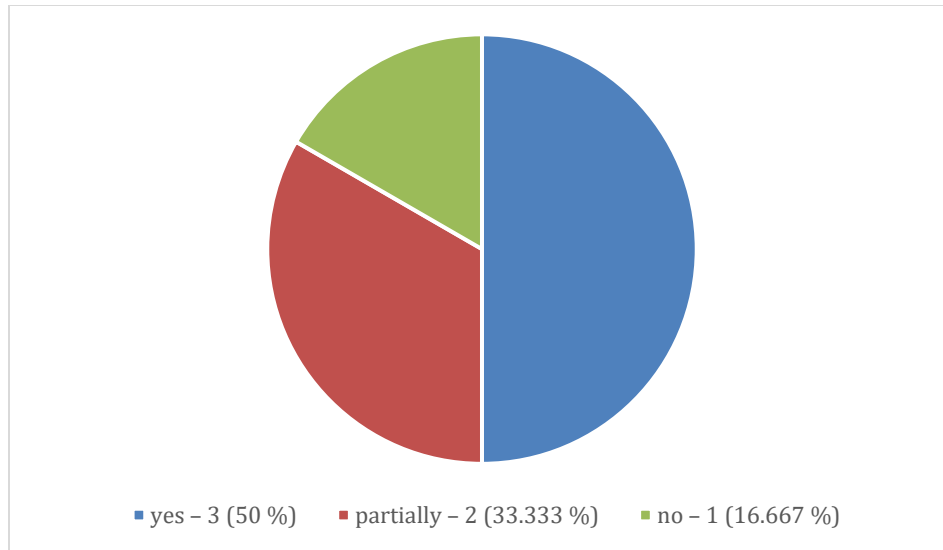
use: four use local storage systems, one uses portable media and one uses both local storage system and web archive. The size of archives varies from 54 GB to 3 TB per title, amounting to 6 TB in total. Average size of one file (issue of newspaper) varies from 4.4 MB to 910 MB.



**Picture 9 - Types of archives used by publishers**

Four newspaper titles (66.7 %) keep the archive of all newspaper daily editions; others do not (33.3 %). The backup of the archive keeps four publishers for their five newspaper titles, and one publisher (of one title) does not keep backup.

Picture 10 shows number and percentage of publishers that believe the digital print masters storage system with the additional backup at the NSK would make their archive management easier. Publishers of five titles believe that backup at the Library is also useful for them, and the publisher of one newspaper title thinks that additional backup wouldn't make their archive management easier. All five publishers stated their willingness to participate in the project.



**Picture 10 - Do you think that the digital print masters' storage system with the additional backup at the NSK would make your archive management easier**

The set of 9 questions in the survey was sufficient in providing overall information about the state of digital print masters systems of daily Croatian newspapers. The survey results showed that publishers have different storage systems, that the additional backup in the National and University Library in Zagreb would be most welcomed and that the publisher's attitude regarding the participation in the project for building a system for long-term preservation of digital print masters is positive.

## Stage 3 – Case studies

In order to examine good practices, technical solutions and workflows associated with the legal deposit system or a voluntary delivery of the national publishing output, three of existing systems were analyzed.

Case studies of the developed and operational digital print masters' submission systems with examples of good practice business with digital matrix in the case of Germany, Norway and France are presented in detail.

### Germany

In Germany, there are ca 1,500 daily newspapers, 1,200 of which are available in e-paper version. On daily bases 930 titles are included in process of digital archiving, including 18 Sunday editions which cover about 87% of total daily editions. The process of digital archiving for German National Library is done by a service provider in cooperation with which the Library has developed automated process of ingest and storage of daily newspapers. Workflow is defined by usage of PDF format suitable for delivery of large amounts of data. Three different interfaces are set up for the submission of online publications, depending of the quantity of data to be submitted: one for the submission of smaller quantities via a web form, and two machine-based interfaces for a larger number of (digital) objects. Service provider, aggregator acting in the name of the Library, is accessing the restricted sections of newspapers' websites with login and password provided by the publishers in order for software to be able to harvest it. The software must be configured for every single website differently, due to its technical characteristics. By logging into subscribers' content, software selects the PDF download of the correct newspapers issue, processes it and validates the title, date, number of pages etc. and generates the metadata needs for ingest via OAI-PMH interface. Despite the automated process of ingest and storage, a part of the workflow will always be done by the Library' stuff like contacting the publishers, requesting logging details, checking, defining criteria for quality checks for each title and creating bibliographic descriptions. Each e-paper title is available within 7 days from the day of harvesting on the Library's premises. That way, by the end of 2014, 87% of total daily newspaper editions were covered.

### Norway

National Library of Norway aimed at establishing a system for ingest of digital legal deposit of daily newspapers, but out of 250 current titles, only 35 publishers were included in the first phase of the project. By the year 2014 the digital deposit was implemented for 15 weekly and daily titles, while there are still negotiations with publishers of another 80 titles. The National Library has defined standards for digital deposit of newspapers (file name, file format, image resolutions, delivery method), because of publishers' different digital productions systems. All the files for a complete issue must be zipped in PDF/A format, while images should at least have the same quality as files used for the paper version. Process of collecting daily edition starts with the download from publisher's FTP server, followed by PDF format quality check, extraction of the text from the pages and formatting into XML/ALTO format. Files

comprising on issue are being archived into the Mavis database which the Library uses for storage of variety of digital objects. Files intended for access are processed according to METS standard (Metadata Encoding & Transmission Standard) and created in XML format in order to be searchable and available through the Library's digital service.

## **France**

National Library of France has also attempted to find the solution for collecting online newspapers content available through the subscriptions. Combination of web harvesting and harvesting that require prior consensus and contracts with publishers has turned out to be the optimal solution and is implemented since 2012 within "Subscription-based project". By the end of 2013, 15 daily newspaper titles were collected on regular bases, 13 of which represent regional editions (which, on the other side, comprise 112 local editions) and 2 major daily national newspapers. Relying on harvesting web technologies, robot is able to access and copy the protected content as a subscriber, having in advance been given login and password. This way, librarians have important role in quality control, such as statistical (e.g. metrics and report of the crawls) and visual (comparison with online equivalent) quality control. Because of frequent URL change and with the maintenance of continuity of newspaper title in mind, system of permalinks was set up and each title is given "ark" identifier which refers to all URL-s on which the title has appeared through certain period of time. Although there are certain disadvantages with this approach of newspapers harvesting (website technology, changes in website structure, non-timely manner of publisher's permission to free access to password-protected content), until mid-2014 it was used to collect more than 20 daily newspapers (mainly regional titles) with almost 200 different local editions. In the near future the possibility to ingest newspapers in PDF format via FTP protocol will be considered.

## Conclusions

It was shown that most of the countries have multiple legal deposit institutions alongside the national library, have the legal deposit regulated via some kind of law, mostly connected to libraries in general as a part of the library institutions legislative, but the large number of relevant documents were only available in original languages which made the analysis much more challenging. As expected, all the countries include printed materials in their legal deposit, most of them include also audiovisual and electronic materials, and the fewest include some kind of web archive of their respective domains. It was shown that most of the countries had to add certain articles or provisions regarding the deposit of electronic resources in the recent years, where most of the documents were amended since the year 2000 and later, and there are significant differences between the countries both in minimum and maximum number of copies, deadlines and sanctions for the legal deposit

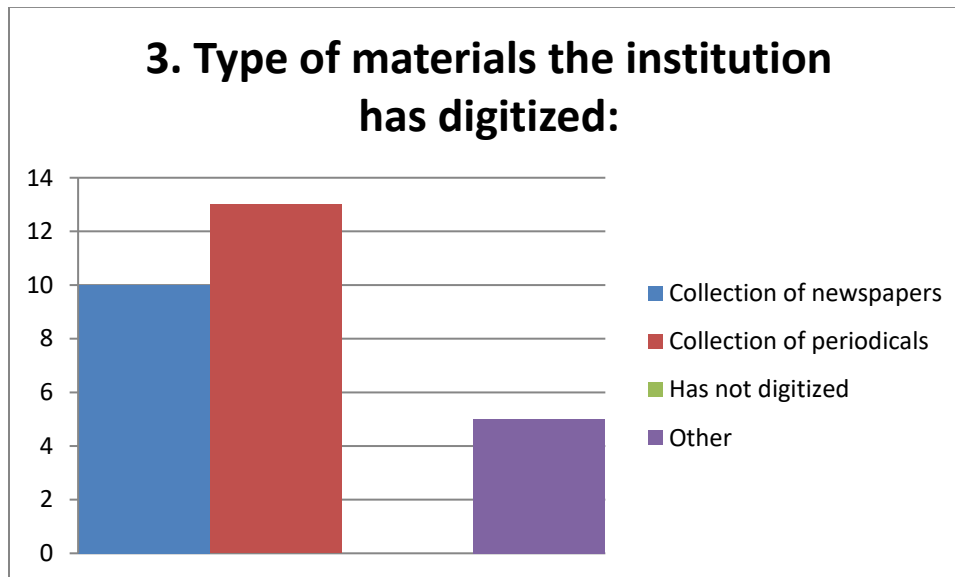
Based on the results of analysis of European deposit practices regarding the legal deposit, the Croatian publisher's survey, experiences of other European national libraries in the long-term preservation of e-newspapers, but also Croatian National Library's own experience with e-book ingest module development, the development of a digital print masters' and e-newspapers ingest module is planned. This will be a new component of the existing digital library system dedicated to the capture of the born digital newspapers and print masters. The ingest module will be integrated with the existing ingest module and, consequently, future national cultural heritage long-term preservation system. It will enable both delivery and harvesting of newspaper issues, ingest metadata capturing (predefined file names, file size, type etc.), while other components of the system will be used for information organization, trusted storage, and retrieving newspaper print masters. Due to the provisions of the present Croatian Library Law that puts print masters under the voluntary deposit collection, the e-newspapers system must enable specific administrative metadata creation with links to legal usage documentation. Negotiations and agreements with publishers will play an important part in the development and usage of the trusted national digital print masters' repository.

## PHASE 2 - Providing insight into the preservation policies of national institutions

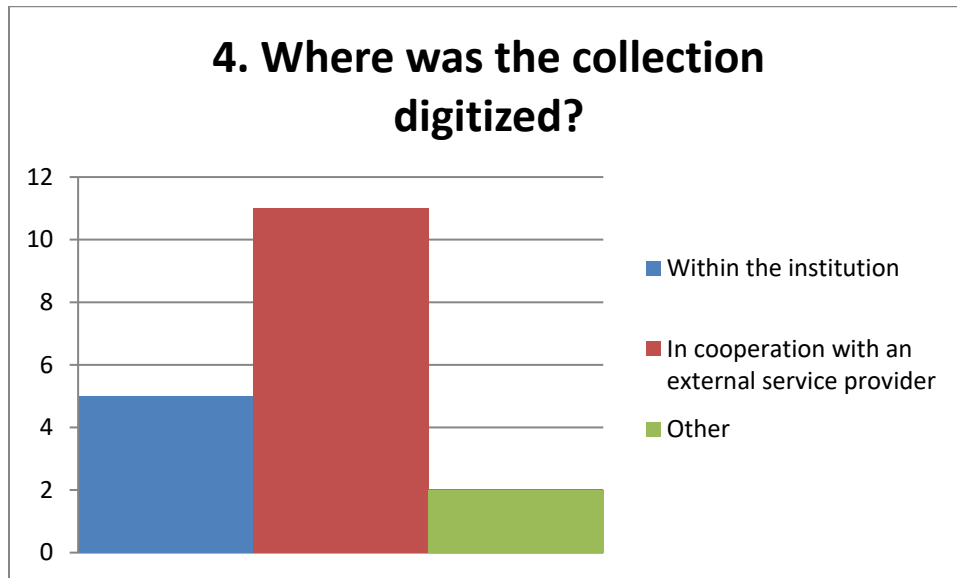
Phase 2 was aimed at providing insight into the preservation policies of national institutions necessary for ensuring long-term preservation of digital print masters. Institutions that have a digitized collection of serial publications (newspapers or journals) were surveyed on their management and preservation policies of digital collections. A questionnaire with 16 questions was created [Appendix III) and sent to over 500 e-mail addresses of Croatian heritage institutions

### RESULTS

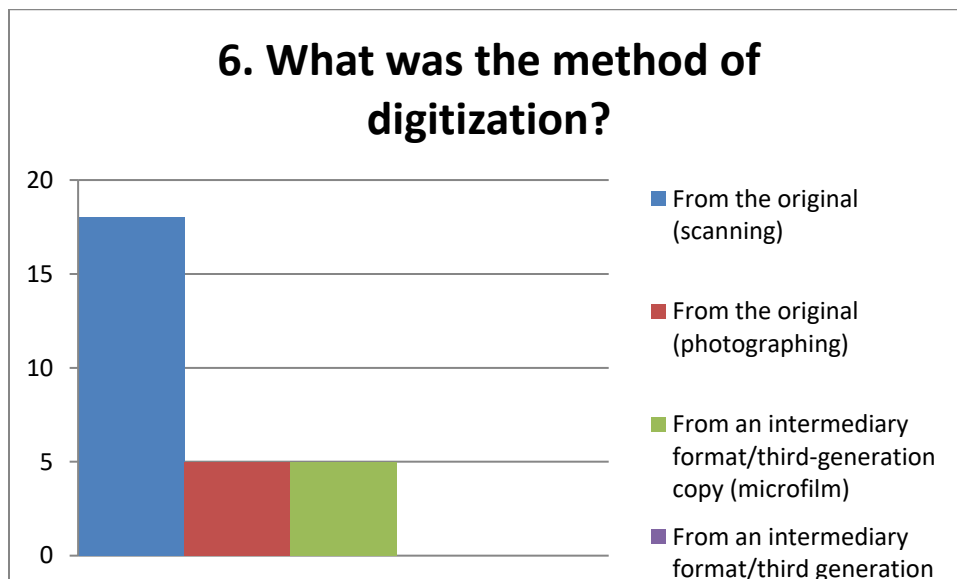
Every institution has digitized either newspapers, periodicals or other materials. Most of digitized documents are periodicals. Institutions also digitized a significant number of newspapers.



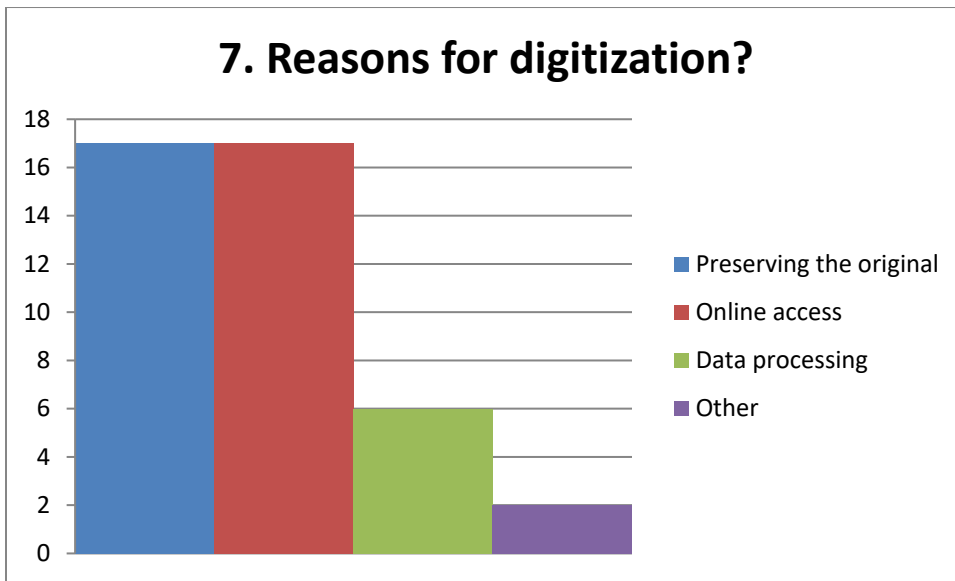
Collection were digitized in cooperation with an external service provider (more than 10) or within the institution (5). Other solutions are also possible but rare.



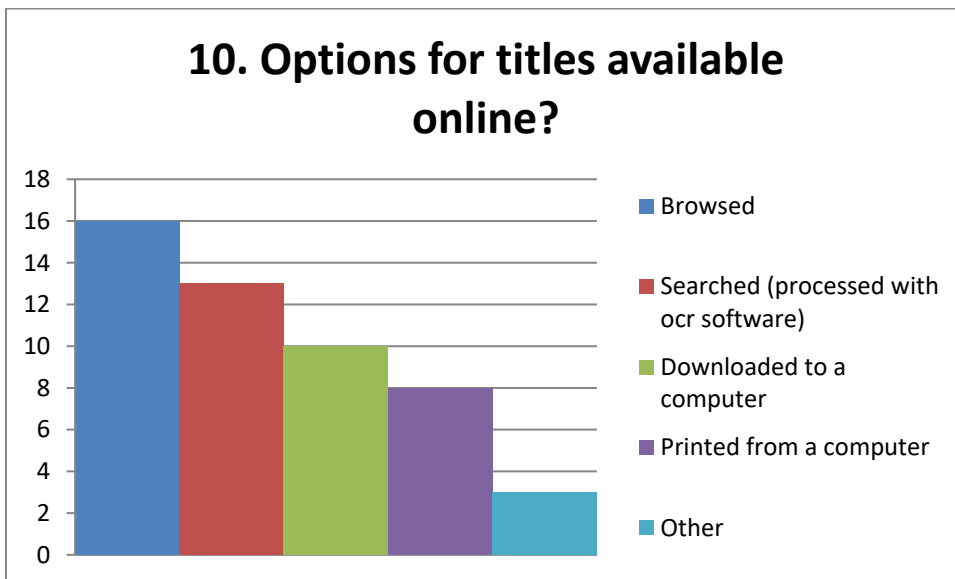
The most often used method of digitization is from the original by scanning the document. The same number of institutions (5) is using digitization from the original by photographing and digitization from an intermediary format/third-generation copy (microfilm). Other solutions are not used (e. g. from an intermediary format/third-generation document).



The primary reason for digitization for institutions is preservation of original and online access. Data processing is reason for few institutions. Other reasons for digitization are the development of new services.

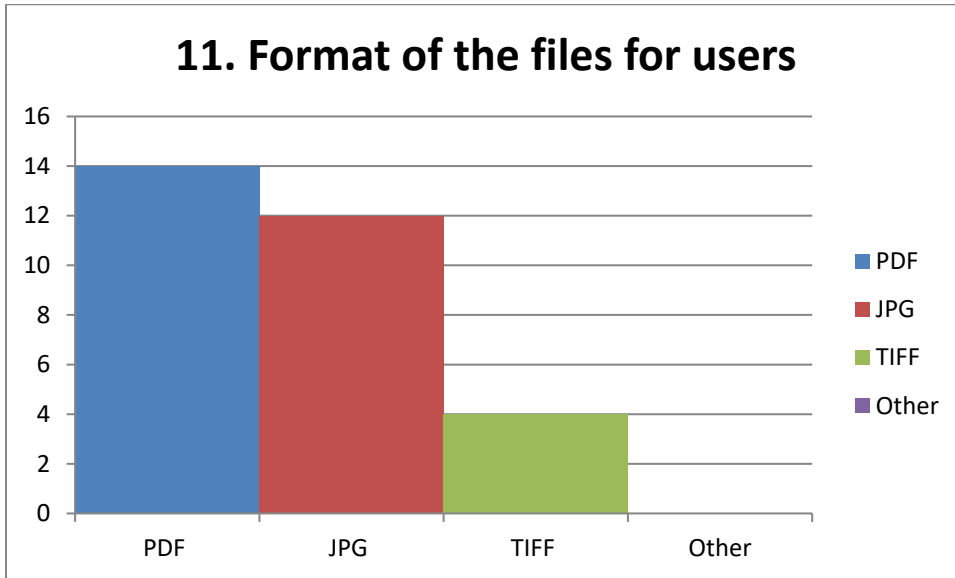


More often used options for titles available online are browsed (16), searched (processed with ocr software) (13), downloaded to a computer (10) and printed from a computer (8).

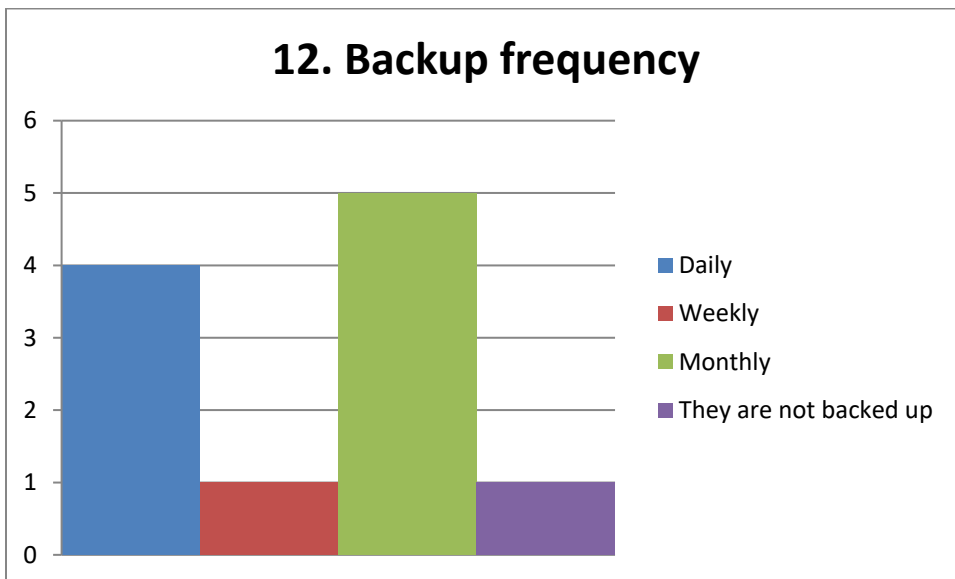




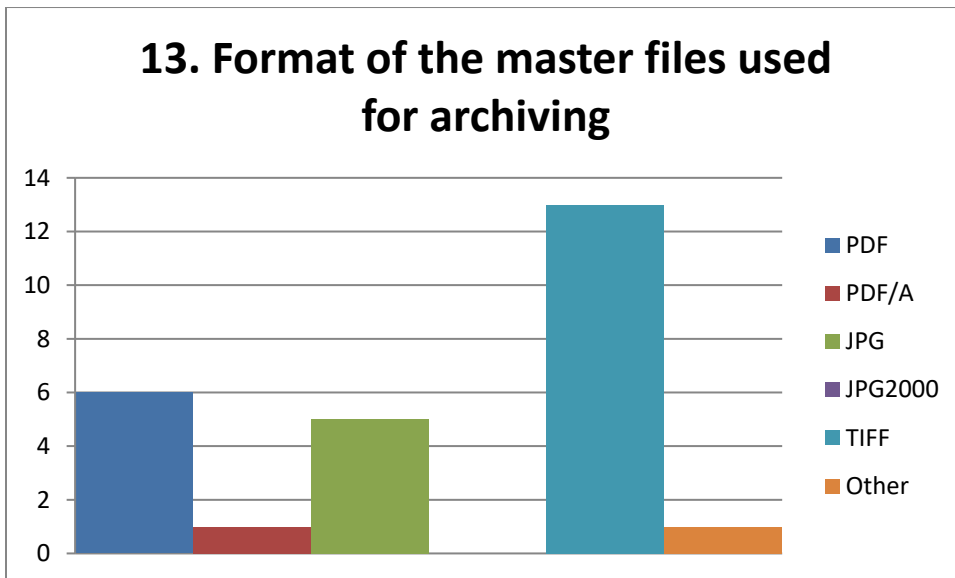
Available formats of the files for users are most often PDF (14), and JPG (12). TIFF format is rarely used (4). Other formats are not used.



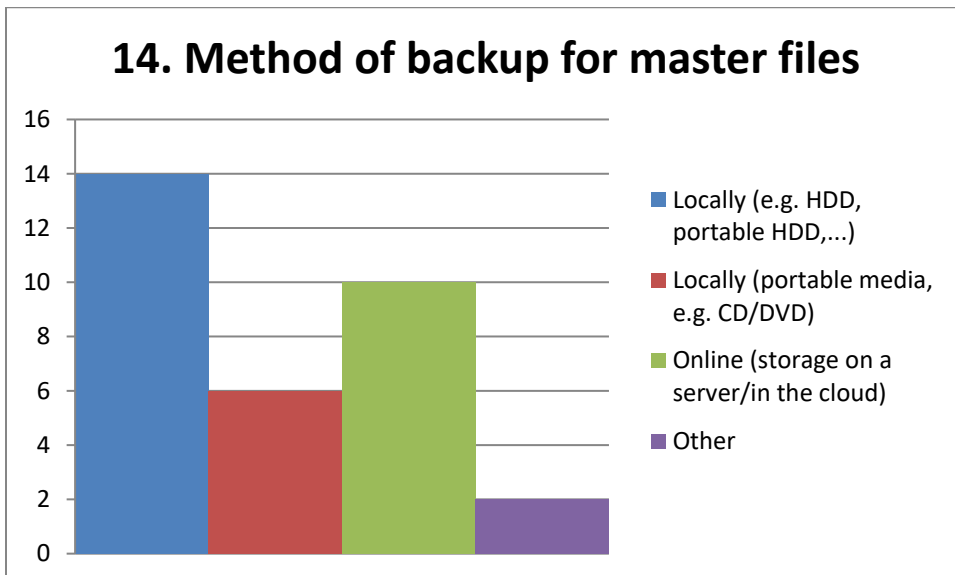
Backup frequency is very important for digital preservation. Some institutions make backup daily (4) but most often backup is done monthly (5). One institution is doing backup weekly. Also, one institution never do backup.



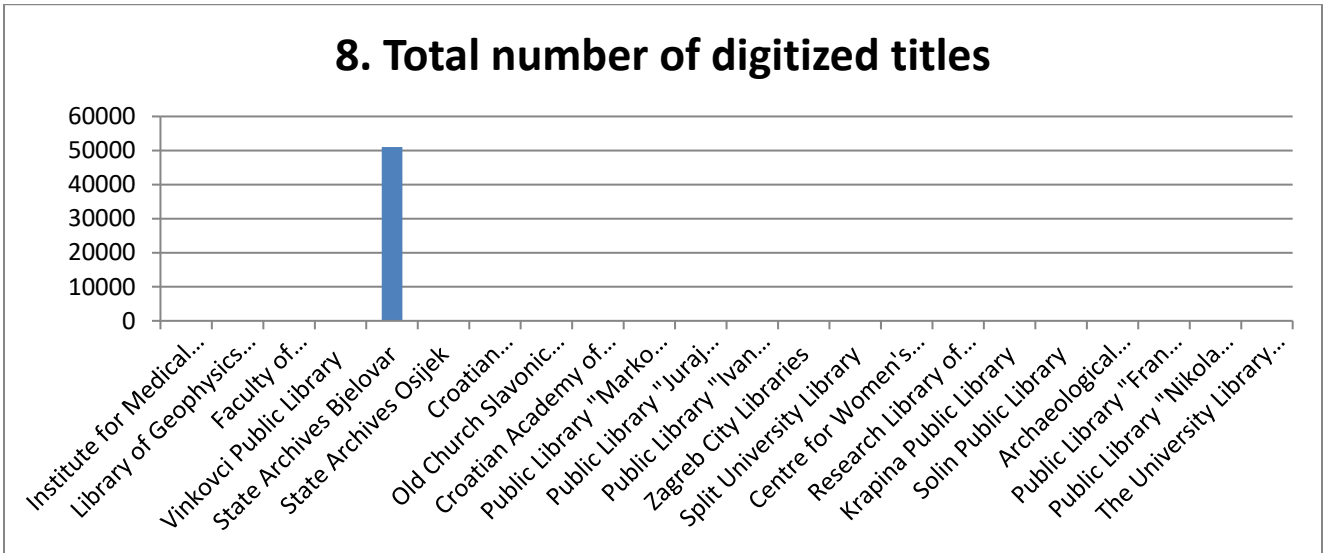
The most common format of the master files used for archiving is TIFF (13). Other formats are PDF and JPG and they are equally often used (by 5,6 institutions). PDF/A is used only by one institution.



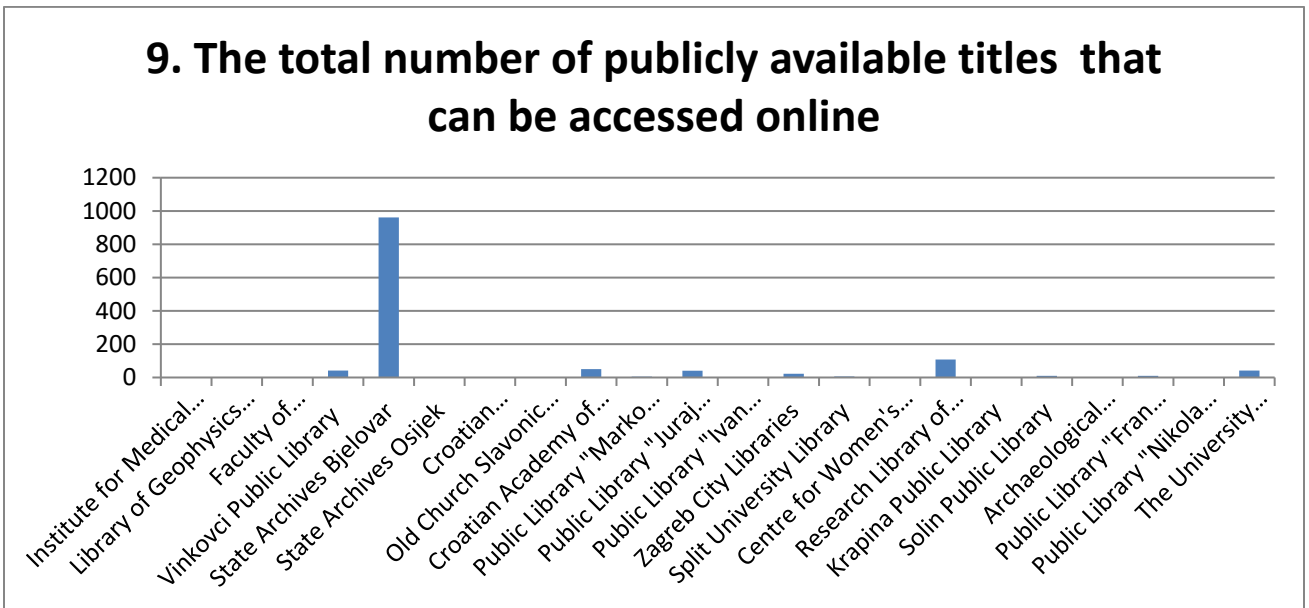
Methods of backup for master files are locally and online. Most often used is locally (e.g. HDD, portable HDD,...), and online (storage on a server/in the cloud). Also locally by using portable media e.g. CD/DVD is used quite often (by 6 institutions).



State Archives Bjelovar has digitized the biggest number titles. Other institutions can not be measured with the State Archives Bjelovar.

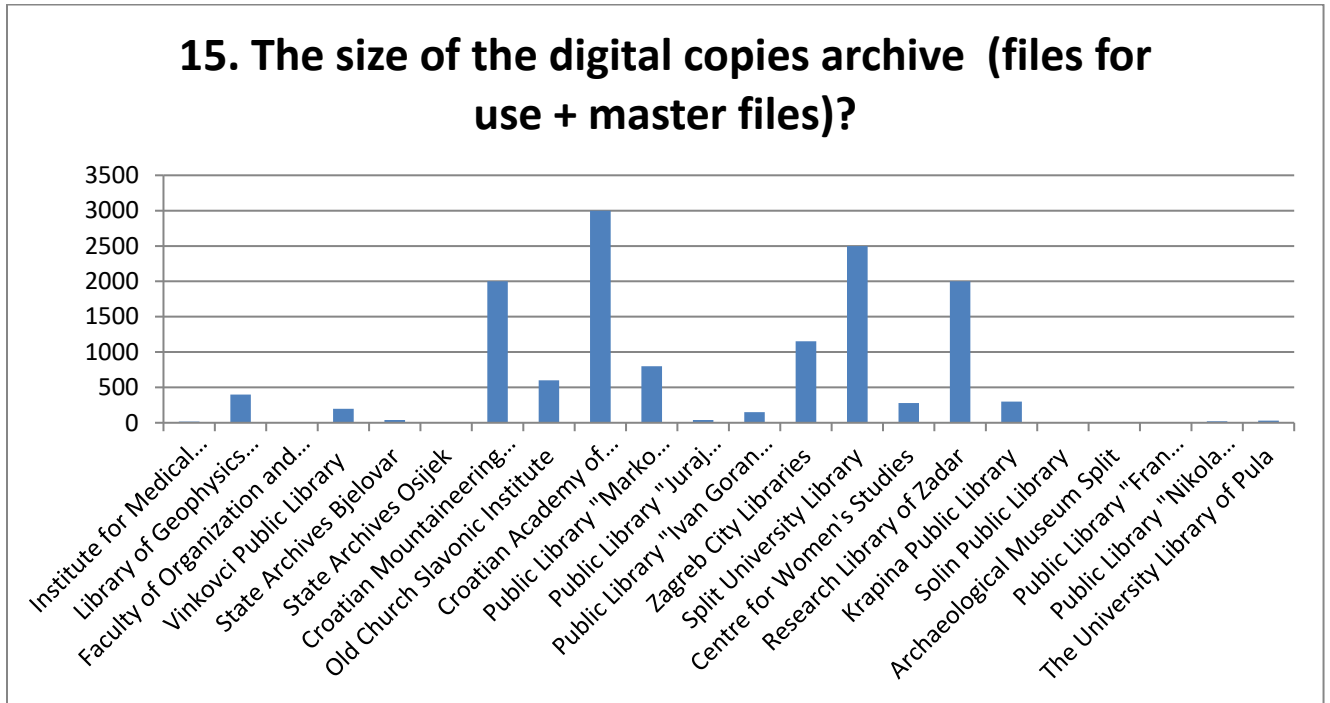


Also, State Archives Bjelovar has the biggest total number of publicly available titles online.



The biggest institution by the size of the digital copies archive (including files for use and master files) is Croatian Academy of

Also Split University Library, Croatian Mountaineering and Research library of Zadar has big archives (more than 2000 copies).



## Conclusions

It was shown that institutions mostly digitize periodicals or newspapers in cooperation with an external service provider by scanning or photographing them to preserve the original and to provide online access. They store digitized files in PDF or JPEG and those files can be browsed or searched online. Most of the institutions have less than 1TB of data which they backup locally in TIFF format.

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## Appendix [I] Questionnaire for the analysis of legal deposit documents of the European countries

Dear Madam/Sir,

I am writing on behalf of the InterPARES Trust project (<https://interparestrust.org/>) where we are conducting an analysis of existing legal deposit practices in European countries.

Along with the Faculty of Humanities and Social Sciences, Department of Information and Communication Sciences, Croatia (<http://inf.ffzg.unizg.hr/index.php/en/>) as a project leader, other institutions in Croatia, namely Croatian National Library, is involved.

This research is part of the InterPARES Trust's project called "Long-term Preservation of Digital Print Masters of National Publishers". Research is specially focused on identifying if any of the countries uses digital print masters as a form of substitution and/or supplement to the existing depositing practices for legal deposit on physical carriers.

The questionnaire is very short with only few basic questions. We would appreciate if you could take 5-10 minutes of your time to provide us with some key information on the research topic.

BASIC INFORMATION			
1. Country name			
2. Indicate the deposit institution of the country	NATIONAL LIBRARY	OTHER	NO DATA
3. Indicate the level of the legal document on which the collection of legal deposit is based on	LAW	OTHER	NO DATA
4. Indicate the language of the analyzed document	ENGLISH	OTHER	NO DATA
5. Indicate the year of the original document creation			NO DATA
6. Indicate the last year the document was amended			NO DATA
LEGAL DEPOSIT			

7. Indicate the number of copies included in the legal deposit	MIN		MAX		NO DATA
8. Indicate the types of materials included in the legal deposit	PRINT	A/V	ELECTRONIC	WEB	NO DATA
9. Indicate the deadline for the delivery of the legal deposit	MIN (EUR)		MAX (EUR)		NO DATA
<b>DIGITAL PRINT MASTERS</b>					
10. Indicate if digital print masters are a part of the legal deposit system	YES		NO		NO DATA
11. Indicate if there is a separate electronic submission system for delivery in place	YES		NO		NO DATA

## Appendix [II] Survey of the Croatian national publishers

1.	<b>Do you keep the digital print masters archive?</b>
2.	On which media?
3.	In which format?
4.	Total size of the archive?
5.	Average size of one file (issue)?
6.	Do you keep the archive of all newspaper daily editions?
7.	Do you keep backup of the archive?
8.	Do you think that the digital print masters' storage system with the additional backup at the NSK would make your archive management easier?
9.	Are you interested in participating in the project?

## Appendix [III] Survey on the practice of archiving digital copies of journals and newspapers

1.	Institution name
2.	Institution address
3.	What type of materials has the institution You work for digitized?
4.	Where was the collection of newspapers/periodicals digitized?
5.	Please copy the URL where the material can be found (if it was published online):
6.	What was the method of digitization?
7.	What were the reasons for digitization?
8.	Please indicate the total number of digitized materials.
9.	Please indicate the total number of publicly available titles that can be accessed online.
10.	What are the options for titles available online?
11.	In what format are the files that can be used/browsed?
12.	How often are files backed up?
13.	In what format are the master files?
14.	On what medium is the back up of master files kept?
15.	What is the size of the digital copies archive (files for use + master files) (in GB)?
16.	What problems have you encountered with maintaining the digital archive (e.g. migration, insufficient storage space, legibility,...)?