



LAWS OF MALAYSIA

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Act 331

DEPOSIT OF LIBRARY MATERIAL ACT 1986

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DEPOSIT OF LIBRARY MATERIAL ACT 1986

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LAWS OF MALAYSIA

Act 331

DEPOSIT OF LIBRARY MATERIAL ACT 1986

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LAWS OF MALAYSIA**Act 331****DEPOSIT OF LIBRARY MATERIAL ACT 1986**

An Act to make provision for the collection, conservation, bibliographical control and use of library material published in Malaysia and to provide for matters connected therewith.

[15 April 1987, P.U. (B) 184/1987]

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the Deposit of Library Material Act 1986.

Interpretation

2. In this Act, unless the context otherwise requires—

“conservation” means the various measures taken for the protection, preservation and necessary repair of library material and for their maintenance under conditions designed to prevent and retard their physical deterioration;

“Director General” means the Director General of the National Library appointed under the National Library Act 1972 [*Act 80*];

“library material” means any form of printed, graphic, audio, electronic or other media, on or in which information is written, recorded, stored, displayed or produced and is categorized for

purposes of this Act into—

- (a) printed library material including books, serials, maps, charts and posters;
- (b) non-printed library material including cinematograph films, microforms, phonorecords, video and audio recordings and other electronic media;

“Minister” means the Minister charged with the responsibility for libraries;

“prescribed” means prescribed by regulations made under the provisions of this Act;

“printed” means any representation of characters on any material by any method of mechanical impression;

“published” means material which has been produced and made available to the public to whom it may be sold or distributed free of charge and for the purpose of section 4, “published” shall include—

- (a) publication of any second or subsequent edition of a library material if that edition contains additions or alterations to the original content of such material; and
- (b) subsequent publication of such material in any other form or format.

National Depository

3. (1) For the purposes of this Act, there is hereby established a National Depository which shall be the National Library of Malaysia and which shall have the following objectives:

- (a) to provide for the conservation and use of library material published in Malaysia;
- (b) to create standard bibliographic record of library material published in Malaysia; and

- (c) to maintain statistical records of library material published in Malaysia.

(2) The Director General shall be the chief executive of the National Depository.

Delivery of copies of library material published in Malaysia

4. (1) Subject to section 7, the publisher of every printed library material published in Malaysia shall, within one month of the publication, deliver to the Director General, at his own expense, such number of copies as are prescribed in Schedule 1, the best copies of the library material as are prescribed in Schedule 2 and the Director General shall give a written receipt for every library material received by him, provided that where a printed library material is published at regular or irregular intervals, it shall be delivered within one week of such publication.

(2) The publisher of every non-printed library material shall also deliver to the Director General such number of copies as are prescribed in Schedule 1, the best copies of the library material as are prescribed in Schedule 2, if written request is made for such library material within one year of their publication, provided that the Director General shall pay for the cost of the library material so delivered, if payment is demanded by the publisher.

(3) A publisher who fails to deliver any library material which he is required to deliver under this section shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding three thousand ringgit.

(4) On conviction made under subsection (3), the court shall also make an order that the publisher delivers the library material which he has failed to deliver, if it is still available in its original form or a reproduction of the library material if it is no longer available in its original form.

(5) Without prejudice to the provision of subsection (4), a publisher who fails to deliver any library material which he is required to deliver under this section, shall pay to the Director General, upon demand, the cost incurred by the Director General

in the reproduction of the library material.

(6) Any cost required to be paid to the Director General under this section shall be a debt due to the Government and shall be recoverable by any of the ways and means in force for the time being for the recovery of debts due to the Government.

Conservation, registration of library material, national bibliography and statistical record

5. In relation to library material delivered under subsections 4(1) and (2), the Director General shall have the following functions:

- (a) to provide for the conservation and use of the library material;
- (b) to maintain a register containing such particulars of the library material;
- (c) to publish a national bibliography at stated frequency containing particulars of such library material as the Director General deems fit;
- (d) to maintain statistical records of library material; and
- (e) to perform such other functions that are necessary to give effect to the objective of section 3.

Disposal of library material

6. The Director General may authorize the disposal of any library material delivered to him under the provisions of this Act, provided that wherever practical, a copy of the library material is conserved in original or other form.

Payment for printed library material

7. The Director General may, if he deems it fit, pay the publisher

of a printed library material in accordance with such scale of payment as the Minister may, with the concurrence of the Minister of Finance, prescribe.

Arrangements with Government department or agency

8. The Director General may enter into arrangements with any Government department or agency for the better carrying out of any of his functions under this Act.

Obligations to be additional to those under other law

9. The obligations imposed upon a publisher by this Act shall be in addition to and not in substitution for any other obligations relating to the delivery of library material published in Malaysia to any other institution, under any other written law for the time being in force.

Regulations

10. The Minister may—

- (a) make regulations for carrying out the objectives of the Act;
- (b) prescribe anything required to be prescribed under the Act; and
- (c) amend, delete from or add to the Schedules to this Act by order published in the *Gazette*.

Repeal

11. The Preservation of Books Act 1966 [*Act 35 of 1966*] is hereby repealed.

SCHEDULE 1

[Subsections 4(1) and (2)]

NUMBERS OF COPIES OF LIBRARY MATERIAL
TO BE DELIVERED

	Library material	Number of copies
1.	(a) Printed library material excluding library material as stated in paragraph (b)	5
	(b) Activities books, school workbooks, newspaper and two-dimensional materials	2
2.	(a) Non-printed library material excluding library material as stated in paragraph (b)	2
	(b) Publications that exist in digital form	1

SCHEDULE 2

[Subsections 4(1) and (2)]

DESCRIPTION OF BEST COPY OF LIBRARY MATERIAL

Library material	Description
1. Printed library material including books, serials, maps, charts and posters.	<p>A copy equal in quality to the best copy of the library material that is published, that is to say, copy of the whole material with all illustrations if any belonging thereto and—</p> <p>(a) finished and coloured in the same manner as the best copies of the material as are published; and</p> <p>(b) bound, sewed or stitched together and on the best paper on which the material is printed.</p>
2. Non-printed library material including cinematograph films, microforms, phonorecords, video and audio recordings and other electronic media.	<p>A copy equal in quality to the best copy of the library material that is published.</p>

LAWS OF MALAYSIA**Act 331****DEPOSIT OF LIBRARY MATERIAL ACT 1986****LIST OF AMENDMENTS**

Amending law	Short title	In force from
P.U. (A) 378/2021	Deposit of Library Material (Amendment of Schedule 1) Order 2021	08-10-2021

LAWS OF MALAYSIA**Act 331****DEPOSIT OF LIBRARY MATERIAL ACT 1986****LIST OF SECTIONS AMENDED**

Section	Amending authority	In force from
Schedule 1	P.U. (A) 378/2021	08-10-2021
