



Notification Number: 2012/594/UK

## The Legal Deposit Libraries (Non-Print Works) Regulations 2013

Date received : 23/10/2012

End of Standstill : 24/01/2013

### Message

Message 001

Communication from the Commission - SG(2012) D/52715

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2012/0594/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201202715.EN)

#### 1. Structured Information Line

MSG 001 IND 2012 0594 UK EN 23-10-2012 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Innovation and Skills  
Knowledge & Innovation Group  
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

#### 3. Originating Department

Department for Culture, Media and Sport



#### 4. Notification Number

2012/0594/UK - SERV

#### 5. Title

The Legal Deposit Libraries (Non-Print Works) Regulations 2013

#### 6. Products Concerned

Work published in the United Kingdom in a medium other than print, either off line or on line, but not including:

- (a) work consisting only of: (i) a sound recording or film or both, or (ii) such material and other material which is merely incidental to it; or
- (b) work which contains personal data and which is only made available to a restricted group of persons

#### 7. Notification Under Another Act

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#### 8. Main Content

The draft regulations provide for the Legal Deposit Libraries Act 2003 (under which works published in print in the United Kingdom are delivered to legal deposit libraries) to be extended to work published in a medium other than print, that is, work published on line or off line. Each of six legal deposit libraries are entitled to a copy of work published on or off line in the United Kingdom. Works consisting only or predominately of a sound recording or film or both, or work which is only made available to a restricted group of persons, are not within scope. Publishers are only obliged to deliver off line works and on line works that can be obtained through a web harvesting process.

The draft regulations define an on line work as published in the United Kingdom: (i) when an on line work is made available to the public from a website with a domain name which relates to the United Kingdom or a place within the United Kingdom; or (ii) when it is made available to the public by a person and any of that person's activities in relation to the creation or publication of the work take place within the United Kingdom.

The draft regulations set out a number of permitted activities in relation to deposited works. Deposit libraries must only allow the same work to be available from one computer terminal at any one time and must allow an embargo on work(s) at the publisher's request if there are reasonable grounds to support this. Deposit libraries may transfer and lend deposited works to other deposit libraries, and may use deposited works for certain purposes. Deposit libraries may provide copies of deposited works to readers provided certain conditions are met. Deposit libraries may copy and adapt deposited works for the purposes of preserving the work. Deposit libraries may dispose of deposited works provided that they retain at least one version.

#### 9. Brief Statement of Grounds

The objective for making the regulation is to ensure that the United Kingdom's non-print published output (and thereby its intellectual record and future published heritage) is preserved as an archive for research purposes and the use of future generations.

A statutory legal deposit system has existed in the UK for more than 300 years for printed works. However resources of information and creative expression are increasingly being produced, distributed, accessed and maintained in non-print form. Without appropriate legal, technical and institutional frameworks to secure the protection of this non-print heritage, it is at risk of being lost forever. This risk is recognised by the research community and by many publishers, especially those producing publications of scholarly or historical interest. It



is also common to most nations and governments; for example in October 2003 the UNESCO member states adopted a Charter on the Preservation of Digital Heritage and there are, or have been, initiatives in many countries to extend the legal deposit system to include non-print (digital) publications.

#### **10. Reference Documents - Basic Texts**

References of the Basic Texts: The Legal Deposit Libraries Act 2003  
Legal Deposit Libraries Act - Explanatory Notes

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

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#### **13. Confidentiality**

No

#### **14. Fiscal measures**

No

#### **15. Impact assessment**

Yes

#### **16. TBT and SPS aspects**

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

Catherine Day  
General Secretary  
European Commission

Contact point Directive 98/34  
Fax: (32-2) 296 76 60  
email: [dir83-189-central@ec.europa.eu](mailto:dir83-189-central@ec.europa.eu)