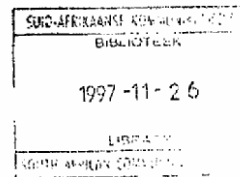


APPENDIX A

Legal deposit Act



REPUBLIC OF SOUTH AFRICA



GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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VOL 389

CAPE TOWN, 14 NOVEMBER 1997

No. 18424

KAAPSTAD, 14 NOVEMBER 1997

PRESIDENT'S OFFICE

No. 1511. 14 November 1997

It is hereby notified that the President has assented to the following Act which is hereby published for general information:—

No. 54 of 1997: Legal Deposit Act, 1997

KANTOOR VAN DIE PRESIDENT

No. 1511. 14 November 1997

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 54 van 1997: Wet op Pliglewering, 1997,

ACT

To provide for the preservation of the national documentary heritage through legal deposit of published documents; to ensure the preservation and cataloging of, and access to, published documents emanating from, or adapted for, South Africa; to provide for access to government information; to provide for a Legal Deposit Committee; and to provide for matters connected therewith.

*(Afrikaans text signed by the President.)
(Assented to 6 November 1997.)*

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Definitions

1. In this Act, unless the context indicates otherwise—

- (i) "Committee" means the Legal Deposit Committee referred to in section 8; 5
- (vii)
- (ii) "Department" means the Department of Arts, Culture, Science and Technology; (iii)
- (iii) "document" means any object which is intended to store or convey information in textual, graphic, visual, auditory or other intelligible format through any medium, and any version or edition of a document which is significantly different from that document in respect of its information content, intelligibility or physical presentation, is considered to be a separate document; (iv) 10
- (iv) "medium" means any means of recording or transmitting information intended for subsequent reading, listening or viewing; (viii) 15
- (v) "Minister" means the Minister of Arts, Culture, Science and Technology; (ix)
- (vi) "official publication" means a document published by an organ of national, provincial or local government, a parastatal organisation or any other institution listed as a public entity in terms of section 3 of the Reporting by Public Entities Act, 1992 (Act No. 93 of 1992); (i) 20
- (vii) "official publications depository" means a place of legal deposit designated in accordance with section 6; (ii)
- (viii) "place of legal deposit" means a library or institution referred to in section 6; (x) 25
- (ix) "prescribed" means prescribed by regulation made under section 12; (xii)
- (x) "published" means produced to be generally available in multiple copies or locations to— 30
 - (a) any member of the public, whether through purchase, hire, loan, subscription, licence or free distribution; or
 - (b) the members of an association or a society, the membership of which is open to any qualifying member of the public; (v)
- (xi) "publisher" means the person who or body, whether public or private, which— 35
 - (a) publishes and distributes a document;
 - (b) authorises and accepts the financial risk of the production, whether by that person or body or by another, of a document which is intended to be generally available;
 - (c) imports a document produced abroad for a South African publisher or a document specially adapted for the South African market to make it generally available; (xi) 40

- (xii) "this Act" includes the regulations made under section 12. (vi)

Deposit of documents and information

2. (1) A publisher shall for each published document supply to the prescribed places of legal deposit the prescribed number of copies in the format and of the quality prescribed for each version and type of medium: Provided that the prescribed number of copies of documents other than official publications shall not exceed five. 5

(2) A publisher shall for each published document furnish the State Library with the prescribed information pertaining to that document.

cost

3. The cost of documents supplied in terms of section 2(1) and of the information furnished in terms of section 2(2) and of the supply and furnishing of such documents and information shall be borne by the publisher. 10

Time of deposit

4. Unless otherwise prescribed, the publisher shall dispatch a document contemplated in section 2(1) and furnish the information contemplated in section 2(2) within 14 days 15 of the day on which the document is published.

Exemptions

5. (1) (a) If, owing to the high unit cost of publishing any particular document, or its unique or labour-intensive production method, the publisher of such document is likely to suffer serious financial or other hardship should he or she supply a copy of the document free of charge to every place of legal deposit in terms of section 2(1), the Minister may, upon application from the publisher and after consultation with the Committee, exempt such publisher from the obligation to supply a copy of such document to such place or places of legal deposit as may be specified by the Minister. 20

(b) The Minister shall not exempt a publisher under paragraph (a) from his or her obligation to supply a copy of a document to the South African Library or the National Film, Video and Sound Archives, as the case may be, and to furnish the State Library with the information contemplated in section 2(2). 25

(c) The Minister may, after consultation with the Committee, grant financial relief to publishers who suffer serious financial hardship as a result of their obligation to supply certain documents to the South African Library or the National Film, Video and Sound Archives, as the case may be: Provided that such relief shall not exceed the cost of producing an additional copy of such documents. 30

(2) If a place of legal deposit does not require a particular document, or a particular category of documents, to which the provisions of section 2(1) apply, the head of such place of deposit may exempt the publisher in writing from the obligation to supply a copy of such document or category of documents to that place of legal deposit. 35

(3) If a publisher is exempted under this section from the obligation to supply a copy of a document to the State Library, such publisher must nevertheless furnish the State Library with the information contemplated in section 2(2) relating to that document. 40

(4) An exemption granted under subsection (1)(a) or (2) in respect of a particular document or any particular category of documents may be withdrawn in writing by the Minister or the head of the place of legal deposit in question, as the case may be.

Places of legal deposit

6. (1) The places of legal deposit shall be— 45
(a) the City Library Services, Bloemfontein:

- (b) the Library of Parliament, Cape Town;
- (c) the Natal Society Library, Pietermaritzburg;
- (d) the South African Library, Cape Town;
- (e) the State Library, Pretoria;
- (f) the National Film, Video and Sound Archives, Pretoria, for purposes of certain 5 categories of documents as prescribed; and
- (g) any other library or institution prescribed by the Minister for purposes of certain prescribed categories of documents.

(2) (a) The Minister shall, on the recommendation of the Member of the Executive Council responsible for libraries in each province, designate at least one place of legal 10 deposit in each province [o serve as an official publications depository, which shall be entitled to receive a copy of every official publication but not of other categories of documents.

(b) Except in the case of subsection (1)(b), an official publications depository maybe designated in an existing place of legal deposit if the Minister deems this advisable: 15 Provided that such a place of legal deposit shall retain its right under section 2(1) also to receive documents other than official publications.

(3) The Minister or the relevant Member of the Executive Council for each province shall, from funds voted for that purpose by Parliament or the relevant Provincial Legislature, as the case may be, disburse such sums as are necessary to places of legal 20 deposit to enable them to fulfil their obligations.

Duties of places of legal deposit

7. (1) A place of legal deposit shall, subject to such limitations as may be prescribed—

- (a) receive, accession, retain and preserve;
- (b) catalogue or inventorise; and 25
- (c) ensure freedom of access to.

the documents supplied in terms of section 2(1).

(2) The State Library shall, with the assistance of other places of legal deposit and other appropriate libraries or institutions, compile—

- (a) a national bibliography; and 30
- (b) statistics of the South African production of published documents on the basis of the documents supplied in terms of section 2(1) and the information furnished in terms of section 2(2).

(3) The South African Library and the National Film, Video and Sound Archives shall, with the assistance of other places of legal deposit, preserve at least one copy of 35 each document supplied in terms of section 2(1) for current and future use,

(4) An official publications depository shall—

- (a) serve as a centre for promoting public awareness of, and access to, official publications and information held by the government and the institutions listed in terms of section 3 of the Reporting by Public Entities Act, 1992 (Act 40 No. 93 of 1992); and
- (b) provide public access to databases and other information sources to which the public may gain access under any law.

(5) Notwithstanding subsections (1) and (2), the head of a place of legal deposit may, 45 on the recommendation of the Committee—

- (a) dispose of;
- (b) omit from catalogues or inventories;
- (c) omit from a national bibliography; or
- (d) impose restrictions on access to,

certain categories of documents, supplied in terms of section 2(1) to one or more places 50 of legal deposit.

(6) If a place of legal deposit persistently fails to comply with subsection (1), (2), (3) or (4), the Minister may, upon the recommendation of the Committee, by notice in the 55 *Gazette* exempt all publishers from the obligation to supply to that place of legal deposit the documents contemplated in section 2(1).

Legal Deposit Committee

8. (1) There is hereby established a committee called the Legal Deposit Committee, consisting of—

- (a) the heads of the places of legal deposit referred to in section 6(1);
- (b) the head of the Government Printing Works;
- (c) one representative for all provincial official publications depositories, designated by the Minister in the prescribed manner; and
- (d) two representatives of the publishing industry, designated by the Minister in the prescribed manner;

Provided that the regulations prescribing the manner of designation shall apply the principles of transparency and representivity.

(2) The Minister may appoint no more than four additional members to the Committee in the prescribed manner to represent other interested parties, including 10 representatives of library and information services.

(3) The Minister shall, in consultation with the various interest groups, such as the publishers and the library and information services sector, appoint one of the members in the prescribed manner as chairperson of the Committee to serve for a renewable term of three years. 15

(4) The object of the Committee is to coordinate and promote the implementation of this Act.

(5) The Committee shall—

- (a) advise the Minister on any matter dealt with in this Act;
- (b) make recommendations to the Minister concerning any regulations which the 20 Minister may make under this Act;
- (c) co-ordinate the tasks earned out by the various places of legal deposit in respect of legal deposit;
- (d) advise any place of legal deposit regarding any matter dealt with in this Act;
- (e) establish subcommittees or working groups when necessary to investigate any 25 matter dealt with in this Act and to execute any tasks relating to the implementation of this Act and to co-opt persons to such subcommittees or working groups for the duration of the investigation or task; and
- (f) report to parliament on the activities and financial affairs of the places of legal deposit in accordance with the provisions of the Reporting by Public Entities 30 Act, 1992 (Act No. 93 of 1992).

(6) No remuneration shall be payable to the members of the Committee or the members of its subcommittees or working groups other than such reasonable travel and subsistence costs as the Minister with the concurrence of the Minister of Finance may determine within the limits of the approved budget of the Committee, its subcommittees 35 and working groups.

Offences

9. Any publisher who fails to comply with section 2, 3, 4 or 5(3) shall be guilty of an offence and liable on conviction to a fine not exceeding R20 000.

Action to remedy non-compliance

40

10. (1) (a) If a publisher fails to supply the documents contemplated in section 2(1) to one or more places of legal deposit, an officer authorised thereto by the Minister may in the prescribed manner demand that such documents be supplied to such place or places of legal deposit within 30 days.

(b) If, on the expiration of that period, such documents have not been received by the 45 place or places of legal deposit in question, such officer may forthwith by purchase acquire the documents or, if copies are no longer available, cause a reproduction of acceptable quality to be made thereof and recover the cost of that purchase or reproduction from the publisher.

(2) If the officer is unable to acquire or reproduce the documents or recover the cost 50 thereof under subsection (1), the Department may, in consultation with the Committee, institute civil proceedings against such publisher.

Delegation of powers

11. (1) The Minister may delegate any power conferred upon him or her by this Act to an officer in the Department. 55

(2) A delegation under subsection (1) shall not prevent the exercise of the power in question by the Minister himself or herself.

Regulations

12. The Minister may make regulations regarding—
(a) any matter which is required or permitted to be prescribed under this Act; and 5
(b) generally, any matter which is necessary or expedient to be prescribed in order to achieve the objects of this Act.

Act binds State

13. This Act, except section 9, shall bind the State.

Repeal of laws

10

14. The laws mentioned in the Schedule are hereby repealed to the extent set out in the third column thereof.

Short title and commencement

15. This Act shall be called the Legal Deposit Act, 1997, and shall come into operation on a date fixed by the President by proclamation in the *Gazette*. 15

Schedule

Laws repealed

| Number and year of law | Title | Extent of repeal |
|------------------------------------|---|------------------|
| Act No. 11 of 1977 (Transkei) | National Library Service Act, 1977 | Section 12 |
| Act No. 8 of 1978 (Bophuthatswana) | Bophuthatswana National Library Service Act, 1978 | Section 19(5) |
| Act No. 18 of 1980 (KwaZulu) | KwaZulu Library Act, 1980 | Section 7 |
| Act No. 19 of 1980 (Ciskei) | Ciskeian Library Services Act, 1980 | Section 12 |
| Act No. 12 of 1981 (Venda) | Venda National Library Services Act, 1981 | Section 14(4) |
| Act No. 4 of 1982 (Gazankulu) | National Library Service Act, 1982 | Section 14(4) |
| Act No. 17 of 1982 | Legal Deposit of Publications Act, 1982 | The whole |
| Act No. 10 of 1983 (Qwaqwa) | National Library Service Act, 1983 | Section 14(4) |
| Act No. 7 of 1991 (Lebowa) | Central Library Service Act, 1991 | Section 15 |

APPENDIX B

Regulations under the Legal Deposit Act

STAATSKOERANT, 26 JUNIE 1998

No. 18992 63

**DEPARTMENT OF ARTS, CULTURE, SCIENCE AND TECHNOLOGY
DEPARTEMENT VAN KUNS, KULTUUR, WETENSKAP EN TEGNOLOGIE**

No. R. 836

26 June 1998

REGULATIONS UNDER THE LEGAL DEPOSIT ACT, 1997 (ACT No. 54 OF 1997)

The Minister of Arts, Culture, Science and Technology has, under section 12 of the Legal Deposit Act, 1997 (Act No. 54 of 1997) made the regulations in the Schedule.

SCHEDULE

PART 1

DEFINITIONS

1. In these regulations any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned to it and, unless the context indicates otherwise—

"**book**" means a set of printed sheets bound together along one edge and enclosed within protective covers to form a volume;

"**cinematographic film**" means a sequence of images on film capable of being seen as a moving picture when used in conjunction with a mechanical or other device, and includes the sounds embodied in a sound-track associated with the sequence of images;

"**dynamic electronic document**" means a document in which the information content is generated or formatted electronically, stored by computer technology and made available to users online;

"**edition**" means a version of a document;

"**head of a place of legal deposit**" means the chief executive officer of a place of legal deposit or the person who is acting as such;

"**luxury edition**" means a special edition of a book of which more than one edition is published where the special edition is distinguished from other editions of that book by its larger dimensions, the inclusion of additional content of a decorative or aesthetic nature, or its manufacture from materials which render the edition more costly than any other edition;

"**map**" means a document depicting in graphic or photogrammetric form a selection of material or abstract features on or in relation to the surface of the earth or of a heavenly body;

"**married**" means the final composite print of a cinematographic film in which the images and sound tracks are combined on a single strip of film;

"**microform**" means a document in any medium on which micro-images have been recorded and which cannot be read without appropriate magnifying equipment;

"**multi-media**" means a document consisting of more than one medium, but which constitutes a distinct unit;

"**musical text**" means the notation of a musical composition;

"**poster**" means a document printed on one side of a single sheet of paper;

"**reprint**" means a copy of a document, made from the same type or printed from the same master file as the original, with which it is identical except for possibly a new title page and a note on the verso of the title page of the number and date of reprinting and the correction of minor errors;

"**serial document**" means a document, issued in successive parts, usually having numerical or chronological designations, and intended to continue indefinitely, whatever the periodicity;

"**sound recording**" means a document in any medium on which sounds have been recorded, but does not include a sound-track incorporated into a cinematographic film or video;

"**static electronic document**" means a document in which the information content is generated or formatted electronically, stored by computer technology, and distributed as discrete objects;

"**the Act**" means the Legal Deposit Act, 1997 (Act No. 54 of 1997);

"**video**" means a document on magnetic tape or other medium on which images capable of being seen when used in conjunction with an electronic or other device have been recorded, and includes the sounds embodied in a sound-track associated with the images.

PART II

FORMAT AND QUALITY

2. The format and quality of any document shall be the format and quality in which the producer originally made any edition, re-edition, or reprint generally available, unless otherwise authorised by the Committee.

3. If a book is published simultaneously in hard- and softcover editions, only the hardcover edition shall be supplied to the prescribed places of legal deposit, but in the case of the State Library, both the hardcover and softcover editions shall be supplied.

4. In the case of a microform and a video, the deposit copy shall be of a quality appropriate for long-term preservation and copying.
5. A dynamic electronic document shall be supplied only on instruction from the State Library, which shall specify the format or modality of access that it requires.
6. In the case of a cinematographic film the deposit copy shall be a new, unused married print.
7. In the case of a sound recording that is published in more than one medium, copies of each type shall be supplied.

PART III

DEPOSIT OF DOCUMENTS OTHER THAN OFFICIAL PUBLICATIONS

8. The number of copies of each document, as set out in the first two columns, to be supplied to the places of legal deposit, shall be as set out in the third column of the following table:

| Version and type of document | Number of copies to be supplied if number of copies constituting edition is— | | | Places of legal deposit to which copies must be supplied # | | | | | |
|-------------------------------------|--|----------|--------------|--|------|-------|-------|------|-------|
| | less than 20 | 20 to 99 | 100 and more | BCL # | LP # | NSL # | SAL # | SL # | NFA # |
| Books: Standard editions | 0 | 1 | 5 | 1 | 1 | 1 | 1* | 1 | |
| Books: Luxury editions | 0 | 1 | 1 | | | | 1 | | |
| Books: Reprints | 0 | 1 | 1 | | | | | 1 | |
| Microforms | 0 | 1 | 5 | 1 | 1 | 1 | 1* | 1 | |
| Maps | 0 | 1 | 5 | 1 | 1 | 1 | 1* | 1 | |
| Musical texts | 0 | 1 | 5 | 1 | | 1 | 1* | 1 | 1 |
| Posters | 0 | 1 | 1 | | | | | 1 | |
| Serial documents | 0 | 1 | 5 | 1 | 1 | 1 | 1* | 1 | |
| Cinematographic films | 1 | 1 | 1 | | | | | | 1 |
| Electronic documents (static) | 0 | 1 | 5 | 1 | 1 | 1 | 1 | 1* | |
| Multimedia | 0 | 1 | 5 | 1 | | 1 | 1 | 1 | 1* |
| Sound recordings | 1 | 1 | 5 | 1 | | 1 | 1 | 1 | 1* |
| Videos | 1 | 1 | 5 | 1 | | 1 | 1 | 1 | 1* |

Names of places of legal deposit:

- BCL: City Library Services, Bloemfontein
- LP: Library of Parliament
- NSL: Natal Society Library
- SAL: South African Library
- SL: State Library
- NFA: National Film, Video and Sound Archives

* This place of legal deposit takes priority if only one copy of a document must be supplied.

9. In the case of serial documents the time allowed for dispatch is 14 days or the period between successive issues, whichever is the shorter.

PART IV

BIBLIOGRAPHICAL INFORMATION

10. (1) Each document, except the documents referred to in regulations 11, 12, 13 and 14, supplied to the State Library or the National Film, Video and Sound Archives shall be accompanied by bibliographic information on an information sheet according to specifications to be provided for that type of document. That information shall be used by the State Library in compiling the national bibliography and national publishing statistics.

- (2) The State Library or the National Film, Video and Sound Archives may make further provisions for information required on the information sheet.

11. Any poster supplied to the State Library, Pretoria, shall be accompanied by information concerning the title, artist, designer and publisher.
12. (1) Any cinematographic film or video supplied to the National Film, Video and Sound Archives shall be accompanied by—
- (a) information concerning the publisher, producer, the laboratory, studio, distributor, participants, year of production, length, running time, copyright, technical and physical aspects; or
 - (b) a credit list for opening and end titles of the production.
- (2) The State Library or the National Film, Video and Sound Archives may make further provisions for information required on the information sheet.
13. Any dynamic electronic document supplied to the State Library shall be accompanied by information as specified by the State Library.
14. (1) Any sound recording supplied to the National Film, Video and Sound Archives shall be accompanied by information concerning the publisher, producer, distributor, artists, copyright, technical and physical aspects.
- (2) The State Library and the National Film, Video and Sound Archives may make further provisions for information required on the information sheet.

PART V

LEGAL DEPOSIT COMMITTEE

15. For the purpose of section 8 (1) (c) of the Act, the Minister shall invite nominations from the Member of the Executive Council responsible for libraries in each province, and from the shortlist designate one representative for all the provincial official publications depositories.
16. For the purpose of section 8 (1) (d) of the Act, the Minister shall invite nominations from nationally recognised publishers' associations, and from the shortlist, designate two representatives from the publishing industry.
17. For the purpose of section 8 (2) of the Act, the Minister shall invite nominations from library and information services and other interested parties and, from the shortlist, designate no more than four additional members to the Committee.
18. (1) On the recommendation of the members of the Committee, the Minister shall appoint one of the members as Chairperson.
- (2) The vice-chairperson shall be elected at the first meeting of the Committee.
- (3) Except for the heads of places of legal deposit, members of the Committee shall hold office for a period not exceeding three years and shall be eligible for reappointment for one additional term, after which they shall not be eligible for reappointment until a further three years have lapsed.
- (4) Except for the heads of places of legal deposit any member of the Committee shall vacate his/her office if—
- (a) the member resigns; or
 - (b) the Minister terminates the membership of the member on the grounds of misconduct, incapacity or incompetence and non-attendance of three meetings without leave of absence.
- (5) In the event of the death or resignation of a member, the vacancy shall be filled in the prescribed manner for the remaining part of the term.
- (6) The secretary shall be a staff member of the Department.
- (7) An ordinary meeting of the Committee shall be held at least twice a year at such a venue, date and time as the chairperson, or in the absence of a chairperson, the vice-chairperson, shall determine in consultation with the Department.
- (8) A special meeting of the Committee shall be held—
- (a) by order of the Minister; or
 - (b) on a written request signed by at least half the members of the Committee.
- (9) The chairperson, or in his/her absence, the vice-chairperson, shall determine the venue, date and time of a special meeting in consultation with the Department.
- (10) The secretary shall dispatch the agenda of an ordinary meeting of the Committee at least four weeks prior to the date of the meeting to all members of the Committee.
- (11) At least half of the members of the Committee shall form a quorum at any meeting of the Committee.
- (12) The secretary shall record the minutes of a meeting of the Committee, and shall send the draft minutes to all the members.
- (13) The chairperson and the secretary shall sign the approved minutes at the next meeting of the Committee.
- (14) Decisions of the Committee shall be made by majority vote, the chairperson having a deliberative vote and, in the event of an equality of votes, a casting vote.

PART VI

TITLE OF REGULATIONS

19. These regulations shall be called the Legal Deposit Regulations.

APPENDIX C

Outline of interview schedule for publishers

Introduction

Thank you for willingness to be interviewed.

Information provided on what study is about, scope of study, why it is being conducted, what will be done with results. Important: mention that this is not an investigation to “check” whether publishers have complied with legal deposit, merely a survey on opinions, feelings and attitudes on legal deposit.

Confidentiality stressed.

Explanation of the format of the interview.

Obtain permission to tape the interview.

General questions

Question about interviewee’s personal role in the organisation in general, and with regard to legal deposit.

Question on personal knowledge and awareness of legal deposit legislation and legal deposit obligations of publishers.

Personal awareness of (new) Legal Deposit Act of 1997.

Awareness of other staff in organisation of legal deposit.

Awareness of authors of legal deposit.

Provide a short overview of mechanisms and procedures in the organisation to ensure that copies of publications are submitted for legal deposit e.g. person responsible, any check mechanisms in place such as duplicate lists and date sent, receipts from legal deposit libraries.

Issues covered by legislation

Opinions on aims of legal deposit:

- Preservation of publications
- Use of material in the legal deposit libraries
How should material be used? e.g. only in the reference section; interlibrary loans.
- Compilation of the South African National Bibliography

Number of copies to be deposited to legal deposit libraries

Do you send to all five of the libraries?

If yes, what is your feeling about the fact that 5 copies of a publication have to be sent? If no, why do you not send?

Costs

Are you comfortable with the fact that the publisher has to bear the costs involved in sending publications as legal deposit?

Time of deposit

How soon after publication does your organisation send its books to the legal deposit libraries?

(if publisher does not deposit): How soon after publication would you think is a practical time to send publications?

Do you know what the time stipulation is in the Act?

Types of publications to be deposited

What material do you send to the legal deposit libraries?

Can you think of any instance that a publisher could or should be exempted from delivering a publication?

Has your organisation ever made an arrangement with one or more of the legal deposit libraries not to send a copy of a publication?

Have you ever thought about asking for exemption?

Communication

a) General communication

How do you communicate with the legal deposit libraries?

b) Communication regarding depositing of publications

Can you recall any instance that you have ever had a problem with one of the five libraries regarding delivering material as legal deposit?

Have you ever been contacted by the libraries for not delivering your publications?

What would your reaction be if a library threatened you with the law for not delivering you publications as legal deposit?

Can you tell me what the penalty under South African law is for non-compliance?

Open-ended questions

Do you think can be done to trace smaller “untraceable” publishers?

Have you got any other opinions or ideas on legal deposit that we have not covered today?

Conclusion

What do you think are the benefits of the system of legal deposit for you as a publisher?

Final thank you.

APPENDIX D

Outline of interview schedule for libraries

Introduction

Thank you for willingness to be interviewed.

Information on what study is about, scope of study, why it is being conducted, what will be done with results. Important: mention that this is not an investigation to “check” whether publishers have complied with legal deposit, merely a survey on opinions, feelings and attitudes on legal deposit.

Confidentiality: a specific library will not be identified with a specific opinion given.

Explanation of the format of the interview.

Permission to tape the interview.

General questions

Question about the individual roles of the persons present at the interview, in the organisation in general, and with regard to legal deposit.

Question on personal knowledge and awareness of legal deposit legislation and legal deposit obligations of publishers.

Personal awareness of (new) Legal Deposit Act of 1997.

Awareness of other staff in organisation of legal deposit.

Awareness of authors of legal deposit.

Duties of places of legal deposit

What processes are in place in your institution with regard to:

Accessioning and preserving the documents received as legal deposit?

Ensuring free access to the material?

Cataloguing of the material received as legal deposit?

Issues covered in legislation

Please provide opinions freely on the various issues. What are your opinions on:

Number of copies of publication that publishers to deliver as legal deposit i.e. one copy to each of the five libraries?

Costs that publisher has to bear in delivering the material?

Time of deposit. Do publishers adhere to the 14-day stipulation of the Act?

Types of publication sent as legal deposit.

What do you not receive?

Do you have any problems regarding types of publications subject to legal deposit?

Exemptions

Are you aware of the provisions in the Act for providing exemption from legal deposit?

Are you aware of any cases where a publisher has been exempted from delivering a publication to your library?

(if yes, ask what type of publication and reason for exemption and whether relevant bibliographic information is sent to the National Library in Pretoria as stipulated by the Act)

Communication

Please expand on communication with publishers generally and regarding legal deposit issues; also communication with the other legal deposit libraries, and with the Legal Deposit Committee.

Enforcing and monitoring legal deposit

Please provide information on mechanisms and procedures in place in the library to ensure that copies of publications are submitted for legal deposit, tracing procedures, follow-up procedures etc.

Any problems experienced with legal deposit?

Open-ended questions

How do you think the persons or institutions responsible for legal deposit in South Africa can ensure more effective compliance with legislation?

How can “untraceable” smaller publishers be traced?

Conclusion

Have you got any other opinions or ideas on legal deposit that we have not covered today?

Final thank you.

APPENDIX E

British Library home page (<http://www.bl.uk>)

The screenshot shows the British Library website home page. At the top left, there is a vertical red bar with the text 'BRITISH LIBRARY'. To its right, the main header reads 'THE BRITISH LIBRARY The world's knowledge'. Below this is a navigation menu with links: 'About us | Collections | Catalogues | Services | What's on | News | Contact us'. On the far right of the header is a small image of a classical bust. The main content area is divided into several sections. On the left, there is a 'BUSINESS & IP CENTRE' section with a right-pointing arrow, featuring an image of a piece of paper with the text 'THE IDEA LOOKS GREAT ON PAPER. WE'LL HELP YOU WITH THE BUSINESS PLAN.' Below this is a 'What's new' section with several links: 'Public Sector Spending Review', 'Forthcoming new home page', 'Adopt a Book for valentines day', 'Leonardo notebooks reunited', 'Diary of Dr Saad Eskander', and 'Freedom of Information'. The central 'Go to' section contains six items: 'Services for researchers', 'Services for business', 'Services for library and information professionals', 'Online Gallery', 'Learning area', and 'Support us', each with a small image and a brief description. On the right, there is a 'Site search' section with a search box and a 'GO' button, followed by links for 'Search tips', 'Search our catalogues', 'Buy books and more from our Online Shop', 'Turning the Pages™: 16 great books', and 'Treasures in Full - complete digitised texts'. Below the search section is a 'Quick links' section with links for 'Who we are', 'What you can do on this website', and 'Legal deposit'. At the bottom right, there is a 'Adopt a Book for Valentines Day' banner with an image of a girl and a boy and a right-pointing arrow.

APPENDIX F

Various pages from National Library of Australia website (<http://www.nla.gov.au>)



- ▶ [New Users](#) - A basic introduction for anyone new to us.
- ▶ [Education](#) - What we have to offer students.
- ▶ [Researchers](#) - How we can help advanced researchers.
- ▶ [Family Historians](#) - A starting point for people researching their family history.
- ▶ [Libraries](#) - Library professionals can start here to find links to useful services.
- ▶ [Publishers](#) - Access to services for publishers.
- ▶ [Sponsors & Donors](#) - How you can help with sponsorship and fundraising.
- ▶ [Friends](#) - Find out about being a Friend of the Library.
- ▶ [Volunteers](#) - Interested in volunteering at the Library? Start here.
- ▶ [Community Groups](#) - Of interest to groups within the community.

International Standard Serial Numbers (ISSN)

Apply for an International Standard Serial Numbers (ISSN) for your journal or newspaper or find out ISSN.

International Standard Book Numbers (ISBN)

Allocation of International Standard Book Numbers (ISBN) in Australia is administered by the ISBN Agency Australia operated by Thorpe Bowker.

International Standard Music Numbers (ISMN)

Apply for an International Standard Music Numbers (ISMN) for published music or find out about ISMN.

Cataloguing in Publication (CIP)

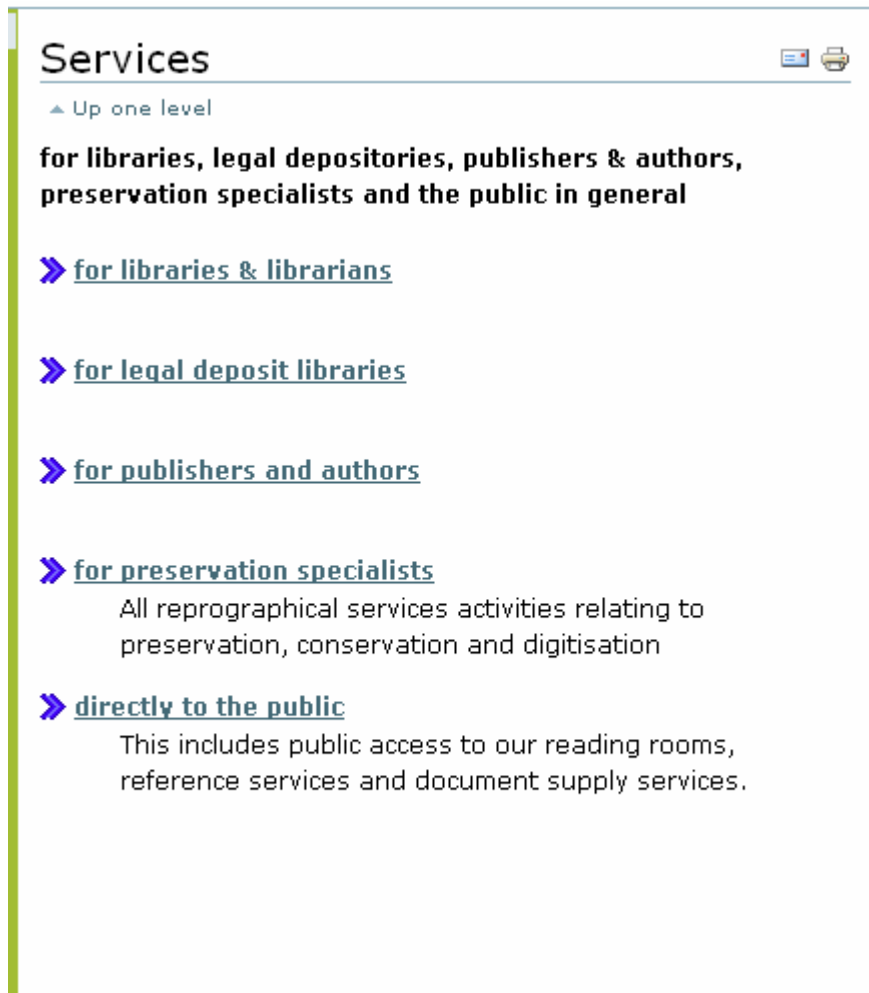
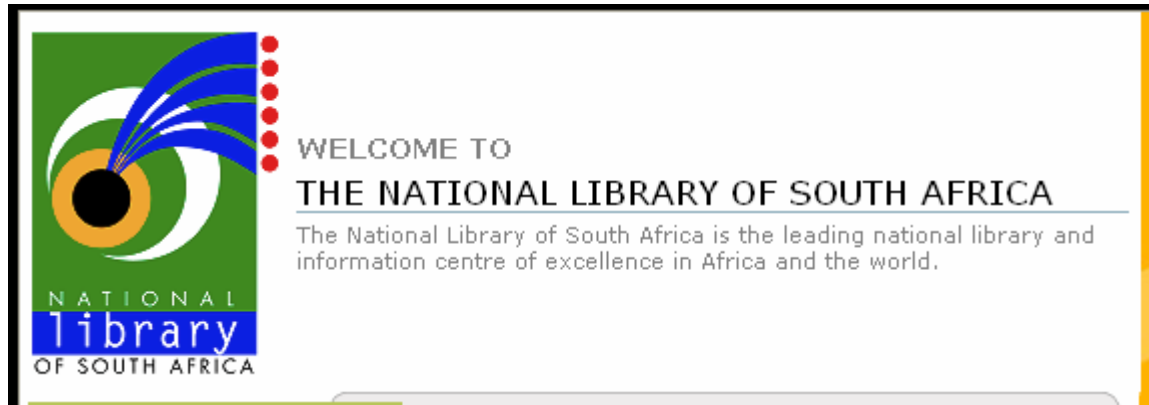
Obtain Cataloguing in Publication (CIP) for your publications.

Legal Deposit

Information on your Legal Deposit obligations.

APPENDIX G

Examples of pages on NLSA site (<http://www.nlsa.ac.za>)



for publishers and authors



▲ Up one level

▶ [SA Publishers Directory](#)

▶ [ISN agency](#)

Management of the SA ISN agency with all related activities

▶ [ISBN-13 in South Africa](#)

▶ [Legal deposit information](#)

Legal Deposit Act, No. 54 of 1997; South African National Bibliography information sheet; South African National Bibliography information sheet (Afrikaans)

▶ [Publishing information](#)

ISBN, edition, impression and reprints explained

Legal deposit information



▲ [Up one level](#)

Legal Deposit Act, No. 54 of 1997; South African National Bibliography information sheet; South African National Bibliography information sheet (Afrikaans)

▶ [Legal Deposit Act, No. 54 of 1997](#)

▶ [SANB information sheet](#)

A form to be completed and sent to the National Library of South Africa, Pretoria Campus with the legal deposit copy of your publication

▶ [SANB inligtingsvorm](#)

A form to be completed and sent to the National Library of South Africa, Pretoria Campus with the legal deposit copy of your publication

▶ [Places of legal deposit](#)

List of South African legal depositories

APPENDIX H

Legal deposit information found on Natal Society site
(<http://www.lawsoc.co.za/lawlibrary/resources/legal/legaldepositsnsl.htm>)



The Natal Society

NATAL SOCIETY LIBRARY, Churchill Square, P.O. Box 415, Pietermaritzburg, 3200
Telephone (033) 345 2383 • Fax (033) 394 0095 • e-mail nsl@futurenet.co.za

The Natal Society Library is funded primarily by the people of KwaZulu-Natal

The Natal Society Library was granted Legal Deposit status in 1916 by means of the Patents, Designs and Copyright Act, 1916. This was revised and became the Legal Deposit of Publications Act, no.17 of 1983. This act was later superseded by the Legal Deposit Act, no.54 of 1997.

The acts stipulated that South African publishers must deposit one copy of every publication for which they are responsible, free of charge, with each of the five legal deposit libraries.

The Aim of Legal Deposit

Legal Deposit ensures that all South African publications are preserved for posterity. The availability and survival of publications is of national importance in the education of present and future generations of South Africans. The Legal Deposit collections provide the means for research into all aspects of South African life and culture, including the technical, scientific, artistic and commercial endeavours of the country.

Role of Legal Deposit Libraries

The Legal Deposit libraries are obliged to collect, catalogue and preserve all legal deposit material and make it available for study and research.

Legal Deposit Library

The Legal Deposit Library has the following to offer:

- Information produced by and about the South African government
- South African journals
- Legal books and pamphlets
- South African trade and commercial directories
- Information produced by organisations such as:
 - Statistics SA
 - CSIR
 - HSRC
 - Bureau for Marketing Research
 - SA Institute for Race Relations

APPENDIX I

**Composite picture of SABookNews Online showing pamphlet
with legal deposit information**
(<http://www.booknews.co.za>)



Pamphlets

The Centre for the Book's pamphlet series for writers

Answers questions and concerns of writers.

Written by experienced editors, writers and writing teachers.

Getting started as a writer by Rosamund Stanford. ISBN 0796100624

Writing Practice: Keeping your writing alive by Anne Schuster. ISBN 0796100640

Editing your own writing by Robert Berold. ISBN 0796100659

The end. What now? Turning a first draft into a manuscript by Helen Moffett. ISBN 0796100667

Publishing opportunities for new writers by Alan Finlay. ISBN 0796100683

Finding your way around a publishing contract by Karen Press. ISBN 0796100691

Legal issues that concern writers by Karen Press. ISBN 0796100705

ISBN and places of legal deposit: what do they mean for a writer? by Karen Press. ISBN 0796100713