

Commission of the European Communities

information management

A SYNTHESIS ON LEGAL DEPOSIT AND ITS PRACTICE IN THE EC MEMBER STATES

Report

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A SYNTHESIS ON LEGAL DEPOSIT AND ITS PRACTICE IN THE EC MEMBER STATES

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PREFACE

From the end of 1992 onwards the European economic union will be a reality. 1993 is sending us a clear message; *the games in the future economic and social European dimension are changing* and, together with them, also the rules guiding the *cultural environments and information markets*, set up in this high-technology and communication-oriented society, *are also evolving*.

In order to survive in the context of a "*multidimensional*" environment an institution must remain relevant to it, and keep up with the quick changes brought about by the society which gave it birth.

The primary objective of this study, carried out on behalf of the Commission, is to *synthesise the current practice of the Members application of legal deposit* within the Member States of the European Community, in order to facilitate the future elaboration of more effective and adequate *strategic plans* for libraries and other institutions in this field.

In this context, the author of this report wants to express her special gratefulness to Mme Ariane ILJON, -Head of Unit- DG XIII/E/3 -Library Networks and Services, who suggested undertaking this study and supervised it, and to acknowledge the support provided by Mr. Giuseppe VITIELLO who devised, distributed and collected the questionnaires, upon which this study lays its premises.

Since legal deposit is quite complex an issue and, therefore, it would be impossible in this context to go through all the mechanisms involved in its practice in detail, **this study outlines the most important features which characterize the different regulations currently in force in the countries of the European Community.**

This synthesis has to be regarded as a "**manual**" to which the institutions responsible for applying legal deposit laws can refer to find useful information on the different legal deposit legislation and on the mechanisms involved in its practice in the current European environment, either for drafting up-to-date legal deposit laws or for modifying the old ones on more effective and adequate bases.

With this view, not only does this synthesis provide **statistics** (figures and data), but also underlines some **operational deficiencies, structural needs, suggestions, comments** and

recommendations either expressed by the institutions surveyed, or resulting from the process of analysis performed throughout this study.

INTRODUCTION

PURPOSES OF LEGAL DEPOSIT PRACTICE

Originally the practice of legal deposit was formally established mainly for *control* and *censorship* purposes exercised by the governments on the national publishing output.

In reality, the legal deposit was exploited for several additional reasons. In the present context it will suffice to summarize the **objectives** of legal deposit as seen at the present time:

a) The **amassing** of a collection of materials printed on different media and produced nationally

- to provide a comprehensive collection available to the public through catalogues,
- to provide a material record of the national publishing output,
- to support the production of a national bibliography as a record of current production and as a permanent bibliographic record;

b) The **recording** of the national cultural heritage and its preservation for the future generations;

c) State **control** over the national publishing output.

INSTITUTIONS INVOLVED

There are several parties involved in this, namely:

- Central depository institutions;
- Local depository institutions;
- Specialized depository institutions;
- Depositors:
 - publishers;
 - printers;
 - authors.

PROCEEDINGS AND STRUCTURAL ORGANISATION OF THE STUDY

- During 1991, in the framework of the E.C. preparatory work for the Library Programme, a detailed *questionnaire* was sent to each central depository library of the E.C. Member States. The depository institutions in object were asked to fill-out the questionnaire with all available statistics, data, comments and information concerning the national practice of legal deposit and, subsequently, to return them to the Commission.
- On the basis of the data provided by the institutions surveyed, a *comparative analysis* of current legal deposit regulations and procedures was carried out in order to produce the present synthesis outlining the main features and differences encountered among the Community countries. In order to do this, a selection of *reference-parameters* and *performance indicators* was made necessary. The criteria for selection of the data to be used as comparative parameters and indicators, were based on the influence exercised by these factors in the structure of legal deposit systems. In this context priority was given to:
 - Legal basis;
 - Number of copies required for deposit;
 - Cooperation between depository institutions;
 - Automation of legal deposit material;
 - Legal deposit effectiveness.
- All relevant data extracted from the questionnaires are reported in this study with the support of *tables* (each one referring to one of the parameters mentioned above) which are followed by *specific notes* and *general comments*.
- A *summarizing table* provides, for each country, a *comparative outline* of the parameters taken into consideration. This has been done in order to highlight their interdependence, as well as the possible links existing between them and the legal deposit effectiveness rates, considered here as a performance indicator.

- This analysis is completed with a *general synthesis* and *conclusions*. In this context, taking into account all information, comments, suggestions and the results of this study, a *hypothesis of a strategic-plan* at European level identifies some key issues for the improvement of legal deposit effectiveness.
- Possible solutions are proposed in a *model* describing a possible *structural re-organization of the national legal deposit systems based on the principles of selection, decentralization and specialization*.
- Further suggestions are provided at the end of the study, either as *specific recommendations* or as *general guidelines*.

SOURCES

- Most of the statistics, data and technical information provided in this study have been extracted from the above-mentioned questionnaires which were developed, sent to the pertinent depository institutions and finally collected, on behalf of the C.E.C. in 1991, by Mr. Giuseppe VITIELLO, then National Expert on Secondment to the Commission.
- In addition to the technical data, some general comments, suggestions and specific remarks expressed by the librarians of the institutions investigated and some facts extracted from the information packages and brochures appended to the questionnaires returned, are also cited. For further information, please see the bibliographic references mentioned at the end of the study.
- It is necessary to underline that not all the information which is provided here is up-to-date, since it refer to data made available up to 1991 and, besides, it does not take into consideration changes which might have occurred in the mean time.

ACKNOWLEDGMENTS

The COMMISSION OF THE EUROPEAN COMMUNITIES expresses its thanks to the staff of the depository institutions surveyed, for their cooperation and the technical support provided which enabled the production of this study, and namely:

- The BIBLIOTHEQUE ROYALE, Bruxelles.
- The KONGELIGE BIBLIOTEK, Copenhagen
- The BIBLIOTHEQUE NATIONALE, Paris
- The DEUTSCHE BIBLIOTHEK, Frankfurt am Main
- The NATIONAL LIBRARY OF GREECE, Athen
- The NATIONAL LIBRARY OF IRELAND, Dublin
- The TRINITY COLLEGE, Dublin
- The BIBLIOTECA NAZIONALE CENTRALE, Firenze
- The BIBLIOTECA NAZIONALE CENTRALE, Roma
- The BIBLIOTHEQUE NATIONALE, Luxembourg
- The KONINKIJKE BIBLIOTHEEK, The Hague
- The BIBLIOTECA NACIONAL, Lisboa
- The BIBLIOTECA NACIONAL, Madrid
- The BRITISH LIBRARY, -National Bibliographic Service-, Wetherby, England.

Marina MANZONI



U N I T 1

TABLE 1

LEGAL BASES

BOOK MATERIAL							
	A Monographs	B Periodicals	C Official publications	D Printed music	E Maps, Plans, Atlases	F Prints, Pictures, Bills, Posters	G Theses, Academic Dissertations
BELGIUM	U.d. Law 8-4-65	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	N.A.	N.A.
DENMARK	Law No. 160 1-7-27	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.
FRANCE	Law 21-6-43	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	NONE
GERMANY	a) Federal law 31-3-69 + 23-9-90 b) Regional laws	<-- Idem.	Special Federal + regional regulations	Fed. Laws '69 + '90 Reg. Law	<-- Idem.	NONE	Fed. Law 23-9-90
GREECE	Law 814 1943	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.
IRELAND	Irish Act 1963*	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	NONE*	<-- Idem.
ITALY	Law N. 374 2-2-39 + D.L.L. 31-8-45	<-- Idem.	<-- Idem.	R.D. * 2-3-1882 N. 716	Law N. 374 2-2-39 + D.L.L. 31-8-45	<-- Idem.	D.P.R. 11-7-80 N. 382 Act. 73
LUXEMBOURG	U.d. Law 28-12-83 Act 9	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.
NETHERLANDS	NONE	NONE	Governmental Decree*	NONE	NONE	NONE	NONE
PORTUGAL	Law N. 13952 27-6-31 Decree N46 22-5-65 Decr. Law 7-6-82/3-3-82	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	Decree Law 362/'86 28-10-86
SPAIN	Decree 642 16-3-70 2984 2-11-72 Minist. order 30-11-71/20-2-73	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.
U.K.	Copyright Act. 1911 Section 15	<-- Idem.	<-- Idem.	<-- Idem.	<-- Idem.	Excluded*	Facultative*

TABLE 1

LEGAL BASES

NON-BOOK MATERIAL				
H Sound recordings	I Music recordings	L Films	M Video material	N Radio, Television, Broadcastings
N.A.	N.A.	N.A.	N.A.	N.A.
No Legal Deposit required	<-- idem.	<-- idem.	Voluntary Deposit	<-- idem.
Decree 1-8-63	Decree 23-5-77	<-- idem.	Decree 30-07-75 + 13-11-75	NONE*
Fed. Law 1969 + 1990 Reg. Laws	N.A.	NONE* (below 8mm films)	NONE* (in project)	NONE
NONE	NONE	NONE	NONE	NONE
NONE*	<-- idem.	<-- idem.	<-- idem.	<-- idem.
*	<-- idem.	NONE	*	NONE
U.d. Law 18-5-89	<-- idem.	<-- idem.	<-- idem.	<-- idem.
NONE	NONE	NONE	NONE	NONE
Decree Law * 3-3-82	<-- idem.	<-- idem.	<-- idem.	NONE
<-- idem.	<-- idem.	<-- idem.*	<-- idem.*	NONE
No Legal Deposit required	<-- idem.	<-- idem.	Excluded	<-- idem.

LEGENDA	
U.d.	Up-to-date
N.A.	Not Available
NONE	No Legislation
<-idem	Refers to previous column
*	See notes and comments

NOTES TO TABLE 1

LEGAL BASES

BELGIUM

The legal basis governing legal deposit in this country is the law of 08 April 1965, the "Loi instituant le dépôt légal à la Bibliothèque Royale de la Belgique". According to this law the criterion for collecting is exhaustiveness; it covers "publications de toute nature multipliées par le moyen de l'imprimerie ou par tout autre procédé phonographique et cinématographique (...) qui sont étudiées en Belgique et éditées à l'étranger dont l'auteur ou un des auteurs est belge et domicilié en Belgique".

- Selection is applied to documents with less than 5 pages, deposit is required for offprints and extracts provided that they are issued for public distribution or sale and have at least 5 pages not including the cover.
- Data concerning Book material F and G, and Non-book material (from H to N) are not available yet.

DENMARK

The law governing legal deposit in Denmark is quite old; it is dated 1st July 1927 n°160; it applies the criterion of exhaustiveness since it prescribes the deposit of "every printed material in Denmark excluding banknotes, securities and some official documents of secret nature, reprints of standing matters, songs for family events, calendars without text".

- As far as non-book material (H-I-L-M-N) is concerned, no legal deposit is required. Collection is made either through some central specific institutions (see notes to table 3) whose regulations are defined by governmental decrees, or by voluntary deposits as in the case of video material (M) and radio, television broadcasting (N).
- A reform concerning also this kind of non-book material is currently being prepared.

FRANCE

France was the first country to produce a law on legal deposit, the "Ordonnance de Montpellier" of 28 December 1537 promulgated by Francis 1er. It was replaced by the law of 21st June 1943. It prescribes the exhaustive collection of printed material "de toute nature"; (B-C-D-E-F in the table).

- Since there is no "ad hoc" law concerning theses and academic dissertations (G), deposit is merely voluntary and is made either by the authors or by the university libraries which send one copy of each publication to the Bibliothèque Nationale.
- As for non-book material four decrees have been issued, respectively of 1st August '63 concerning sound recordings, i.e. disks, tapes, magnetic bands, compact disc; of 23 May 77 for music recording and films; of 30/07/75 for video material. The latter was supplemented by a further decree of 13 November '75.
- There is no law governing deposit of TV films (L) apart from voluntary conventions between TV companies and the Institut National de l'Audiovisuel.
- The decree of 30 July 1975 should also concern radio, television broadcasting (N), yet according to the decree of 13 November 1978, the Institut National de l'Audiovisuel exercises unofficially the "de facto" deposit on such material. Collection can be either exhaustive or selective depending on the specific kind of material.

GERMANY

There are two sorts of laws on legal deposit in Germany, namely federal laws (31 March 1969 and 23 September 1990 ("Einigungsvertragsgesetz") and laws promulgated by the Länder

- In some cases legal deposit concerning certain kinds of book as well as non-book material is defined by both federal and regional laws.
- As far as films (L) are concerned there is no law for those ones below 8mm, however a reform is currently being prepared. A law on video material (M) is also being prepared, since only one Land, the Baden Württemberg, has produced one. Deposit concerning video material is thus exercised on a voluntary basis.
- The principle for collection is that of exhaustiveness, and it is extended to all German language literature produced outside the country's borders.
- Graphic documents (prints, pictures, bills and posters) are excluded from legal deposits. The criterion for collecting is selection among 47 collections situated in museums and archives.
- There is neither law on Legal Deposit concerning radio and TV broadcasting (N), nor is any reform envisaged. Radio and TV companies cooperate among themselves to exchange bibliographic data concerning their products.

GREECE

In this country the legal deposit is defined by the Law N. 814/1943, according to which the acquisition department of publications subject to legal deposit acquires the highest possible percentage of material printed in Greece and manages orders for foreign publications.

Some features of the Greek legislation on legal deposit consist in:

- The ISSN attribution to periodicals (B) is given by the "Ellenic Centre of ISDS", established in the NLG in 1988;
- Official publications (C) have both the ISBN, and the ISSN;
- The ISBN is also assigned to printed music, maps, atlases, plans, prints pictures, bills, posters, thesis, and academic publications (D-E-F-G material).
- As far as non-book material (from H to N) is concerned a law defining its deposit does not exist, yet.

IRELAND

The law concerning legal deposit in Ireland is expressed in Section 56 of the "Irish Copyright Act of 1963". This law reflects, in almost all its parts, the content of the British "Copyright Act" of 1911, but for the number of copies to be deposited, which are 12. One copy has to be sent to each one of the following Libraries : National Library of Ireland, which refers to the Irish copyright Act, 1963; Trinity College of Dublin which refers to both the Irish copyright Act and the UK copyright Act 1911; University College of Cork; University College of Galway; St. Patrick's College of Maynooth; Dublin City University; Limerick University; British Library; on request to the Bodleian Library of Oxford, University Library of Cambridge, National Library of Wales, and National Library of Scotland. As one can easily see, according to legal deposit laws Irish book material production has to be distributed all throughout the UK.

- The criteria for collecting adopted by the Irish legal deposit legislation are both exhaustiveness and selection.
- The law of 1963 excludes most Government (Ordonnance Survey) produced maps because these are held in digital form and printed on demand. They are supplied free as slides and aperture cards to the National Library and to Trinity College but not under the terms of Copyright Act.
- F-G-H-I-L-M, and N material is not included in the 1963 Copyright Act.
- The Trinity College Library of Dublin, in the Republic of Ireland, and benefiting from the Copyright Act, acquires the bulk of its legal deposit material under the UK Copyright Act: this is for historic reasons.

ITALY

The Italian law governing legal deposit of book material is very old since it is dated 2nd Febr. 1939 and it was issued during the period of Fascism. It has been later modified by the "Decreto Luogotenenziale" of 31 August 1945. It includes all books and printed publications. Excluded are: publicity leaflets for commerce and industry, office and commercial stationery and forms, property (cadastral) plans, printed financial documents, stamps, letters of credit, cheques, lottery and sweepstake tickets, share bonds, private photographs, birth, marriage and death certificates, visiting cards, printed letters headings or envelopes, labels and wrappers, all minor jobbing printing.

- As for printed music the "Regio Decreto" n. 716 of 2nd March 1882 provides the Music Library of the K. Accademia of S. Cecilia in Rome with a governmental section.
- Compulsory deposit at the record library of the state is required for sound as well as music recording.
- The criterion for collecting book-material is exhaustiveness.
- Since the Italian law on legal deposit is very old and, what is more, the school programmes are dated 1922, a reform, as far as theses and academic dissertations are concerned, has been introduced in order to provide for the new needs of university libraries.
- Deposit for video material (M) is required only if it is an integral part of books.
- Legal deposit provisions do not include L and N material.

LUXEMBOURG

Legal deposit in Luxembourg is subject to the recent law of 28 December 1988 which covers all kind of book material (from A to G).

- The criterion for collecting is exhaustiveness.
- The law of 18 May 1989 concerns the institution of a "Centre national de l'audiovisuel" as well as the legal deposit of all non book material (from H to M). Depositors of non-book material are the producers.

NETHERLANDS

However strange it may seem and although there is no deposit law in the Netherlands, the national collection of book material, as well as non-book material, has reached a very high degree of efficiency.

- Legal deposit is, in fact, voluntary and concerns all kinds of publications printed either in the Netherlands or, in its national language, outside the country's borders.
- Legal deposit is put into practice through general conventions stipulated either between the Association of publishers and the Koninklijke Bibliotheek (where deposit takes place), or between the latter and publishers individually.
- In the absence of a law on legal deposit, however, the institutions involved can never be sure that they benefit from the full application of legal deposit conventions. Furthermore libraries deplore the imbalance between the flow publications and their processing capacity, and the lack of control on bibliographic collections. A government law is therefore being prepared in order to obviate these shortcomings.

PORTUGAL

The "Decreto Lei 74/82" dated 3 March 1982 embodies the most recent law on legal deposit. It concerns all books printed and published in Portugal.

- The criterion for collecting to which it applies is that of exhaustiveness.
- Thesis collection is enacted by the "Decreto Lei 362/86" published in the "Diario Oficial" of 28 October 1986, which prescribes the exhaustive collection of such material. Depositors are the authors themselves; depository institutions are university libraries.
- The "Decreto Lei 74/82" of 1982 also regulates the deposit of non-book material. This is the source of considerable problems for the Biblioteca Nacional, the depository institution, since it is not sufficiently equipped either to store all the material received or to process, preserve, and make it available for public consultation.

SPAIN

The Spanish legislation in force at present consists of the Ministerial Order of 30 October 1971 (BOE 18-11-71) and the Ministerial Order of 20 February 1973 (BOE 03-03-1973) which modifies the former in certain articles referring to ISBN requirement and to the number of copies to be deposited. Although these Orders are still in force, two important events have taken place, since their promulgation, which must be taken into account, namely:

- The Instituto Bibliografico Hispanico (IBH), the highest authority, disappeared and was incorporated as National Bibliographic Agency in the restructured Biblioteca Nacional which assumed all the functions of the former. Consequently the highest responsible for legal deposit implementation is, today, the Biblioteca Nacional, and the copies which had to be kept previously by the IBH must now go to the BN.
- The creation of the "Comunidades Autonomas" (Autonomous Regions) which form the Spanish State, have acquired competences in the in the legal deposit field related to the procedures, enforcement of penalties and, in some cases, the faculty to require a higher number of copies to be delivered. As a result, the formerly direct management of all relationships between the National legal deposit authority (formerly the IBH, now the BN) and the legal deposit Provincial Offices (where the contact with the printers and the manufacturers takes place) is now mediated by the Comunidades Autonomas' provisions, which are ruled by the Transference Decrees.

Consequently, legal deposit services, in Spain, no longer depend on the Biblioteca Nacional since now the Comunidades Autonomas mediate between the Legal Deposit National Office (Biblioteca Nacional) and its 54 subsidiary offices in the provinces.

These institutional and administrative changes, together with the increasing presence of new types of material and the deficiencies in the current legislation, have made it necessary to establish a new law on legal deposit, now in preparation, to ensure a more effective system in consonance with current circumstances.

- A feature of the current Spanish legal deposit system is that publishers have to apply for the I S B N and "a deposit copy number" at the I S B N agency. This compulsory procedure is one of the reasons why the legal deposit process is so efficient in this country.
- Although films (L) are included in the Spanish laws on legal deposit, the Biblioteca Nacional does not in practice receive such material except in the case of film adaptations.
- On the other hand, video material (M), although it is not included in legal deposit laws, is sent to the Biblioteca Nacional which sees to its recording in the Bibliografia Española.

UNITED KINGDOM

Legal deposit is made obligatory by the Section 15 of the Copyright Act of 1911, amended by the British Library Act of 1972, according to which publishers have to send one copy of every type of material published, or distributed to the public, to the British Library and, on written request, to the other 5 copyright libraries, namely the Bodleian Library of Oxford, the University Library of Cambridge, the National Library of Scotland in Edinburgh, the Trinity College Library Dublin, and the National Library of Wales.

- The Copyright Act defines in detail what kind of material has to be considered as a "book" and what is, on the contrary, excluded from legal deposit obligations.
- Excluded from legal deposit are also subsequent editions of book material unless they contain changes or alterations or supplements to the previous ones.
- Excluded are also publications printed in the Channel Islands and on the Isle of Man.
- A feature of UK legal deposit is the simultaneous application of both the criteria of exhaustiveness (which is practised by the British Library) as well as that of selection concerning the other copyright libraries. This successful combination enables the institutions involved to cooperate together in bibliographic control which consists of a common pilot project of resource sharing programmes.
- Prints, pictures, bills and posters (F) are excluded from Copyright Act of 1911.
- Since most thesis and academic dissertations (G) are not published, they are not subjected to legal deposit laws. Deposit is, thus, optional and, according to specific conventions with university libraries. The British Library Document Supply Center collects copies of such material and records them in the "Index to theses accepted for higher degrees by the universities of Great Britain and Ireland " published by Aslib.
- Although legal deposit is not extended to non-book material, the UK collection is very comprehensive and includes both, national and international non-book material recordings. There are, in fact, five major collections of sound recordings in the U. K., namely: the National Sound Archive (general); the Department of Sound Records at the Imperial War Museum; the BBC Sound Archive; the Vaughan Williams Memorial Library, and the School of Scottish Studies at the University of Edinburgh (specialized). The institution which fulfils both archival and bibliographic purposes is the National Sound Archive, whose aims are: preservation for the future sound recordings of all kinds, and to serve as the national center for the study of recorded sound. The National Sound Archive is now maintaining a "national discography" of current music recordings. Acquisitions are on a voluntary basis. There is also an agreement with the BBC to acquire specific recordings on a non-selective basis.
- Films (L) and video material (M) are excluded from the Copyright Act of 1911. However there are two main collections in the UK, namely the "National Film Archive" of the British Film Institute, which has a general collection, and the "Department of Film" of the Imperial War Museum, which is highly specialized. Acquisitions are made by donation. The BFI issues the BNFVC (monthly,

quarterly, and annually); this does not include videos. Both the above mentioned institutions practice a very selective collection. The NFA also records products of TV broadcasting companies which are part of the "Independent television".

- Video material recordings are published in unofficial catalogues like "the Video Source Book UK".

COMMENTS TO TABLE 1

LEGAL BASES

As one can see from table 1, the ways in which legal deposit provisions are implemented in the E.C. Member States vary in many aspects. As far as the date of issue of laws on legal deposit of book material is concerned, for instance, the first legislation to be produced was the French one in 1537, later replaced by a more recent law in 1943.

During the 2nd World War of 1939-1945, Italy also produced its first law on legal deposit. This is not simply a coincidence if one thinks that those were times when political censure and pressure on the press were energetically exercised in almost all countries involved in the conflict.

The oldest law of this century is the British "Copyright Act" of 1911 which, although it is now integrated and supported by several more updated decrees and conventions, is still in force and to which even the Republic of Ireland legislation on legal deposit applies in many parts.

The most recent and updated law on legal deposit was produced by Germany in 1990. That was in order to meet the needs arising from the recent unification of the ex DDR and the Federal Rep. of Germany.

Portugal, in view of its entrance in the EEC, has made considerable efforts to keep up with the other E.C. Member States by producing a very comprehensive law on legal deposit in 1982.

On the whole one can see that all E.C. Member States have produced more or less recent laws and decrees on legal deposit concerning book material except for the Netherlands, which overcomes legal deficiencies by very effective, albeit general, conventions stipulated

with national, private, and public institutions. In almost all E.C. Member States, thus, deposit for book material is compulsory. In those countries where there is no law, deposit is voluntary (eg. in the Netherlands).

Many countries have, however, not yet produced a national law on legal deposit for non-book material. However, in most of those EC Member States reforms to the old laws, as well as new laws are being prepared in order to keep up with the ever-growing importance that such material has obtained in information and communication in our times. Laws concerning non-book material already in existence are subjected to frequent reforms, modifications, and supplements because of the extremely high dynamics of production of such material. The increasing distribution on the market of new products and the constant development of new technologies and services applied to this kind of material require, in fact, more and more comprehensive and detailed laws, since their coverage does not extend, in most cases, to the whole market production.

In countries where legal deposit laws cover also non-book material both, centralized and decentralized, criteria for collecting are practised; for instance France, Germany and UK use the principle of selection in order to define what kind of material has to be deposited either at the national depository institutions or at the local institutions. Where legal deposit laws do not cover all kind of non-book, material deposit is voluntary (eg. in the UK). Not only does non-book material create difficulties in drafting legislation, as far as its full coverage is concerned, but it is also difficult to collect, record, store and preserve. As mentioned above, in fact, legislation cannot keep up with the technological revolution concerning this kind of material; consequently, reforms and modifications concerning its coverage, collection, recording and preservation are needed more and more frequently and urgently.

Besides, libraries, however well- organized and properly equipped they might be, have constantly to face problems concerning storage of the ever-growing quantity of new products they have to collect, and to provide for better systems of preservation for this kind of material since its highly sophisticated technology makes it very delicate, and, thus, requires extreme attention and care in order to respect its full integrity.

Exhaustiveness is the principle for collecting which is practised by almost all E.C. Countries to most book material (especially to monographs). Selection is applied only to that kind of book material which cannot be collected either in its full quantity, or because of its peculiar nature (e.g. official publications, extracts of books, valuable products issued in limited copies, etc...). As already mentioned, UK is the only country which practises both exhaustiveness and selection in collecting book material. As for non-book material, selection is applied by almost all E.C countries.

There is no obligation for those EC Member States hosting Intergovernmental Organizations to collect the material produced by such Institutions. As such Organizations are extraterritorial, they lie outside the National State jurisdiction. Nevertheless, agreements can be made between the Organizations themselves and the hosting State. This is the case, for example, of the Commission of the European Communities, which delivers one copy of every official publication to the Member States' national repositories. However, such unofficial agreements are not sufficient to satisfy the strong need for collecting intergovernmental publications, and for providing institutions with bibliographic lists of their publications. Not even the C.E.C library in Brussels is statutorily empowered to collect them. Such deficiencies, thus, have to be compensated either by reforming the current legal deposit system or by producing a new standard legislation which would take into account the ever-increasing needs of all Intergovernmental Organizations.

On the whole, most of the laws concerning the practice of legal deposit are quite well detailed especially as far as book material is concerned. Some provisions, however, stick to more general terms when dealing with the coverage of the material subjected to legal deposit. Because of the complexity which characterizes the field of legal deposit, especially for non-book material, provisions vary in many, many aspects in the E.C Member States. However complex or detailed laws might be, they are not sufficiently organized yet, or they are already obsolete or simply can no longer satisfy the current needs for bibliographic control of the market production, as well as of the institutions involved. Consequently, in order to achieve a more effective implementation of such legislation, general reforms, common projects and the creation of standard systems at national, as well as at international levels, are urgently needed especially with a view to the establishment of a more intensive international cooperation between the E C Member States in the near future.

U N I T 2

TABLE 2

NUMBER OF COPIES							
BOOK MATERIAL							
	A Monographs	B Periodicals	C Official publications	D Printed music	E Maps, Plans, Atlases	F Prints, Pictures, Bills, Posters	G Theses, Academic Dissertations
BELGIUM	1	1	1	1	1	N.A.	N.A.
DENMARK	2 + 1 on request	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.
FRANCE	5 -> editors + 2 -> printers	<-- idem.	<-- idem.	5 -> editors	5 -> editors + 2 -> printers	1 -> editors + 1 -> printers	Variable
GERMANY	2 -> Fed. basis * 1 -> Reg basis	<-- idem.	<-- idem.	<-- idem.	<-- idem.	NONE	2 -> Fed. basis*
GREECE	2	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.
IRELAND	12	<-- idem.	<-- idem.	<-- idem.	<-- idem.	NONE*	NONE*
ITALY	6*	<-- idem.	<-- idem.	4	6	<-- idem.	1
LUXEMBOURG	4	4	4	2	2	2	1*
NETHERLANDS	1	1	1	No Legal Deposit required	1	No Legal Deposit required	1
PORTUGAL	14*	<-- idem.	<-- idem.	<-- idem.	1	1	1
SPAIN	5*	3/4*	Variable*	3 or 4	3 or 4	3 or 4	*
U.K.	1 + 5 on request *	<-- idem.	<-- idem.	<-- idem.	<-- idem.	Excluded*	*

TABLE 2

NUMBER OF COPIES

NON-BOOK MATERIAL				
H Sound recordings	I Music recordings	L Films	M Video material	N Radio, Television, Broadcastings
N.A.	N.A.	N.A.	N.A.	N.A.
No Legal Deposit required	No Legal Deposit required	1 on request	No Legal Deposit required	No Legal Deposit required
1 or 2	<-- idem.	1*	1 or 2*	1
2 -> Fed. basis *	<-- idem.	No Legal Deposit required*	<-- idem.*	<-- idem.*
NONE	NONE	NONE	NONE	NONE
NONE*	NONE*	NONE*	NONE*	NONE*
6	<-- idem.	No Legal Deposit required	<-- idem.*	<-- idem.
Max. 5*	<-- idem.	<-- idem.	<-- idem.	<-- idem.
No Legal Deposit required	<-- idem.	<-- idem.	<-- idem.	<-- idem.
13	13	1	N.A.	N.A.
2 or 3*	2 or 3*	1 or 2*	<-- idem.*	NONE
No Legal Deposit required	<-- idem.	<-- idem.	Excluded	<-- idem.

LEGENDA	
U.d.	Up-to-date
NA	Not Available
NONE	No Legislation
<-idem	Refers to previous column
*	See notes and comments

NOTES TO TABLE 2

NUMBER OF COPIES

BELGIUM

According to the legislation concerning the practice of legal deposit publishers have to provide for its implementation by sending one copy of all publications of book material to the Bibliothèque Royale of Bruxelles within fifteen days from publication. Depositors could be also the authors themselves provided that they are Belgian citizens or residing in Belgium.

- If the deposit of the requested copies has not occurred within the established terms, the Bibliothèque Royale provides for the purchase of the material in question at the depositors expenses. The defaulting subject, in this case, have also to pay a sanction which goes from 26 up to 1000BF (art. 6 Law of 8th Apr. 1965).
- Reimbursement for material whose cost exceeds 5400BF are accorded to depositors.
- The attribution of the ISBN for Flemish publishers is given through the Dutch central institution (for all Dutch publications); for French publishers through the "Syndicat National de l'Edition -Paris-".
- Data concerning F and G and non-book material (from H to N) are not available.

DENMARK

The Danish legislation on legal deposit calls for the deposit of two copies (plus one on request) of every publication of book material.

- Depositors are Danish publishers or, if such material is printed abroad, printers themselves.
- The depository institutions are the "Kongelige Bibliothek" of Copenhagen and the State University Library of Aarhus. On written request also the University Library of Copenhagen (now incorporated in the Royal Library) can require one copy.
- Collection occurs with a six-month frequency.

- Sanctions are imposed on those publishers who have not provided for the deposit of the required copies.
- No reimbursements are accorded to publishers, although the material to be deposited is quite expensive.
- No legal deposit is required for non-book material, except for films, which are subjected to the law N. 218 of 15th April 1989. Depositors, in this case, are both producers and distributors, who provide for the deposit of one copy of every new print when the film is out, and one good used print two years after the film premiere. Such deposit is made only on request of the depository institution which is, in this case, the Danish Film Museum.

FRANCE

According to the French legislation publishers have to deposit five copies, and printers two copies of every publication. The former have to deposit four of the five copies required at the Bibliothèque National of Paris (Art. 8 al 2 of the law 21st June 1943), and the fifth one to the Régie du dépôt légal of the National Ministry of Internal Affairs (Art. 8 al 1). Printers deposit the two copies required at the Bibliothèque Nationale if they are located in the surroundings of Paris, or at the Bibliothèque Nationale et Universitaire of Strasbourg if they are located in other regions.

- The copies have to be deposited two days before their sale (or distribution), or three days if their distribution is made by mail.
- Those who do not provide for deposit are subjected to sanctions which vary according to the kind of material in question.
- No reimbursement is given except for for new editions or de Luxe editions which are produced in less than 300 copies. In this case only three copies have to be deposited (two by editors and one by printers). The same is prescribed for artistic prints produced in less than 200 copies.
- For sound recordings (H), two copies (one by publishers, one by producers) have to be deposited for those whose production exceeds the 300 copies, and one copy for those below 300 copies.
- As for films (L) only one copy has to be deposited at the Service du dépôt légal des oeuvres cinématographiques (BN). In case the films are available also in videocassette, the deposit of both versions is required.
- Legal deposit provisions require the deposit at the Département de la Phonothèque Nationale (BN) of two copies of video material (M) which is produced in more than 300 copies, and one copy of those videos which are produced in less than 300 copies.
- One copy of radio, television broadcasting material (N) has to be deposited by public networks at the Institut National de l'Audiovisuel (BRY sur MARNE).

GERMANY

According to the Federal legislation, one week before distribution, publishers have to deposit one copy of every book material at the Deutsche Bibliothek (since 1945 on a voluntary basis, since 1969 on a legal basis). A second copy has to be sent (since 1990 on a legal basis) to the Deutsche Bücherei in Leipzig, now merged with the Deutsche Bibliothek. According to the Regional law publishers have to deposit one copy (on request more than one) at each regional depository library.

- Since cooperation between depository institutions themselves and between these and editors is very effective there is no need to impose sanctions when deposit has not occurred.
- Partial reimbursement of postal, as well as publication expenses, is contemplated in the provisions.
- As for thesis, and academic dissertations, their deposit is ruled by the federal law.
- Two copies of sound recording material (H) are required according to the Federal law. Only few States (Länder) have specified in their laws that pure music recordings are to be deposited.
- As for films (L) there is no legal deposit legislation in existence, but it is currently being prepared.
- As far as video material (M) is concerned there is no Federal law on legal deposit. Only in one State (Baden Würtemberg) a regional legal deposit provision is in force. A law is being prepared in the other Länder.

GREECE

According to Greek legislation depositors have to send two copies of all kind of material printed in Greece to the National Library of Greece within three months from publication.

- Depositors are either authors or publishers. These have to provide for the deposit of the material within three months from the publication of the material in question.
- No reimbursement for any kind of material is contemplated by provisions.
- Penalties, when the deposit of the material in question has not occurred, are not mentioned in the legislation. Since the effectiveness of the deposit is quite high, in fact, there is no need to impose sanctions concerning such omission.
- Data concerning the number of copies of non-book material possibly deposited at the pertinent institutions are not available since there is no law governing this category.

IRELAND

The number of copies required by legal deposit provisions in this country is the feature which distinguishes the Irish Copyright act from the British one to which the former applies in many parts. The National Library of Ireland, which refers to Irish Copyright Act (1963), requires twelve copies for deposit which have to be distributed to the following depository institutions: National Library of Ireland; Trinity College of Dublin; University College of Cork; University College of Galway; St. Patrick's College of Maynooth; Dublin City University; Limerick University; British Library. On written request to the Bodleian Library of Oxford, University Library of Cambridge, National Library of Wales, and to the National Library of Scotland.

- Publishers have to provide for the deposit of the copies one month before distribution.

Since 1801 the Library of Trinity College Dublin, which refers to both the Irish Copyright Act (1963) and the U.K. Copyright Act (1911), has been entitled to receive a free copy of all works published in Great Britain and Ireland under the terms of the legal deposit Copyright Act. This right is also held by four libraries in the United Kingdom (the Bodleian Library Oxford, Cambridge University Library, the National Library of Scotland, and the National Library of Wales) and, under slightly different conditions, by the British Library. The legislation is reciprocal, endowing upon Trinity College the right to claim publications from the United Kingdom and, on the other libraries the right to claim publications from the Republic of Ireland.

- Irish publications are, for the most part, sent to the Copyright Agency in London, via Trinity College Library, which acts as the clearing house for the Irish publications being deposited for the four British libraries.
- As for F, G, H, I, L, M, and N materials they are not included in the Irish Copyright Act of 1963.

ITALY

According to the Italian law on legal deposit printers or, if the material is printed abroad, publishers have to deposit six copies of every publication at their own expense and before distribution.

- Four of the six copies have to be sent to the local Prefecture which, in its turn, send them respectively to the: Bibliographic Information Services of the President of the Council of Ministers, from where it is, then, sent to the: Biblioteca Nazionale Centrale of Rome; Biblioteca Nazionale Centrale of Florence, and to the local depository libraries.
- One copy has to be deposited at the office of local Procuratore who provides, subsequently, for its delivery to the Ministry of Justice's library, or to other pertinent libraries.
- One copy of all printed material, periodicals, or monographs concerning science, technology or reconstruction, has to be sent to the National Council of Research.

- Depositors are subjected to sanctions if they do not provide for the deposit of the requested copies.
- As for thesis and academic dissertations, the national law prescribes that only one copy has to be deposited by the authors themselves at the University where it has been issued, whereas a different number of copies is required, for internal usage, by Universities' own statutes.
- As for video material (M) one copy has to be deposited at the Central Deposit Libraries (in Rome and in Florence) only if it is an integral part of books, otherwise no legal deposit is required.

LUXEMBOURG

Depositors have to deliver four copies of every printed material from A to C included, and two copies of D, E, and F material to the Bibliothèque National which provides for the transmission of the material concerning the Luxemburgish language and literature to the Centre d'Archives Littéraires et d'Etudes de la littérature nationale twice a year.

- Depositors may be alternatively publishers, printers, or producers.
- Sanctions are imposed when deposit has not occurred.
- Deposit has to be done before the distribution of the material.
- Since there are no universities in Luxembourg one copy of each thesis and academic dissertation has to be deposited at the Bibliothèque Nationale by the authors themselves.
- As far as non-book material is concerned the copies to be deposited by producers are maximum five, depending on the kind of material in question, and have to be delivered to the Bibliothèque Nationale, which provides for their bibliographic recording, and to the Centre National de l'Audiovisuel which provides for their preservation.

NETHERLANDS

As already mentioned deposit in the Netherlands is voluntary; however, general agreements undertaken between publishers, printers, and the Royal Library (the central depository institution) prescribe the deposit of one single copy of every publication of book material (from A to G), except for printed music (D) which is collected by the NBO muziekbibliotheek of Hilversum.

- Such conventions do not specify the time limit for deposit.
- There are neither agreements nor national provisions as far as non-book material is concerned, since there is no central depository institution for such material, except for sound recordings (H) which is voluntarily deposited at the NOB muziekbibliotheek of Hilversum;

PORTUGAL

In this country compulsory deposit of fourteen copies is required for every kind of printed material (from A to D). These copies have to be sent to the Biblioteca Nacional by the printers within fifteen days from publication. Then the Biblioteca Nacional keeps two of the fourteen copies and distributes the others to the following libraries: Biblioteca Geral da Universidade de Coimbra; Biblioteca da Academia das Ciências de Lisboa; Biblioteca Municipal de Lisboa; Biblioteca pública 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; la Região autónoma dos Açores; la Região autónoma de Madeira.

- Depositors are printers.
- Transgressors are subjected to fines corresponding to 30% of the value of the material.
- As for E, F, and G material the deposit of one copy is required by provisions.
- The deposit of thirteen copies is required also for H and I non-book material.
- As for films (L), only one copy is requested for deposit.
- Data on video, and radio, television broadcasting are not available.

SPAIN

According to the provisions of this country deposit has to be made by printers. These have to send three copies of all material provided with the ISBN to the Biblioteca Nacional; one copy (with ISBN) to the Public library of the State or Province where it was issued; lastly, one copy (with ISBN) to the pertinent Comunidad Autónoma. Furthermore three copies, or four on request, of all printed publications which are not provided with the ISBN have to be sent respectively to the Biblioteca Nacional (two copies), to the Public Library (one copy), and to the pertinent Comunidad Autónoma (one copy). The number of copies depends on the kind of material in question.

- Since legal deposit provisions concern only material intended for dissemination, thesis and academic dissertations are not subjected to such a compulsory procedure unless they are published and, in this case, they are entered as books; consequently the number of copies required are five.
- As for sound and music recordings one copy has to be delivered to the Biblioteca Nacional, one copy to the State Public Library of the province where it was produced and, on request, one copy to the pertinent Comunidad Autónoma.
- As far as cinematographic production is concerned (L), although legal deposit legislation establishes that one copy has to be delivered to the Biblioteca Nacional and, on request, one to the pertinent Comunidades Autónomas, this does not occur and, as a matter of fact, the BN only receives the filmscripts.
- On the other hand, the Biblioteca Nacional receives one copy of video material (M) although it is not mentioned in the legislation.

- Radio and television broadcasting material is not subjected to legal deposit provisions.
- The time limit for deposit is two months after publication.

UNITED KINGDOM

In Great Britain the Copyright Act of 1911 calls for the deposit of one copy of every kind of book material. Publishers have to deliver (at their own expense) the copy required to the British Library and, on written demand made before the expiration of twelve months after publication, to each one of the five Copyright Libraries.

- The time limit for deposit is one month after publication.
- If a publisher fails to comply with the deposit , he is made to pay a fine not exceeding five pounds, and the value of the book; the fine has to be paid either to the trustees or to the authorities to whom the book ought to have been delivered.
- Prints, pictures, bills, and posters are excluded from deposit.
- As for thesis and academic dissertations there are no statutory requirements since this material is not intended for dissemination and, thus, is mostly unpublished.
- As already mentioned legal deposit in the U.K. is not extended to non-book material.

COMMENTS TO TABLE 2**NUMBER OF COPIES**

As one can see from the table 2 none of the E.C. Member States provisions concerning legal deposit for book material calls for the same number of copies. Two copies would be a reasonable minimum to accomplish legal deposit procedure; one for preservation (and, of course, for recording), the other for public usage. Among the E.C. countries only Belgium, the Netherlands, and the United Kingdom ask for one single copy to be deposited (more than one only on written request), whereas most of the libraries require from a minimum of two up to seven copies, namely: Denmark and Greece two copies; the BRD three copies; Luxembourg four copies; Spain five copies; Italy six copies; France seven copies. Ireland and Portugal require respectively twelve and fourteen copies, since their legislation prescribes the distribution of the material in question to all the depository libraries, these institutions being precisely twelve and fourteen. Denmark and Great Britain apply both criteria, exhaustiveness and selection, since the former calls for two copies plus one on request, and the latter one copy plus five, on written request, for the relevant Copyright Libraries.

According to most of the E.C. Countries' provisions depositors are, alternatively or simultaneously, publishers and printers; in some cases, for thesis and academic dissertations for example, depositors can be authors themselves.

Almost all provisions concerning the practice of legal deposit prescribe sanctions in case depositors fail to comply with the procedures established by the national law. Usually the sanctions for such defaults consist of a fine (which varies in each country and is usually related to the value of the material), and the immediate delivering of such material at depositors' own expense.

However, reimbursements are not accorded by all countries. When they exist, such reimbursements consist of: a reduction in the number copies to be deposited for some kind of material (like in France); a partial refund of the value of De Luxe publications (like in

Belgium); the reimbursement of forwarding charges or postal expenses like in Germany. In the Netherlands, where deposit is voluntary, the full refund of the publication value, as well as the cost for the dispatch, is accorded to those who require it; however 88% of the depositors comply with the consignment of the material to the Royal Library without asking for refunds.

Not all countries include time limits in their legislation; for example Denmark, Italy, and Luxembourg state that deposit has to be done before distribution, or sale, without specifying the time limit. Some provisions establish the time limit for deposit before the publication, sale, or distribution of the material, precisely: France 2/3 days before sale; Germany one week before distribution; Ireland one month before distribution. Others claim the deposit after publication like Belgium (fifteen days), Greece (three months), Portugal (fifteen days), Spain (two months), and the United Kingdom (one month). Time limit for deposit in the Netherlands varies according to specific conventions established between institutions.

All the above-mentioned features of the E.C. Member States' legislation concern the deposit of book material. Apart from some exceptions, every country's provisions are extended to all kind of book material (from A to G) homogeneously and consistently. Exceptions occur when dealing with peculiar kind of materials like official publications, graphic material, thesis and academic dissertations, for which a different number of copies is required mainly for storage reasons.

Such homogeneity, however, ceases to be a benefit when applied also to non-book material because of the various difficulties encountered by the depository institutions to achieve full bibliographic control, exhaustive collection, recording, and subsequent storage and perfect preservation of such material.

As a matter of fact five countries out of twelve do not practice the collection of non-book material (data on Belgian provisions are not available). No legal deposit for non-book material is required, for example, in Denmark, in the Netherlands, and in the United Kingdom where, besides, video material, radio and television broadcasting are excluded from the Copyright Act of 1911. In some cases the deposit of non-book material in these countries is made only on explicit request made by the pertinent institutions, depending on the availability and the importance that such material has for the national culture. As for

Greece and Ireland there is no law defining the legal deposit implementation for non-book material, however, it seems that some provisions are currently being prepared.

In some countries, on the other hand, a high number of copies concerning some kind of non-book material is required by legal deposit legislation. Italian provisions, for example, claim six copies for H and I material, and in Portugal, for the same material, thirteen copies. Such a compulsory procedure causes quite a lot of difficulties to the depository institutions as far as the bibliographic control, recording, storage, and preservation of such material is concerned. This is because the above mentioned institutions are not sufficiently equipped to keep up with the ever growing production of this highly dynamic market. In the other E.C. Countries (France, Germany, Luxembourg, and Spain) the number of copies to be deposited goes from a minimum of one (France) to a maximum of five (Luxembourg).

On the whole all E.C. Countries have explicitly manifested the common will to provide the institutions involved with some provisions, where there are none, and with a more effective legislation, eventually at an international standard level, in order to implement and improve the national legal deposit procedure for non-book material. Since, in fact, it is common opinion that such material unquestionably represents an extremely important part of every country's cultural heritage, a more effective organization of national, as well as international legal deposit procedures based on a careful selection of non-book material collections and recording is, undoubtedly, very important in order to ensure its preservation for the future generations.

U N I T 3

TABLE 3

COOPERATION BETWEEN DIFFERENT INSTITUTIONS							
BOOK MATERIAL							
	A Monographs	B Periodicals	C Official publications	D Printed music	E Maps, Plans, Atlases	F Prints, Pictures, Bills, Posters	G Theses, Academic Dissertations
BELGIUM	NONE	<-- idem.	<-- idem.	<-- idem.	<-- idem.	N.A.	N.A.
DENMARK	Voluntary*	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.
FRANCE	NONE	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.	Informal
GERMANY	YES*	<-- idem.	<-- idem.	<-- idem.	<-- idem.	N.A. (unknown)	YES Voluntary*
GREECE	YES*	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.
IRELAND	YES*	<-- idem.	<-- idem.	<-- idem.	<-- idem.	N.A.*	<-- idem.
ITALY	YES*	NONE*	YES*	YES	YES	YES	YES
LUXEMBOURG	YES*	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.	YES*
NETHERLANDS	YES*	NONE*	<-- idem.	YES*	YES*	N.A.*	YES*
PORTUGAL	YES Informal	<-- idem.	<-- idem.	<-- idem.	N.A.*	YES Informal	YES*
SPAIN	NONE*	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.
U.K.	YES*	<-- idem.	<-- idem.	<-- idem.	<-- idem.	N.A.*	<-- idem.

TABLE 3

COOPERATION BETWEEN DIFFERENT INSTITUTIONS

NON-BOOK MATERIAL				
H Sound recordings	I Music recordings	L Films	M Video material	N Radio, Television, Broadcastings
N.A.*	<-- idem.	<-- idem.	<-- idem.	<-- idem.
NONE	NONE	NONE	*	<-- idem.*
NONE	<-- idem.	<-- idem.	<-- idem.	<-- idem.
YES	YES	YES	YES	YES
N.A.*	<-- idem.	<-- idem.	<-- idem.	<-- idem.
N.A.*	<-- idem.	<-- idem.	<-- idem.	<-- idem.
YES	YES	NONE	YES*	NONE
YES*	YES*	YES*	YES*	NONE
YES*	N.A.*	<-- idem.	<-- idem.	<-- idem.
N.A.	N.A.	N.A.	N.A.	N.A.
<-- idem.	<-- idem.	<-- idem.	N.A.	N.A.
N.A.	<-- idem.	<-- idem.	<-- idem.	<-- idem.

LEGENDA	
U.d.	Up-to-date
N.A.	Not Available
NONE	No Legislation
<- idem.	Refers to previous column
*	See notes and comments

NOTES TO TABLE 3

COOPERATION BETWEEN DIFFERENT INSTITUTIONS

BELGIUM

In this country there is no formal cooperation between depository institutions, since the only one in existence is the Bibliothèque Royale of Brussels. Cooperation programmes are limited to the bibliographic control between publishers themselves through the issuing of the C.I.P.

- The central depository institution for book material is the Bibliothèque Royal Albert I in Brussels.
- There is also a close cooperation with Flemish publishers concerning the C.I.P., whereas the cooperation with French publishers is not very successful.
- Publishers' Unions, respectively the Dutch Centraal Boekuis for the Flemish publications and the Syndicat National de l'édition for the French ones, cooperate with the central depository institution by providing book material with the ISBN.
- Since legal deposit for non-book material is not required, there is no cooperation either with the depository institution, or printers, or publishers

DENMARK

In Denmark there is no official cooperation between libraries and depositors, but there is a close cooperation between libraries themselves through the exchange of reprographics of book material subjected to legal deposit.

- The central depository institution for book material is the Kongelige Bibliothek of Copenhagen.
- Other depository institutions are the State University Library of Arhus, and the University Library of Copenhagen now incorporated in the Royal Library
- Voluntary cooperation between publishers and state and municipal institutions takes place by depositing reprography of publications.
- The recordings of D material are contained in the Dansk musikfortegnelse which is issued as a weekly integration of the national bibliography and as an annual supplement.
- The central depository institution for non-book material (from I to N) is the library of the Ministry of Cultural Affairs.

- Other depository institutions are: The State and University Library; the State Media Archive; the Universitets Parken (Arhus).
- There is no official cooperation between depository institutions concerning non-book material, since its deposit is ruled by ministerial decrees, except for minor technical cooperation between producers and the lending service of the Denmark Radio concerning Radio-Television Broadcasting, and the BNLA which provides for the recording of video material.

FRANCE

The French legal deposit provisions concerning book as well as non-book material are quite well detailed but they do not mention rules to be followed concerning the establishment of formal cooperation either between depository institutions or publishers or printers.

- The central depository institution for A, B, C, D, and E material is the Bibliothèque Nationale of Paris;
- Other depository institutions for the material mentioned above are eighteen provincial bibliothèques and the Bibliothèque Nationale et Universitaire de Strasbourg.
- The central depository institution for F material is the Département des Estampes et de la Photographie of the Bibliothèque Nationale.
- An informal exchange of information concerning theses and academic dissertations takes place between the depository institutions and the libraries where such material has been issued. This material has to be deposited at the University Libraries and at the Bibliothèque Nationale.
- The central depository institution for sound recordings (H) is the Phonothèque Nationale of the Bibliothèque Nationale of Paris.
- The central depository institution for films (L) is the Phonothèque Nationale - Service du dépôt légal des oeuvres cinématographiques at the Bibliothèque Nationale of Saint Quentin.
- The central depository institution for Video material (M) is the Phonothèque Nationale at the Bibliothèque Nationale of Paris.
- The central depository institution for N material is the Institut National de l'Audiovisuel of BRY sur MARNE.

GERMANY

Not only is the German legislation concerning legal deposit very well organised and detailed, but it is also supported by an intensive exchange of information between the depository institutions themselves and publishers.

Exchange of information is provided by different catalogue card services such as: the CIP (Cataloguing in publication); the Titelnkartenvorausdienst (Advance Catalogue Card Service); the Titelnkartendienst (Catalogue Card Service), and a Magnetic Tape Service referring to the Deutsche Nationalbibliographie.

Such formal cooperation is extended to all kind of book as well as non-book material except for graphic documents (F), since this material is excluded by law from legal deposit provisions.

- The central depository institution for A, B, C, and E material are the Deutsche Bibliothek (Frankfurt), and the Deutsche Bücherei (Leipzig now merged with the Deutsche Bibliothek). Other depository institutions are the Staatsbibliothek in every Land; some Länder are divided into several depository areas with a Staatsbibliothek for each of them;
- The central depository institution for D material are the Deutsche Musikarchiv in Berlin, a department of the Deutsche Bibliothek, and the Deutsche Bücherei of Leipzig.
- There is no central depository institution for F material.
- As for theses and academic dissertations, cooperation with University Libraries is voluntarily exercised.
- The central depository institution for Sound recordings (H) are the Deutsche Musikarchiv and the Deutsche Bibliothek. Other depository institutions are the State Libraries of the Regional States.
- Depository institutions concerning films (L) are: The Deutsche Kinematheksverbund; the Filmarchiv in Bundesarchiv; the Stiftung Deutsche Kinemathek, Berlin; Deutsches Institut für Filmkunde, Frankfurt/wiesbaden. Cooperating members are: Münchener Filmmuseum; Filminstitut Düsseldorf; Deutsches Filmmuseum Frankfurt, and other regional institutions.
- As for Video material (M), depository institutions are the State Libraries in Stuttgart and Karlsruhe (for video material from Baden-Württemberg), and the Deutsche Bibliothek on a voluntary basis.
- Depository institutions for N material are the broadcasting institutions themselves.

GREECE

In this country legal deposit provisions are supported by close, friendly working relationships between the depository institution, publishers, printers and distributors. Such cooperation, formal as well as informal, is extended to all kinds of book material.

- The central depository institution is the National Library of Greece in Athens.
- Since there is no legal deposit legislation concerning non-book material (from H to N) data on a possible informal cooperation between the pertinent institutions are not available.

IRELAND

In Ireland cooperation between depository institutions is enacted by the so-called "Copyright libraries shared cataloguing project", according to which each of the five copyright libraries (see notes to the table 1) will be responsible for a specific section of UK publishing output.

The following data concern the National Library of Ireland.

- The central depository institution for A, B, C, D, and E material is the National Library of Ireland.
- Other depository institutions for the above mentioned material are namely: Trinity College Dublin; the University College Cork; The University College Dublin; The University College Galway; the St. Patrick's College, Maynooth; Dublin City University; Limerick University. If written request is made within one year after publication such material has to be delivered to the other four Copyright Libraries.
- The National Library of Wales is now a participant in the Agency scheme along with the other four Copyright Libraries.
- Data concerning graphic material, theses and academic dissertations, as well as non-book material are not available since they are not included in the Copyright Act.

The following data concern University College Library of Trinity College Dublin.

- The central depository institution for A, B, C, D, and E material is the Trinity College Library Dublin which acts as the clearing house for most Irish publications being deposited for the four British Copyright Libraries.
- Data concerning F, G, and non-book material are not available.

ITALY

In compliance with the national provisions concerning bibliographic control depository institutions, as well as publishers, cooperate between themselves by exchanging information, and claiming the deposit of publications, if that has not occurred yet, whenever necessary. Such formal cooperation is extended to all kinds of book material except for periodicals.

- The central depository institutions concerning book material, except for theses and academic dissertations, are the Biblioteca Nazionale Centrale of Rome, and the Biblioteca Nazionale Centrale of Florence.
- Other depository institutions are the Bibliographic Information Services of the President of the Council of Ministers, all the local depository libraries and, as far as theses and academic dissertations are concerned, the university libraries where such material has been issued.
- There is no cooperation concerning periodicals between depository institutions themselves. The only form of cooperation in existence is between depository libraries and publishers; in this case the former claim to publishers the publications which have not been delivered.
- As for official publications depository institutions and Ministries cooperate with the International Exchange Office which is responsible for the provision of all information concerning such material.
- The central depository institution for sound recordings (H) and music recordings (I) is the National Phonothèque, which cooperates with the other depository institutions by exchanging information and bibliographic data.
- There are no central depository institutions concerning M material. Publishers have to cooperate with other depository institutions whenever they are asked to deposit the video material considered to be as an integral part of books.
- There is no formal cooperation between the pertinent institutions concerning films, radio and television broadcasting since they are excluded from legal deposit legislation.

LUXEMBOURG

Cooperation between depository institutions is established by the Art. 9 of the Luxembourgish legislation on legal deposit, according to which, every six months, the National Library, as central depository institution, has to transmit the list of all book material (A B C D E F) subjected to legal deposit to the "Centre d'Archives littéraires et d'études de la littérature nationale" which, in its turn, formally acknowledges the receipt of such material.

- Data on cooperation between depository institutions and publishers are not available.

- As for theses and academic dissertations, the National Library, as formal depository institution, cooperates with the Centre national de l'audiovisuel by exchanging bibliographic information.
- The same form of cooperation, between the National Library and the Centre national de l'audiovisuel, is practiced for sound recording material (H).
- As far as music recordings (I) are concerned the National Library cooperates with different institutions in exchanging bibliographic information and material, namely: The Centre national de l'audiovisuel, the Union Grand-Duc Adolphe, and the Radio Television Luxembourgeoise.
- As for films (L) and video material (M), the Centre National de l'audiovisuel has established a formal cooperation with the Bibliothèque Nationale Office du film scolaire and the RTL.
- There is no cooperation existing between the Centre national de l'Audiovisuel and other institutions concerning radio and television broadcasting material (N).

NETHERLANDS

In this country the lack of formal legal provisions concerning legal deposit of monographs (A) is compensated by an active cooperation established through general agreements between the central depository institution, the Koninklijke Bibliotheek, and respectively: the National Bibliographic Center (as a platform for bibliographic cooperation); the Dutch Publishers Organisation; individual publishers.

- Since for periodicals (B) and official publications (C) there are no other depository institutions except for the central one, cooperation is established under individual agreements between the above mentioned institution and publishers.
- There is no central depository library concerning the collection of printed music (D) except for the Muziekbibliotheek of Hilversum which provides for the recording and the storage of the material voluntarily deposited, and actively cooperates with the Koninklijke Bibliotheek in exchanging bibliographic data.
- As far as graphic material is concerned (E) cooperation is defined by individual agreements established between the Royal Library (the only depository institution in existence concerning this material) and publishers.
- No central depository institution is in charge of the collection, recording, and storage of prints, pictures, bills, and posters (F), consequently no data concerning any form of cooperation in existence are available.
- Exchange of information, as well as of material concerning theses and academic dissertations (G) are ruled by individual agreements established between the central depository institution (the Royal Library) and publishers.
- Data on formal cooperation concerning non-book material are not available since there are not, either central or local, depository institutions in charge for such materials except for sound recordings (H). These are voluntarily deposited at the

NOB Muziekbibliotheek of Hilversum which cooperates with the Koninklijke Bibliotheek by exchanging bibliographic data.

PORTUGAL

As we have already seen in Portugal the central depository institution is the Biblioteca Nacional which informally cooperates with all the other depository institutions, and exchanges bibliographic data with the APEL (Associação Portuguesa de Editores e Livreiros) concerning A, B, C, D and F materials.

- Other depository institutions are: Biblioteca da Academia das Ciências de Lisboa; Biblioteca Geral Universidade de Coimbra; Biblioteca Municipal de Lisboa; Biblioteca Pública e Distrital de Évora; Biblioteca Geral e Arquivo Histórico da Universidade de 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.
- As for graphic material (E) there is only one depository institution, the Biblioteca Nacional. Data on possible, even informal, cooperation between the latter and other institutions are not available.
- The Biblioteca Nacional informally cooperates with the university libraries by exchanging material as well as bibliographic data concerning theses and academic dissertations.
- Informal cooperation between the Biblioteca Nacional and the DGDA (Direção Geral de Direito d'Autore) enables the former to request the copies of material subjected to legal deposit which have not been deposited yet by the relevant institutions.
- Data on possible cooperation, either formal or informal, between the Biblioteca Nacional, the only depository institution in existence for non-book material, and other institutions are not available.

SPAIN

In this country there is no cooperation between depository institutions for sharing responsibility of collecting, conserving, and processing book, as well as non-book, material from A to L subjected to legal deposit. The Biblioteca Nacional collects the material subjected to legal deposit from all over Spain whereas, in their turn, the other depository libraries (the State Provincial Public Libraries and the Autonomous Regions' Central Libraries) collect the material produced in their respective areas of competence.

- With regard to cooperation with publishers, as a matter of fact, in Spain it is the printers and manufacturers that must comply with the legal deposit procedure (although it is now being considered that publishers should be responsible for multivolume or multimedia works in which several printers or manufacturers are involved).

- There is no cooperation between publishers and the depository institutions for studying problems, providing solutions, etc. The only existing relationships concerning publishers are those involving bureaucratic procedures which are worked out by the Legal Deposit Provincial Offices, the institutions in direct contact with printers and manufacturers.
- Data on possible cooperation existing between depository libraries and other institutions concerning video material (M) and radio, television broadcasting (N) are not available.

UNITED KINGDOM

The Librarians of the six UK copyright deposit libraries (see notes to table 1) have signed a Memorandum of Agreement, in 1989, for the planning of a cooperative programme for cataloguing the current output of publications deposited by publishers at the British Library Copyright Receipt Office, and at the Copyright Agency which serves the other five copyright libraries. This is in order to create bibliographic records of British books for the British National Bibliographic Service and for their own library catalogues. This is the latest step towards a scheme by which each of the six institutions involved would be responsible for giving a section of legal deposit intake priority in cataloguing. The basic components of such programme are identified as operational and technical links, record standards, authority control and allocation of contributions. The twin aim of the Copyright Libraries Shared Cataloguing Programme are to speed up the flow of records to the National Bibliographic Service, thus improving the cost-effective use of the service in all libraries, the currency of cataloguing information available to readers, and reducing the costs of all six Copyright Libraries.

- According to this programme four libraries (the British Library and the National Library of Wales are excluded) maintain the Agency for the Copyright Libraries; each of them will be responsible for a particular section of the UK publishing output.
- Besides, it has been established that the National Library of Scotland, Trinity College Library of Dublin, and the National Library of Wales would be responsible for the bibliographic service respectively for the Scottish, Irish, and Celtic material.
- This programme involves the principle that the British Library Bibliographic Services would continue to create records for the bulk of legally deposited material, using the CIP (Cataloguing-in-Publication) programme to ensure that prompt information on new titles is made available to the library community and to the book trade in general. The CIP programme (as in the countries where it is implemented) in its turn, obtains advance information of new titles from participating publishers and provides a record which may be printed on the title page verso of the book itself and which is made available, prior to the publication of the title, in the British National Bibliography and in BNB/MARC files.
- On the other hand, the contributions of the other Copyright Libraries would centre on categories of material that fall outside the CIP programme or where they have particular, or special interests.

The contributing libraries would be joining the pilot programme at the rate at which they develop the technical capability of transmitting records in UKMARC format on tape to the

British Library. This means that the full implementation of the pilot scheme will take place when cataloguing and coding practices have been harmonised and the British Library has set up procedures for handling external tapes. The British Library has estimated a minimum period of two years, from 1989, before the co-operative programme could become fully operational.

- The central depository library for A, B, C, D, and E materials is the British Library Boston SPA.
- As for published theses and academic dissertations (G), cooperation is enacted by following the same rules as material intended for publication.
- Data on possible cooperation amongst any kind of institutions concerning graphic material (F), and non-book material (H-I-L-M-N) are not available since they are excluded from legal deposit provisions.

COMMENTS TO TABLE 3

COOPERATION BETWEEN INSTITUTIONS

As one can see from the table n. 3 in nine EC Member States out of twelve cooperation, either formal or informal, has been established between depository institutions and among other parties involved in legal deposit procedure. Belgium, France, and Spain do not mention in their legislation any formal rules to be followed concerning cooperation between depository institutions namely for the following reasons. In Belgium there is no formal cooperation between depository institutions since there is only the central one in existence, and cooperation is limited to publishers themselves through the issuing of the CIP as a form of bibliographic control concerning some kinds of material. France, on the other hand, although it has several depository institutions and different parties involved in legal deposit procedures, does not have any provisions concerning formal cooperation between them, and the existence of informal cooperation is not known. In Spain cooperation is limited to the exchange of data and to the application of formal bureaucratic procedures involving printers, manufacturers, publishers, and the Legal Deposit Provincial Offices. However the central and the local depository institutions do not cooperate, either between themselves or with other parties, being responsible only for their respective areas of competence.

Generally cooperation can be formal (like in Germany, Greece, Ireland, Italy, Luxembourg, The Netherlands, and the United Kingdom), informal (like in Portugal), and voluntary (like in Denmark for all kind of book material). In all these cases it consists in the exchange of practical information, data, material, and technical support concerning the implementation of formal procedures. All this is done by exploiting different library and catalogue card services (bibliographic, technical, consultation, documentation, acquisition, research, distribution services etc.), and above all by exploiting the CIP (Cataloguing in Publication) which is now used by many countries as one of the most effective means for bibliographic control and cooperation services.

Almost all EC Member States have appointed different depository institutions to be responsible for legal deposit procedure according to the material to be deposited. The distinction is mostly made between book and non-book material. To this purpose, special sections of the central depository institutions or special depository institutions, like National Phonothèques, act as main depository institutions in their areas of competence. In this case an effective, formal, as well as informal, cooperation between the latter and the central and local depository institutions, or other parties, is exercised in order to implement the necessary exchange of bibliographic information between the two kind of material subjected to legal deposit procedure.

On the whole, whether formal or informal, cooperation takes place wherever there are depository institution in charge for the implementation of legal deposit provisions. However, not only does cooperation involve depository institutions but also other parties which are responsible for legal deposit procedure, namely printers, manufacturers, and publishers. This occurs in all EC Member States except for France, Luxembourg and Portugal, for which data are not available. Such cooperation can be formal, like in Germany and in Spain (where this is the only form of cooperation), informal (like in Belgium), and voluntarily exercised (like in Denmark). Besides, printers, manufacturers and publishers cooperate among themselves, in dealing with legal deposit bureaucratic procedure, and also with national depository institutions.

The data and comments made available by the institutions surveyed show that cooperation systems are made more and more necessary in order to implement legal deposit legislation. In fact, although cooperation systems have been developed quite well in almost all EC Member States recently, it is clear that in order to meet both legal deposit provisions and libraries' current needs, such cooperation systems have to be improved as much as possible by using all means made available today. Obviously one way to implement cooperation is by involving simultaneously depository institutions, printers, manufacturers, and publishers in common pilot projects and research programmes concerning the development of bibliographic control systems, and the sharing of legal responsibilities, as well as bureaucratic, and technical procedures related to legal deposit.

Amongst all EC Member States' cooperation systems, the British one is the most up-to-date and developed. This is due to the recent establishment of a cooperative programme

(as a pilot scheme) in 1989, according to which all British Copyright Libraries will share the effort of cataloguing books received on legal deposit. This is called "Shared Cataloguing Programme" and formally involves the Copyright libraries, the British Library Bibliographic Services, other contributing libraries all over the country, the National Library of Scotland, Trinity College Library Dublin, the National Library of Wales and, by participating in the issuing of the CIP, publishers also. The pilot phase of the "Co-operative Cataloguing Programme" of the Copyright libraries was introduced in November 1990 and aims to develop a mechanism for a comprehensive programme of shared cataloguing for the purpose of maximising timeliness and minimising costs amongst the participants.

A common point in all EC Member States' legal deposit policy is the implementation of the promotion of cooperation between depository institutions and publishers. To this purpose some depository libraries have adopted financial strategies in order to meet publishers' need and requests, so that the latter are encouraged to comply with formal legal deposit procedure more willingly. An example of financial incentive, undertaken in Germany and France, is the reimbursement accorded to publishers of the delivery charges of the material to be deposited. A further facility accorded to publishers (for instance in France) is the possibility to reduce the number of copies required for deposit concerning some kinds of material or, like in Belgium, to benefit from a partial reimbursement of valuable or rare material.

Even more effective in legal deposit cooperation strategies is to convince publishers that through the issuing of the CIP they gain free publicity by entering their publications in national and international bibliographic catalogues. This has been clearly understood, for example, in the Netherlands where publishers voluntarily deposit their publications without even asking for the reimbursements they can benefit from. Besides, the issuing of the CIP offers enormous advantages to the depository institutions and to libraries in general since, on the one hand, these are provided with the description of the material which is to be published and, on the other, they can control if publishers have complied with the law on legal deposit in due time.

The key word in cooperation policy is shared resources programmes, intended for the implementation of an intelligent organization of operational and technical links between different institutions; exploitation and valorization of advanced technologies including for networking; establishment of standard records; development of authority control; and

strategic allocation of financial contributions and of formal responsibilities according to specific areas of competence.

Efforts have already been made by EC Countries in drafting legal deposit provisions based on more or less developed cooperative systems. However it is the common opinion of all the institutions surveyed that nowadays such provisions are not sufficiently developed to keep up with the several, urgent and progressively growing needs (as well as with the technical possibilities available on the market) of the different institutions involved in legal deposit procedure. Therefore the provision of standard, harmonized, and better organized national legal deposit legislation, intended for a more effective cooperation-policy implementation, would be desirable in all E.C. Member States.

U N I T 4

TABLE 4

AUTOMATION OF LEGAL DEPOSIT MATERIAL							
BOOK MATERIAL							
	A Monographs	B Periodicals	C Official publications	D Printed music	E Maps, Plans, Atlases	F Prints, Pictures, Bills, Posters	G Theses, Academic Dissertations
BELGIUM	YES*	<-- idem.	<-- idem.	<-- idem.	<--idem.	N.A.	N.A.
DENMARK	YES*	<-- idem.	<-- idem.	<-- idem.	<--idem.	N.A.	N.A.
FRANCE	YES*	YES*	NONE	NONE	YES*	NONE	N.A.
GERMANY	YES*	<-- idem.	<-- idem.	<-- idem.	<--idem.*	NONE	YES
GREECE	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
IRELAND	NONE*	<-- idem.	<-- idem.	<-- idem.	<--idem.	<-- idem.	<-- idem.
ITALY	YES*	NONE*	NONE	NONE	NONE	NONE	N.A.
LUXEMBOURG	YES*	<-- idem.	<-- idem.	<-- idem.	<--idem.	<-- idem.	<-- idem.
NETHERLANDS	YES*	YES	YES	NONE	YES	NONE	YES
PORTUGAL	YES*	<-- idem.	<-- idem.	<-- idem.	<--idem.	<-- idem.	<-- idem.
SPAIN	YES*	YES*	NONE*	YES*	YES	NONE*	YES*
U.K.	YES*	<-- idem.	<-- idem.	<-- idem.	<--idem.	NONE*	YES*

TABLE 4

AUTOMATION OF LEGAL DEPOSIT MATERIAL

NON-BOOK MATERIAL				
H Sound recordings	I Music recordings	L Films	M Video material	N Radio, Television, Broadcastings
No Central Deposit Institutions	<-- idem.	<-- idem.	<-- idem.	<-- idem.
YES	YES	N.A.	YES	YES
NONE* (in project)	<-- idem.	NONE	NONE* (in project)	YES*
YES*	<-- idem.*	NONE	YES*	NONE
NONE*	NONE	NONE	NONE	NONE
NONE	<-- idem.	<-- idem.	<-- idem.	<-- idem.
NONE	NONE	NONE	NONE*	NONE
NONE	NONE	NONE	NONE	NONE
NONE	NONE	NONE	NONE	NONE
NONE	NONE	NONE	NONE	NONE
N.A.	N.A.	N.A.	N.A.	N.A.
YES*	<-- idem.	NONE*	YES*	NONE*
NONE*	NONE	NONE	NONE	NONE

LEGENDA	
U.d.	Up-to-date
N.A.	Not Available
NONE	No Legislation
<-idem	Refers to previous column
*	See notes and comments

NOTES TO TABLE 4

AUTOMATION OF LEGAL DEPOSIT MATERIAL

BELGIUM

In this country automation is applied for the recording of book material subjected to legal deposit (from A to E included) at the Royal Library.

- The files developed are: bibliographic files (Bibliographie de Belgique); authority files (authors, publishers, uniform titles).
- Data base used: "New-wave".
- Time delay in processing: three months.
- Editing delay: two months.
- Data on possible automation systems applied to F and G material are not available.
- Non-book material (from H to N) does not benefit from automation systems since there is no central depository institution in charge for its deposit.

DENMARK

Book material from A to E included is processed in Denmark on data base "Rex".

- Only authority files concerning authors, publishers, and titles are developed.
- The delay in processing goes from four to eight weeks.
- The editing delay assessed is two weeks.
- Data concerning F and G material are not available.
- Automation systems are applied also to non-book material, except for films (L); data on files developed concerning this material are not available.
- Non-book material is processed on data base "Sol".
- The delay in processing non-book material goes from two to six months, whereas the editing delay goes from one to three months.

FRANCE

The automation system used by the Bibliothèque Nationale for the processing of A, B, and E material is the Geac system.

- The files developed concern the "Bibliographie de la France", and the "Bibliographie Officielle Livres 1977".
- The data base adopted for A and B material is the "BN Opale", whereas the BN "Opaline" is for graphic material (E).
- The time delay estimated for the processing of such material is one month, whereas the editing delay is seven weeks.
- There are no automation systems as far as C, D, and F material is concerned; data referred to G material are not available.
- Automation is not applied to non-book material subjected to legal deposit (H, I, L and M) at the central depository institution except for radio and television broadcasting (N), for which the system "Imago 2" on BULL DPS is used. However automation systems for H, I, and M material are planned.

GERMANY

In this country automation concerning legal deposit material supports mainly cataloguing functions; the data base management system is BVS (Siemens); support of procedures concerning legal deposit functions is part of future plans; the utilisation of integrated library systems are in development.

- Data base for in-house cataloguing usage concerning A, B, C, E, and G book material, and H and M non-book material is managed under BVS. Data base BIBLIO-DATA is accessible over the STN network.
- Automation is applied to printed music (D) and to music recordings (I non-book material) on data base DMA files in-house which provides the full application of on-line cataloguing with title and authority files since 1981.
- Automation is not applied to F, L, and N material.
- The time delay in processing the above mentioned material for the provision of its bibliographic recording is approximately twelve weeks. The editing delay is fifteen weeks.

GREECE

Data concerning automated processing of legal deposit book material in this country are not available; non-book material (from H to N included) is not subject to legal deposit legislation.

IRELAND

There are no automation systems for the processing of book, as well as non-book material subjected to legal deposit in Ireland, yet. However a cooperative project, the National Bibliography Preparation Project, is at present underway between the National Library of Ireland the Trinity College Dublin, and the University College Dublin. Part of the project, which started in December 1990, is to computerize the issuing of the Irish Publishing Record concerning also legal deposit material, and it will adopt UNIMARC as the preferred output format for national and international exchanges.

ITALY

In Italy automation for the processing of book, as well as non-book material subjected to legal deposit is applied only to monographs (A) and to video material (M, only when considered as an integral part of books) through the "Bull DPS 7000" system, on the SBN data base.

- The time delay in processing goes up to three years; the editing delay goes up to two years.

There are on-going projects, at present, concerning the extention of automation to a wider range of material subjected to legal deposit.

LUXEMBOURG

Book material subjected to legal deposit (form A to G included) is processed through an automation system on "Sibil" data base system at the central depository library.

- The delay in processing is one week.
- The editing delay goes from one to two years.
- Automation is not applied to non-book material (from H to N included).

NETHERLANDS

In this country automation is applied to all book material except for printed music (D) and graphic material (F).

- Neither data base type nor data on files developed concerning the material mentioned above are available, but probably the PICA system is used.
- The delay in processing monographs (A) is approximately one month. The editing delay is about six months.
- The time delay for processing periodicals (B) is approximately one month, whereas there is no editing delay.

- The delay in both processing and editing official publications (C) is one month.
- The file developed concerning maps plans, and atlases (E), is the CCK (Union Catalogue of Cartographic Material). The delay in processing such material is approximately one year. The editing delay is five years.
- Aproximately one month is the assessed delay in processing G material. The editing delay is estimated to be three years.
- Automation is not applied to D and F book material as well as to all non-book material (from H to N included) subjected to legal deposit, since there is no central depository institution responsible for its collection.

PORTUGAL

The automation system applied for the processing of book material subjected to legal deposit (from A to G) at the central depository library is the Geac system.

- Legal deposit acquisitions are developed into files. Data on their typology are not available.
- The type of the data base in use is not available.
- The time delay to process A, B, C, D, E material goes from one to five months. The editing delay is approximately two-three years.
- The delay in processing theses and academic dissertations is assessed to be three years. Data on the editing are not available.
- Data concerning automation systems applied to non-book material (from H to N included) are not available.

SPAIN

In this country the processing of monographs (A), periodicals (B), printed music (D), maps, plans, and atlases (E) is automated on BIBL data base which will be shortly integrated in the data base "Aria BNA" of the Biblioteca Nacional.

- The files developed concerning monographs (A) are: BN catalogues; Bibliografía Española. The time delay for the processing of this material is one year; the editing delay is one month.
- The files developed concerning periodicals (B) are: BN catalogues; Bibliografía Española (Suplemento de publicaciones periódicas); ISSN files. There is no delay in processing such material, whereas the editing delay is one year.
- Since there is no longer an Official Publication Department in the Biblioteca Nacional, there is no special processing for such publications. The only particular feature to point out is that their publications are assigned a special code: the NIPO (Identification Number for Official Publications).

- The files developed for printed music (D) are: BN catalogues; Bibliografía Española: Suplemento de musica impresa. The delay in processing, as well as in editing this material is three years.
- The files developed concerning E material are: BN catalogues; Bibliografía Española: Suplemento de Cartografía. The time delay in processing is approximately four months. The editing delay is one year.
- There is no processing concerning loose-leafs, leaflets, minor publications. They are kept into boxes with a subject arrangement. As for posters there is no processing at all.
- The automation system concerning theses and academic dissertations intended for dissemination is the same as the one applied to monographs (A).
- The processing of sound recordings (H), and music recordings (I) is made on BNRS data base. The files developed are the BN catalogues. Data on duration, either for processing or for editing, are not available.
- There are no automation systems in existence for films (L).
- Developed files concerning video material (M) are: BN catalogues; Bibliografía Nacional:Suplemento de videograbaciones. The delay in processing such material is approximately three years. Data on the editing delay are not available.
- Automation is not applied to radio, television broadcasting material (N), since they are not subjected to legal deposit provisions.

UNITED KINGDOM

In this country book material (from A to G, excluded F) subjected to legal deposit legislation is dealt by the LDO, which has its own automated system CRS (Copyright Receipt System) developed in cooperation with the Agency for the Copyright Libraries, and by the Cataloguing Section of the British Library using the WLN.

- The data base used is BLAISE.
- As for the time delay concerning the processing of monographs (A) priority is given to material for the Science Reference and Information Service. Therefore delay can be two days to six months maximum depending on level of priority. The editing delay is three weeks.
- Time delay in processing periodicals is two up to thirty days. Data on editing delay are not available.
- Time delay in processing official publications is one day. The editing delay two months.
- Data on time delay, as well as on editing delay, concerning printed music (D) and E material are not available.

- As for theses and academic dissertations, they are processed using the same procedure which is applied to monographs only when they are intended for dissemination.
- There is no automated processing concerning F material, as well as non-book material (from H to N included), since they are excluded from legal deposit provisions.

COMMENTS TO TABLE 4

AUTOMATION OF LEGAL DEPOSIT MATERIAL

Automation systems for the processing of legal deposit material have been adopted by almost all E.C. Members States, as we can see from the table. Most of the automated processing, however, concerns only book material and, in some cases, it is not even applied to all of it, since priority is given to A, B, C, and D material.

At the moment in Ireland no automation systems are used for the processing of material subjected to deposit; however on-going projects concerning the development of computerized library systems will also take into account the processing of such material.

In Denmark negotiations concerning close cooperation between the two central data base systems have been on going in 1990. In fact, the Computer Department of the National Library Authority (FEK) and the Library Bureau (BC) have recently agreed to work together in setting up a joint group for development of a data model called DANIBIB for the next generation of the input system, and a central data system as well. This system may be expected to include a system for registration of the Danish legal deposit, in close cooperation between the two libraries responsible for legal deposit (The Royal Library and The State and University Library of Arhus) and Bibliotekscentralen, responsible for the National Bibliography of books. A function for control of the legal deposit will be established as well.

Data concerning automated systems for the processing of legal deposit book material in Greece are not available. It is known that significant efforts have been made in the introduction of new information technologies in Greek libraries recently like, for instance, the completion of a feasibility study for the computerization of the National Library which will, hopefully, include also the processing of legal deposit material; the establishment of library networks and cooperation schemes at national level; the participation of Greece in European projects. However it is not envisaged that advanced technologies in libraries will be readily available on a large scale, because libraries have to conduct comprehensive equipment purchases on the one hand, and users need time to familiarize themselves in using computer terminals for library services.

In most of the countries automation is not applied to non-book material subjected to legal deposit provisions. This is due to several reasons. First of all, priority is given to the automated recording of book material, especially of monographs (A) and to scientific publications, whereas non-book material is still considered, in practice, to have a minor importance when compared to other kinds of publications. Secondly, on the one hand financial resources devoted to the application of new technologies in libraries are limited, on the other hand automated systems available today in libraries are not sufficiently developed to meet the needs for the processing of the great variety of non-book material. Every country, therefore, is almost obliged to make a selection of the material which could benefit from automation systems. Besides, not only is it necessary to create new highly specialized technological infrastructures in the library sector, but also to organize specific training for qualified personnel through seminars, specialized courses, information days, etc. in order to ensure the exploitation of new technological means made available on the market.

In some E.C. Member States, furthermore, automation is not applied to non-book material simply because there are no depository institutions responsible for its collection, like in Belgium and the Netherlands, or because such material is not included among the material subjected to legal deposit legislation, like in the United Kingdom.

As far as the delay in processing data for material subjected to legal deposit provisions is concerned, it has been assessed to be quite long in Italy (taking up to three years), whereas in almost all the rest of the countries it takes approximately one month up to six months, with the exception of Luxembourg (one week), and in the U.K. (from two days up to six months depending on the priority given to the kind of material). This means that all countries apply the principle of priority and selection in automated processing, since the delay in recording varies depending on the kind of material taken into account (see notes to the table).

In almost all E.C. Member States the delay in record editing of the material subject to legal deposit provisions has been assessed to be longer than the delay in processing it (see notes to the table). This is obviously due to the faster recording procedures provided by automated processing systems when compared to the issuing of the data collected which is, in almost all cases, manual.

On the whole, almost all E.C. Member States lament substantial retrospective backlogs in the recording of legal deposit material. Evidently automated processing systems currently in existence are insufficiently used for the recording of legal deposit material, therefore effort ought to be devoted to their further development and subsequently wider implementation. As a matter of fact, in several E.C. Member States almost all the on-going projects concerning the application of new technologies in libraries take into account the development of automated systems specifically for the processing of legal deposit material.

The introduction, or the extention of automation applied to legal deposit material would not only speed up the process of recording it, but also enable the institutions involved to excercize a better and easier bibliographic control over such publications. Above all, it would facilitate the full implementation of legal deposit provisions.

Among the advantages provided by the development of automation applied to the field of legal deposit, it is worth mentioning the benefits which publishers, producers and libraries can enjoy by a faster and more up-to-date issuing of the C.I.P. complemented by information provided by legal deposit records.

The adoption of standard and more comprehensive automated services in depository libraries would, possibly, improve cooperation concerning legal deposit procedures by providing such organizations with a more effective, easier, faster and harmonized way of exchanging information amongst themselves and with other libraries.

It is very unfortunate therefore, that in several E.C. Member States automation is not sufficiently applied also to legal deposit material, yet. It is quite clear, in fact, that the improvement, harmonization and standardization of libraries automated services for the recording of bibliographic data extended also to the recording of legal deposit material can mutually benefit both fields, since they are interdependent.

U N I T 5

TABLE 5

LEGAL DEPOSIT EFFECTIVENESS

BOOK MATERIAL							
# or @	A Monographs	B Periodicals	C Official publications	D Printed music	E Maps, Plans, Atlases	F Prints, Pictures, Bills, Posters	G Theses, Academic Dissertations
BELGIUM	+ - 90-95	+ - 85	+ - 90-95	+ - 90	+ - 80-85	N.A.	N.A.
DENMARK	90	90	90	> 90	+ - 70	Unsatisfactory*	N.A.
FRANCE	+ - 95-97	+ - 95-97	N.A.	N.A.*	N.A.	80*	N.A.
GERMANY	> 80	75	> 80	95	> 80	N.A.	+ - - 100
GREECE	80-85	< - idem.	< - idem.	< - idem.	< - idem.	< - idem.	< - idem.
IRELAND	~ 80	~ 80	~ 80	~ 80	~ 80	N.A.*	< - idem.
ITALY	N.A.*	< - idem.	< - idem.	< - idem.	< - idem.	< - idem.	< - idem.
LUXEMBOURG	90	80	100	80-90	90	80-90	30
NETHERLANDS	N.A.*	< - idem.	< - idem.	< - idem.	< - idem.	< - idem.	< - idem.
PORTUGAL	60-70	60-70	60	Negligible*	Unsatisfactory*	N.A.*	Unsatisfactory*
SPAIN	Satisfactory*	Satisfactory*	N.A.	Not good*	Quite good*	Too good*	Satisfactory*
U.K.	N.A.*	< - idem.	< - idem.	< - idem.	< - idem.	< - idem.	< - idem.

TABLE 5

LEGAL DEPOSIT EFFECTIVENESS

NON-BOOK MATERIAL				
H Sound recordings	I Music recordings	L Films	M Video material	N Radio, Television, Broadcastings
N.A.*	N.A.	N.A.	N.A.	N.A.
90	90	N.A.	N.A.	100* 50*
90~100	90~100	60~90	90~95	N.A.
85	85	N.A.*	N.A.*	N.A.*
NONE*	<-- idem.	<-- idem.	<-- idem.	<-- idem.
<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.
<-- idem.	<-- idem.	No Legal Deposit required	<-- idem.	<-- idem.
80~90	80~90	80	20	N.A.
<-- idem.	<-- idem.	<-- idem.	<-- idem.	<-- idem.
30	30	N.A.	N.A.	N.A.
Not so good	<-- idem.	Not too good	<-- idem.	N.A.
Excluded from the Legal Dep. Act	<-- idem.	<-- idem.	<-- idem.	<-- idem.

LEGENDA	
U.d.	Up-to-dated
N.A.	Not Available
NONE	No Legislation
<- idem	Refers to previous column
~	Floating
>	Greater than
@	Qualitative estimation
#	In percentage
*	See notes and comments

NOTES TO TABLE 5

LEGAL DEPOSIT EFFECTIVENESS

P.S. Data appearing in this table are expressed either in figures (percentage), or as a qualitative estimation according to the assessments extracted from the questionnaires.

Such assessments are not to be considered in absolute terms; they are estimations provided by national organizations in charge of statistics concerning the rates of effectiveness referring to the level of implementation of their own national legal deposit system.

Consequently, and since the basis on which the systems of legal deposit provisions operate in each Member State of the Community are very different, data referring to one country appearing in this table are not to be compared with those referring to another one.

BELGIUM

In this country the rate of legal deposit effectiveness concerning book material, from A to E included, is quite high, going from 80% (for graphic material -E-) up to 95% for monographs (A). Although there is no formal cooperation between depository institutions, other elements contribute to such an effective implementation of legal deposit provisions, namely: an up-to-date and detailed law; a close cooperation established between the depository institutions and the publishers; effective automated systems for the recording of the material subject to legal deposit provisions and, above all, the reduced number of copies (only one) claimed for deposit.

- Data on F and G material are not available.
- Effectiveness concerning non-book material (from H to N included) cannot be assessed, since there are no depository institutions in charge of its collection.

DENMARK

In Denmark the effectiveness of legal deposit provisions concerning book material from A to E is quite high; the rate goes from a minimum of 70% for E material and goes beyond 90% in the case of printed music (D).

- The effectiveness of legal legal deposit provisions concerning F material, according to the qualitative evaluation provided by the country surveyed, is unsatisfactory.

- Data on theses and academic dissertations (G) are not available.
- Although there is no national law ruling legal deposit procedures for non-book material, since provisions are established by ministerial decrees, the effectiveness rate for H and I reaches 90%.
- Data on films (L) and video material (M) are not available.
- The deposit of radio and television broadcastings (N) in Denmark is voluntarily exercised. Although there is no formal, compulsory procedure ruling the deposit of such material the effectiveness rate attained is the highest one amongst all E.C. Member States. In fact, the deposit of material produced by the state and local radio and television broadcasting stations occurs respectively in 100% and 50% of the cases.

Such a high effectiveness in the implementation of legal deposit provisions in this country is mostly due to two important factors, namely: the reduced number of copies of book material required for deposit (two, or three on request), and a quite well developed automation system for its recording. Besides, although voluntary, cooperation between depository institutions themselves, and between them and the publishers is quite well established.

FRANCE

In France the effectiveness rate of legal deposit concerning some kinds of book material, as well as non-book material is very high.

- For book material, specifically for monographs (A) and periodicals (B), the effectiveness rate goes beyond 90% reaching up 97% of the market production.
- Data on official publications (C) are not available.
- Assessment of the effectiveness rate concerning printed music (D) has not been provided by the country investigated; depository institutions lament the lack of information and general awareness in the country, concerning the implementation of legal deposit procedures related to such material.
- Data on legal deposit implementation concerning graphic material (E), as well as theses and academic dissertations (G) are not available.
- France makes a distinction concerning F material, specifically: the effectiveness rate for engravings is 80%; effectiveness concerning bills posters, and photographs is considered to be very unsatisfactory and, in this context, depository institutions have manifested their disappointments.

The effectiveness rates concerning non-book material is even higher than that of book material, respectively:

- 90% up to 100% for sound recordings (H) and music recordings (I).
- From 60% to 90% is the effectiveness rate for films (L); depository institutions encourage producers to implement voluntary deposit.

- The effectiveness rate concerning video material (M) goes from 90% to 95% of the market production.
- Data on legal deposit effectiveness about radio and television broadcastings are not available.

GERMANY

Although in Germany legal deposit procedures are defined by very detailed and comprehensive federal and regional laws (supported by a keen cooperation between depository institutions and by developed automation systems for the recording of the material subject to deposit), the effectiveness rates concerning legal deposit implementation is considered to be unsatisfactory in the opinion of the institutions surveyed..

- Over 80% is the rate assessed for the legal deposit of monographs (A), official publications (C), and graphic material (E).
- Effectiveness concerning periodicals (B), and printed music (D) reach respectively 75% and 95%.
- Data on F material are not available.
- The parties in charge for the deposit of theses and academic dissertations (G) accomplish legal deposit provisions in about 100% of the cases.
- 85% is the rate estimated for sound recordings (H) and music recording material (I).
- Data on effectiveness concerning the deposit of L, M, and N, material are not available since no legal deposit is required for these kinds of materials.

GREECE

The effectiveness rates concerning the implementation of legal deposit legislation provided by this country, are quite homogeneous, since they fluctuate between 80% to 85% (of the national production) for all kinds of book material (from A to G).

In spite of the lack of automated systems for the recording of legal deposit material, the reduced number of copies claimed by the depository institution, and a close cooperation between the latter and publishers contribute to the achievement of such an effective fulfillment of legal deposit procedures.

- Effectiveness concerning non-book material cannot be assessed, since there is no legislation in this area.

IRELAND

In spite of the lack of automated systems for the recording of legal deposit material, and the extremely high number of copies (12) claimed by the legislation, the effectiveness reached by legal deposit provisions in this country is quite good and very homogeneous, (80% for all book material from A to E).

This can be due to the very close and developed cooperation established among depository institutions, publishers, printers, and authors which support the implementation of legal deposit procedures.

- F and G book material, as well as non-book material, from H to N, are excluded from the Copyright Act which rules legal deposit in this country; consequently effectiveness cannot be assessed.

ITALY

Data on effectiveness rates of legal deposit provisions concerning book, as well as non-book material have not been provided by this country. According to statistics, the annual intakes referring to book material (A, B, C, E, F, and G) and to non-book material (H and I) are respectively:

- Monographs, 40.000 copies;
- Periodicals, 7000 copies;
- Official publications, 1000 copies;
- E material, about 300;
- F material, about 100;
- G material, about 1000;
- Sound recordings, about 20;
- Music recordings, about 20;
- No legal deposit is required for L, M, and N material.

By comparing these figures to the annual market production, and by considering that the Italian legal deposit legislation is quite comprehensive, one can easily assume that the legal deposit effectiveness is very unsatisfactory. This could be due both to the high number of copies required for deposit and to the lack of automated systems.

LUXEMBOURG

In Luxembourg the effectiveness rates of legal deposit legislation are, on the whole, quite high. They fluctuate between 80% and 100% (see table n. 5 for specifications), with the exception of theses and academic dissertations (30%), and video material (20%).

Such successful implementation of legal deposit in this country is mostly due to the support given by some essential elements on which legal deposit procedures are based, and namely: an up-to-date legislation; a close cooperation established between depository institutions, and the existence of automated systems for the recording of book material subject to deposit.

- Data on effectiveness concerning radio and television broadcastings are not available.

NETHERLANDS

In the Netherlands explicit rates of the effectiveness for legal deposit implementation are not available.

Although there is no legislation in this context, it seems that the specific agreements established between the depository institutions and publishers provide quite an effective implementation of legal deposit procedures. In fact, according to information provided by this country, the voluntary deposit of book material, as well as of non-book material, has reached a very high degree of efficiency.

PORTUGAL

Although Portugal enjoys quite an up-to-date law (supported by ministerial decrees), the legal deposit effectiveness rates provided by this country are not very high.

For book material, specifically for monographs (A) and periodicals (B), effectiveness reaches 70%, and 60% for official publications.

- "Negligible" has been defined the effectiveness concerning printed music (D). In fact, the annual intake, for 1989, declared by the depository institution, consists of six items.
- The effectiveness rate concerning F material is not made available; the annual intake, in 1989, was of 300 items.
- Effectiveness concerning E and G material is considered to be unsatisfactory, with an annual intake (in 1989) of E material of 40-50 items, and an annual growth rate of less than 30% for theses and academic dissertations (G).
- 30% is the effectiveness rate concerning sound and music recordings (H and I material).
- Data on films (L), video material (M) and radio-television broadcastings (N) are not available.

Since legal deposit implementation is supported by an automated system and the existence of informal cooperation established between depository institutions, such a low effectiveness could be due to the extremely high number of copies (from one to fourteen) claimed for deposit.

SPAIN

Although there is no cooperation between depository institutions in Spain, on the whole legal deposit effectiveness is considered to be satisfactory according to the statistics provided by the institution surveyed.

- Compliance to legal deposit legislation for monographs (A) is considered satisfactory. In the last ten years there has been 86% increase in the annual intake; the average growth rate in these ten years has been of 6,6%.
- The degree of compliance to legal deposit provisions concerning periodicals (B) is considered to be satisfactory, although there are still some publishers which fail to comply. Moreover there are peculiar difficulties concerning this type of material, related to the legal deposit-number assigned to publications. In fact, although the legal deposit-number is assigned only once for each title, there are periodicals with several numbers throughout their lifetime and, vice versa, periodicals which bear a single legal deposit number in relation to title (original title, other language editions, etc.). This hinders the control over this kind of material.
- Data on official publications (C) are not available.
- Legal deposit effectiveness concerning printed music (D) is not considered to be good; the average growth rate in the last ten years, with fluctuations, has been of 4,8%.
- Quite good is the effectiveness of legal deposit implementation concerning E material. 50% is the annual growth rate for the last ten years, although with great fluctuations.
- The effectiveness of legal deposit provisions concerning F material is considered to be "too good". In fact, 90% of the material collected is for advertising purposes, and its value is considered doubtful and creates serious space problems. On the other hand the collection of some kind of valuable material (artistic engravings for example) is not sufficient.
- Theses and academic dissertations (G) intended for dissemination follow the same procedure as monographs. In this case the effectiveness of legal deposit is considered to be satisfactory.
- As for sound recordings (H) and music recordings (I) the effectiveness of legal deposit is not so good, since the annual average growth rate (in the last ten years) is 0,4%.
- The effectiveness concerning films (L) and video material (M) has not been defined too good, with an average annual growth rate (in the last ten years) of 21%.

- Statistics on radio/television broadcastings are not available, since they are not subject to legal deposit legislation.

UNITED KINGDOM

The British depository libraries surveyed unfortunately are not able to provide effectiveness rates on legal deposit for book material. According to these institutions it is difficult to measure effectiveness, since there are no reliable base figures for output covering trade and non-trade. However they provide figures concerning the annual growth rates (for 1989/'90), respectively:

- 7-8% for monographs (A);
- 19% for periodicals (B);
- Official publications are included in serials and monographs figures;
- 22% for printed music (D);
- minus 3% for E material (negative trend);
- Data on F and G book material are not available.

If the figures quoted are correct, then the higher percentage of legal deposit effectiveness would be for trade publications and the lower for non-trade ones.

Statistics concerning non-book material (from H to N) are not available, since they are excluded from the Copyright Act.

COMMENTS TO TABLE 5 AND INTRODUCTION TO TABLE 6

EFFECTIVENESS OF LEGAL DEPOSIT

Preliminary remarks.

Since legal deposit effectiveness depends on several different elements related to this field, the provision of bare figures concerning the effectiveness rates would be very limitative in order to build up an exhaustive picture of the current situation as far as the practice of legal deposit in Europe is concerned. To answer this purpose, the following table summarizes the parameters which have been taken into consideration in this study for each country, and it is designed to highlight their interdependence and the links existing between them and the effectiveness rates.

It is important to note that such evaluations based on the assessments provided by the countries surveyed in relation to their own legal deposit systems. Therefore the comparison between the parameters reported in the table is to be made vertically (country by country separately), and not horizontally (between different countries).

Consequently, the average rates concerning the legal deposit effectiveness are not to be taken as parameters of reference for other countries.

The evaluation applied in this table is qualitative and is limited to the parameters surveyed and the information provided by the countries in general terms, with reference to theoretical and optimum conditions to achieve an effective implementation of legal deposit provisions according to their own systems.

In this context:

- The term "reasonable", means that the copies required for deposit correspond, more or less, to a justifiable number of copies required for the recording and preservation of the material.
- The term "high", on the contrary, means that the number of copies required for deposit by legislation, probably, largely exceeds the needs for a practical

implementation of legal deposit procedures, as well as the average envisaged by most of the countries.

- "Satisfactory" means that the object of the evaluation is sufficiently implemented, although it could be improved.
- "Unsatisfactory", on the contrary, means that the implementation of the parameter in question is insufficient or inadequate.
- "Good" expresses a satisfying condition not excluding, however, the needs for further developments.

TABLE 6

SUMMARIZING TABLE

*	Legal Basis	Number of copies	Cooperation	Automation Systems	Effectiveness #	LEGENDA	
						H	High (Ex = Extremely)
BELGIUM	S.	R.	U.	U.	90%	G	Good
DENMARK	S.	R.	U.	S.	90%	R	Reasonable (> = over average)
FRANCE	G.	H.	U.	U.	95%	S	Satisfactory
GERMANY	G.	R.	G.	G.	85%	U	Unsatisfactory
GREECE	U.	R.	S.	U.	80%	#	Average indication
IRELAND	U.	H. Ex.	G.	U.	80%	*	See notes and comments
ITALY	U.	H.	G.	U.	U.		
LUXEMBOURG	G.	R. >	S.	S.	85%		
NETHERLANDS	U.	R.	S.	U.	S.		
PORTUGAL	U.	H. Ex.	S.	S.	U.		
SPAIN	U.	H. Variable	U.	S.	S.		
U.K.	U.	H. Variable	S.	S.	U.		

EXPLANATORY NOTES AND COMMENTS TO TABLE 6

By analysing the summary table, one could draw the conclusion that the rates expressing legal deposit effectiveness are, on the whole, quite high. However some remarks, in relation to the parameters of each country, need to be well outlined.

First of all, the qualitative assessments and the figures reported for each country represent the average of the rates referring to different kinds of material. Besides, in some cases such averages concern only book material, since data and figures concerning non-book material have not been provided by all the countries surveyed. This is due either to the lack of statistics, or because such material is excluded from legal deposit compulsory procedures (see table n. 5 for specifications).

A good overview of this table demonstrates that, in some cases, to a positive or, at least, a satisfying evaluation given to the other parameters (such as legal basis, cooperation between institutions, and automation systems) corresponds a very good quotation of effectiveness. This is the case, for example, of Denmark and Luxembourg. This means that, in the framework of legal deposit procedures, the above mentioned parameters are closely interdependent and related to the effectiveness rate by a directly proportional relationship.

Worth mentioning is the case of France, where the effectiveness of legal deposit procedures is rated high although, both, cooperation and automation systems are unsatisfactory, and the number of copies required for deposit is quite high. This can only mean that the legislation on legal deposit in force is very coercive.

Emphasis has to be put on the opposite case embodied by the Netherlands. Here, in fact, although there is no national legislation on legal deposit in force, the several specific agreements established amongst authors, publishers, printers, and libraries (supported by a mutual, close cooperation) overcome the lack of formal provisions and all the shortcomings deriving from the possible unsatisfactory implementation of automation systems. As a consequence, in spite of the lack of statistics, the institutions surveyed define the implementation of legal deposit provisions as satisfactory and, in some cases, even voluntarily exercised.

Germany seems to enjoy quite a well balanced situation. The legal basis, the cooperation between institutions, and the automation systems are good, and the number of copies required is reasonable. As a result the effectiveness rate of legal deposit provisions (including statistics concerning non-book material) reaches 85% of the market production.

In countries like Ireland, Portugal, and the United Kingdom the implementation of legal deposit legislation is considered to be quite unsatisfactory. This is mostly due to the fact that their legislations claim a very high number of copies to be deposited at the several (perhaps too many) depository institutions appointed for their collection. Besides these countries lament some deficiencies in legal deposit provisions, especially with regards to non-book material, and the insufficient or inadequate exploitation of automated systems available. This can seriously compromise the effective implementation of legal deposit procedures.

A further point has to be underlined in this context. A satisfactory evaluation of effectiveness does not automatically mean that the national current mechanisms of legal deposit procedures are conveniently organized, or applied in the best possible way. At the moment in fact, it is the opinion in every country that the successful collection of all copies claimed by legislation, paradoxically involves high expenditures from depositants on the one hand and effort from the depository institutions on the other to provide for the efficient collection of the different kinds of materials, their recording, storage and subsequent preservation.

A common point made by every E.C. Member State is that in order to meet the great number of formal and practical requirements claimed by all the parties involved in legal deposit procedures (laws, depositants, and depository institutions), more comprehensive and appropriate laws should be issued.

Evidence shows that the various elements on which the effectiveness of legal deposit practice is based are linked to one another by a strong interdependence. Consequently the main goal to be achieved, by improving the laws already in force or by issuing new ones, is to ensure the provision of a well established synergy amongst all those factors. Only on this condition, as a necessary prerequisite, can legal deposit effectiveness be improved.



**FINAL SYNTHESIS
AND
CONCLUSIONS**

FINAL SYNTHESIS

The outline of the legislation in force on which the legal deposit systems are based in the E. C. Member States, provided in the previous chapters shows very well the **complexity** which characterizes this issue.

National regulations and their practice follow the principle of "*adaptation*" to the **social, political and financial** background and in compliance with the singularity of the **library own systems** and the configuration of the **national publishing industry** in existence at the time of their promulgation.

As a result, a **great variety of different provisions** are currently in force in the different States of the Community. To have a general overview, we can summarize, from a formal point of view, the different regulations currently in existence as follows:

- **National formal provisions (acts, state/federal laws);**
 - **Local formal (regional or provincial) legislation;**
 - **Subsequent, formal regulations issued to enforce or clarify the national laws;**
 - **Governmental (ministerial) decrees and orders;**
 - **Internal governmental or departmental regulations or memorandum concerning the depositing of government publications either at the central legal depository library or at departemental/ministry libraries;**
 - **Informal contracts or agreements between depository institutions and other parties involved (printers, publishers, authors etc.);**
 - **Cases in which deposit is "de-facto" voluntarily practiced.**
- a) The above-mentioned kinds of provisions, formal and informal, are based on *different principles* concerning the **coverage** of the material subject to deposit and the **system of its collection**.
- b) Most of the E.C. Member States practice the principle of *exhaustiveness* especially for book material (particularly for monographs), whereas selection is applied only

to that kind of material which can not be collected either in its full quantity, or because of its peculiar nature (see notes to the table 1).

- c) The principle of *selection* is applied in almost all countries where legal deposit laws cover also non-book material. This is in order to define what kind of material has to be deposited either at the central (or local) depository library or at other specialized depository institutions. **In this context some countries practice both, centralized and decentralized criteria for collecting.**
- d) Where legal deposit laws do not cover all kinds of non-book material, deposit is, in some cases, **voluntary**.
- e) All depository institutions, however well organized and properly equiped they might be, because of the complexity which characterizes the field of legal deposit (expecially for non-book material), complain of a great deal of difficulties concerning the collection, recording and storage of a great number of publications typical of an ever-growing production on the market. Because of the **on-going technological revolution** which characterizes non-book material production, in fact, libraries are constantly urged to face financial and logistic problems related to costs, storage and the provision of better systems of preservation for this kind of highly sophisticated material.
- f) Besides the financial and practical problems related to the nature of this **dynamic and innovation-oriented market**, there are also **legislative controversies**. The formal provisions currently in existence concerning the coverage of non-book material, in fact, are not comprehensive and flexible enough to define, with sufficient precision, the "*multidimensional*" **nature** of such technologically-advanced products like, for example, the "multiformats" which characterize computer programmes and electronic "desk-top" publications. This causes considerable difficulties in establishing the allocation of such prominent products amongst the different categories into which such material should be formally divided.
- g) For the above mentioned reasons, the principles of **exhaustiveness and centralization cannot meet any longer the current requirements generated by the market production on the one side, and by libraries on the other**. Consequently, all

E.C. countries have expressed their need for **re-organising** the present and by now far too obsolete legal deposit systems, or for providing **more up-to date ones** based on **decentralization and specialization** of the depository institutions, and on **selectivity** of the material subject to deposit.

- h) One of the most important issue, which needs to be re-considered in drafting new legislation, is the *number of copies required for deposit*. It is common opinion that two copies would be a reasonable minimum to accomplish legal deposit procedure (one for preservation and one for public usage), depending also on the kind of material in question. However, in many countries, legal deposit legislation calls for an extremely high number of copies. This is due to different factors, for example to the several depository institutions which characterize the legal deposit system in some States.

Such a compulsory procedure, apart from being extremely onerous for the depositants (who, in most of the cases, do not receive any reimbursement even for expensive material), causes quite a lot of difficulties to the depository institutions in efficiently implementing the bibliographic control, recording, storage, and preservation of the enormous quantity, as well as quality, of the material received.

- i) As for *cooperation*, generally it can be **formal, informal, and voluntary**. On the whole, according to information provided by the countries surveyed, either formal or informal cooperation takes place wherever there are depository institutions in charge for the implementation of legal deposit provisions.

In almost all E.C. Member States cooperation, either formal or informal, has been established between depository institutions and other parties involved in legal deposit procedures, such as printers, publishers and authors. Such cooperation consists in exchange of practical information, data, material, and technical support concerning the implementation of formal proceedings.

- l) All this is done by exploiting different library and catalogue services (bibliographic, technical, consultation, documentation, acquisition, research, distribution services etc.) and, above all, by exploiting the C.I.P. (Cataloguing in Publication). This, in fact, is now used by many countries as one of the most effective means for **bibliographic control and cooperation services**.

- m) A common, point on which all E.C. countries agree, is that a **rational way to implement cooperation** is by involving simultaneously depository institutions, printers, manufacturers, and publishers in participating in **common self-financing programmes** concerning the development of bibliographic control systems, and the sharing of responsibilities, in both bureaucratic and technical proceedings related to legal deposit procedures.
- n) A further common point in all E.C. Member States' legal deposit-policy is the implementation of the promotion of cooperation specifically between depository institutions and publishers. For this purpose, some depository libraries have adopted **financial strategies** in order to meet publishers' needs and requests, so that the latter are encouraged to comply with formal legal deposit procedure more willingly.
- o) *The exploitation of the C.I.P.*, as a further means in legal deposit cooperation strategies, offers mutual advantages, both to the depository institutions, and to libraries in general. By consulting the C.I.P., in fact, on the one side depository institutions can control if publishers have complied with the law on legal deposit in due time; on the other side, the National Bibliographic records can benefit from the support of the C.I.P., and of a more detailed description of the material to be published provided by legal deposit files. In this context, one of the aims in legal deposit cooperation strategies is to convince publishers that through the issue of the C.I.P. they gain **free publicity** by entering their publications in national and interanational catalogues.
- p) It has been commonly recognised that it is impossible for any single library, however well endowed, to seek to be self-sufficient. In a national context, therefore, the **rational implementation of legal deposit provisions must imply co-operation**, shared information on acquisition policies, on preservation, on disposal and on the standard accomplishment of bureaucratic procedures.

The key word in cooperation policy is the provision of standard legislation, supported by sharing resource programmes, intended for the implementation of an intelligent organization based on the improvement of operational and technical links between different institutions. This involves: *exploitation and valorization of advanced technologies in the field of telecommunications (e.g. networking); the*

establishment of standard records; the development of authority control, and the strategic allocation of financial contributions and of formal responsibilities according to specific areas of competence.

It is undeniable that great efforts have already been made by some E.C. countries in drafting legal deposit programmes based on more or less developed cooperative systems (the U.K. for example). However it is the common opinion of all the institutions surveyed that, nowadays, such provisions are not sufficiently developed to keep up with the several, urgent, and progressively growing needs of the different institutions involved in legal deposit procedures, as well as with the potentialities made available by the modern technology-oriented market of telecommunications. Therefore, the provision of standard, harmonious, and better organized national legal deposit legislation, intended for a more effective **cooperation policy implementation**, would be desirable in all E.C. Member States.

- q) *Automation systems* for the processing of legal deposit material have been adopted by almost all E.C. Member States. Most of the automated processing, however, concerns only book material and, in some cases, it is not even applied to all of it. This is due to several reasons.

First of all **priority** is given to book material, especially to monographs and to official publications, whereas non-book material is still considered to have a minor importance when compared to other kinds of publications.

Secondly, on the one hand **financial resources** devoted to the application of new technologies in libraries are limited; on the other hand, automated systems available in libraries today are not sufficiently equipped to meet the needs related to the processing of the great variety of non-book material economically; therefore every country is almost obliged to make a selection of the material which could benefit from their limited automation systems.

In some Member States automation is not applied to non-book material simply because there are **no depository institutions** responsible for its collection, or because some kinds of material are not included among those subject to legal deposit legislation.

- r) On the whole, almost all E.C. Member States complain of **substantial retrospective backlogs** in the recording of legal deposit material. This confirms the fact that automated processing systems currently in existence are not sufficiently powerful, or fully exploited, for the recording of legal deposit material. Therefore efforts ought to be devoted to their development and subsequent wider implementation in the libraries context.

Besides, in order to ensure the valorization and the exploitation of new technological means available, not only would it be necessary to create new highly specialized technological infrastructures in the library sector, but also to organize specific trainings for specialized personnell.

- s) Furthermore, **the adoption of standard and more comprehensive automated services** in libraries would, possibly, implement and improve cooperation concerning legal deposit procedures between depository institutions by providing such organizations with more effective, easier, faster and harmonious ways of exchanging informations between themselves, and with other libraries.

Besides, not only would the introduction, or extention, of automation to legal deposit material speed up the procedure related to its recording, but also enable other institutions involved to benefit from a quicker provision of more detailed information on material publication, and to exercise a better and an easier bibliographic control over them since, as already pointed out, these two fields (legal deposit and National Bibliographic records) can be **interdependent**. Above all this would facilitate the full implementation of legal deposit provisions.

To answer this purpose, almost all Member States' on-going projects, concerning the application of new information technologies for the recording of bibliographic data in libraries, have pointed out the **need for extending automated processes also to the recording of legal deposit material.**

- t) The legal basis currently in existence, the number of copies required for deposit, the cooperation amongst different organizations and institutions (private or public), and the libraries automated systems are some of the fundamental issues on which the practice of legal deposit is based.

By considering the above mentioned elements as *parameters of reference*, it has clearly been pointed out throughout this study, that the **effectiveness of legal deposit practice mostly depend on the adequate and effective implementation of such factors.**

Evidence shows that these elements are linked one to the other by a **strong interdependence**. We have seen, in fact, that for some Member States a positive or, at least, satisfying evaluation given to some elements such as legal basis, cooperation between different institutions and automation systems, correspond to a very good rate of effectiveness. These elements, thus, are closely interdependent and related to legal deposit effectiveness in a **directly proportional relationship**.

In other countries, on the contrary, the implementation of legal deposit provisions is considered to be quite unsatisfactory. This is mostly due to the fact that their legislation claims a very high (sometimes exaggerated) number of copies to be deposited at the several (in some cases too many) depository institutions appointed for their collection.

Besides these Member States also complain of considerable deficiencies in legal deposit legislation (especially with regards to non-book material), and of the insufficient or inadequate exploitation of automated systems at their disposal; these shortcomings seriously compromise the effective implementation of legal deposit procedures.

Furthermore it has been underlined, by the countries surveyed, that the satisfactory effectiveness rates which were drawn from their national statistics do not automatically imply the fact that the current, structural mechanisms on which their legal deposit practice is based, are conveniently organized, or applied in the best possible way.

At the moment, in fact, it is every countries' opinion that the successful collection of all copies of material claimed by legislation, paradoxically produce considerable **shortcomings** and **structural difficulties**, such as: high expenditure from depositants on the one side and, on the other side, great efforts from the depository insitutions in providing for the efficient collection of such enormous quantities of different kinds of material, their recording, storage, and subsequent preservation.

Consequently, in the framework of legal deposit practice, the main goal to be achieved, by improving the laws already in force, or by issuing new ones, is to ensure the provision of a **well established synergy** amongst all the above mentioned factors. Only on this condition, as a necessary **pre-requisite**, can legal deposit effectiveness be improved.

CONCLUSIONS

The picture resulting from information, figures and other performance indicators provided by the depository libraries surveyed and outlined in the final synthesis of this report, shows that there are many formal and structural shortcomings in the current implementation of legal deposit management systems.

Besides such shortcomings, there are further, more specific issues to be taken into account whose solution are still left to open discussion, namely:

- all the material subject to deposit although it has never been (or will never be) published;
- all imported and exported material subject to deposit in the hosting country and the resulting inhibition of import/export markets (and a possible distortion of competitiveness) due to the incompatibility of different legal deposit systems;
- financial implications and operational difficulties derived from the deposit of material produced and published in colonies which fall inside the jurisdiction of the countries in object;
- the need for providing the depository institutions with clear and more detailed "**priority-guidelines**" in order to exercise a more attentive and strict selection of the enormous quantity of "*trivial material*";
- the rejection, according to specific guidelines, of the material, received by mistake, which is not subject to deposit or whose copies exceed the number required for deposit;
- interferences and incompatibility between legal deposit provisions and "**Copyright**" concerning *electronic media* (computer programmes, films, videos etc.), radio and television broadcastings, and sound recordings: in this context a solution proposed is "*restriction on usage*" applied to the copies deposited;
- the need for drafting adequate legislations concerning the deposit of material published by *Intergovernmental organizations*.

As one can see legal deposit is not a field limited to the world of libraries only. In terms of being objective the discrepancies and the tension between the *traditional approach* in dealing with legal deposit and the *quick changes* brought about by contemporary communication and technology-oriented societies are the main sources of almost all drawbacks encountered in the legal deposit systems outlined in this study.

Such discrepancies are mostly due to the fact that, in our times, the main issue on which the practice of legal deposit was originally based (censure and state control on publications) has no reason to exist any longer. Given this fact, which has been commonly recognized, it is absolutely necessary to change the current mental attitude and the resulting practice of legal deposit by converting it from a inhibiting out-of-date institution (and a "licit" way of expropriating and collecting material for free) into a more adequate means for the development, promotion and optimization of public information.

In this context, it is necessary to prepond effectively the idea that legal deposit (when rationally and effectively exercised) does not constitute a real levy on depositors (publishers, printers, or authors) when, in exchange for the material deposited, they gain free publicity by having their publications included in the national bibliographic records.

The current legal deposit library systems, as we have seen, are not able to carry out their aims and mandates properly because of (primarily) insufficient funds. Since the most basic response, when depository institutions are questioned about relevance and their need for money, is to demonstrate the *need and the value of the practice*, more **systematic, scientific, and targeted attempts** to obviate shortcomings and deficiencies and to enhance value and efficiency in legal deposit systems are required.

With this view, the data concerning the practice of legal deposit in the European Community, provided by this study, would just be so many numbers on the pages if they were not also potencially useful for the **application of strategic planning to libraries' legal deposit management-systems**, in compliance with our contemporary information and technology intensive age.

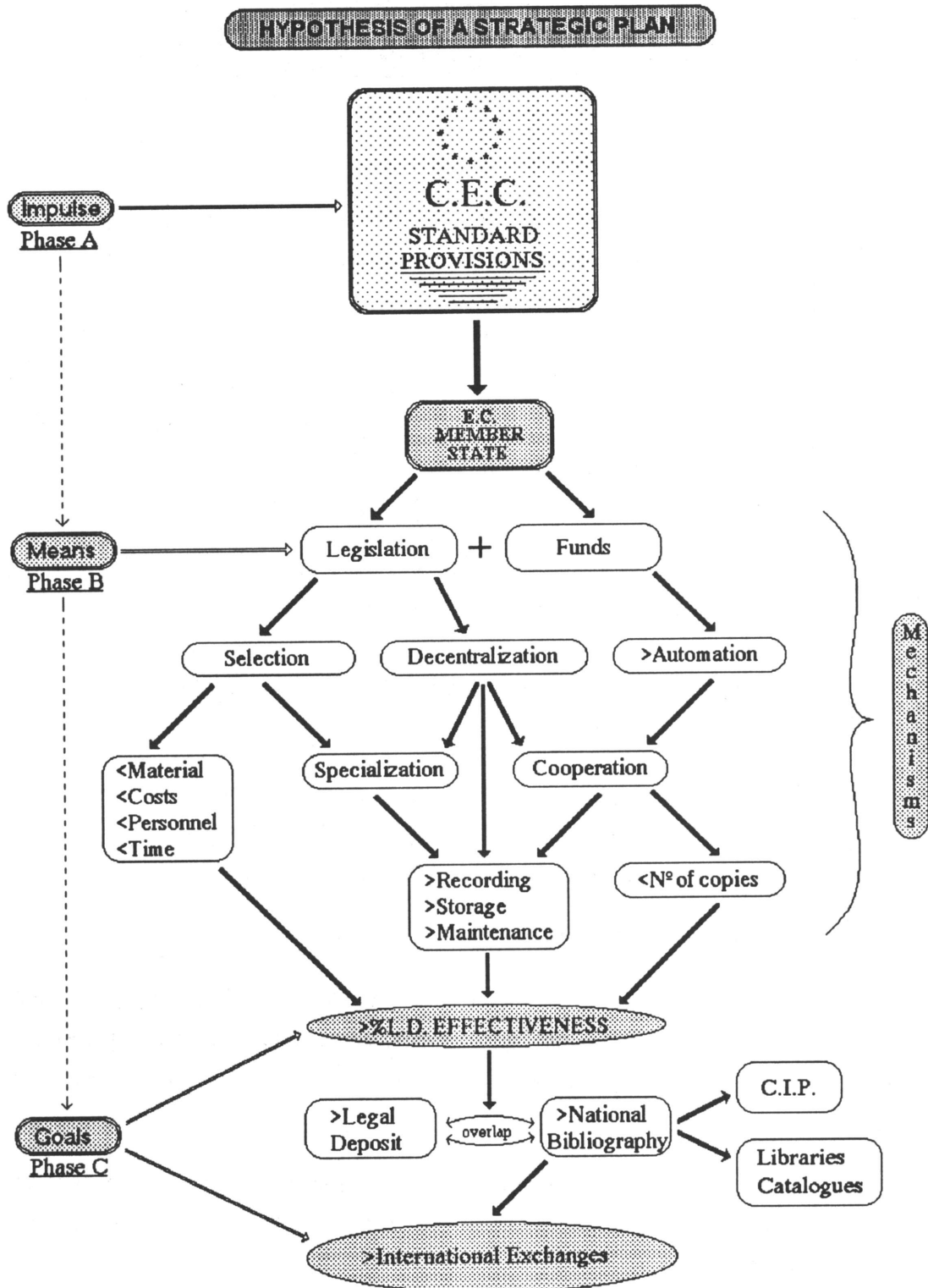
In order to implement the effectiveness of legal deposit, as we have seen, it is necessary to create **synergy** among the different elements on which legal deposit systems are based. This can only be achieved by re-arranging the current legal deposit management policy on a more systematic and rational basis.

In terms of meeting the above mentioned requirements, **pragmatism and capitalization on medium-long term objectives** are the principles on which *strategic-planning* and *feasibility studies* need to be based. This involves the production of **standard legal deposit library systems** whose *key issues* are **selection, decentralization, specialization and cooperation policies**, supported by a number of formal and structural mechanisms, operational measures and financial incentives.

Of course, to embark upon a *long-term strategy-planning exercise*, depository institutions, and libraries in general, have to be sponsored and supported by their governing bodies, public entities and institutions. Unfortunately budgeting is quite often a political process to which more scientific approaches give way. In order to cope with both, financial implications and structural needs, governments and public organizations have to come to a *broader-based view* and, consequently, to conceive and exploit the "ancient institution" of legal deposit partly as a way of improving and developing public information (at national and international level), preserving the national cultural heritage and a way of generating considerable incomes in industrial and technology-oriented markets.

SUGGESTIONS

On the basis of what it has been said so far (as a result of all data, arguments and suggestions expressed by the depository institutions surveyed) and all the facts outlined in the final synthesis, an **example of strategic plan at Community level** is proposed below. *It is a hypothesis for long-term strategic planning which summarizes and simplifies the dynamics and the interconnections between the different factors involved in the field of legal deposit at European level.*



HYPOTHESIS OF A STRATEGIC PLAN

This hypothesis of a *strategic plan* consists in three main "phases":

Phase A - the "impulse"-,

is the starting point from which the whole system originates. It is represented by a number of **standard provisions**, or a single **general directive**, dictating the rules for implementing a "*unified*" practice of legal deposit within the Member States of the European Community.

- These provisions are to be produced at Community level and adopted by all the E. C. Member States. Of course such provisions have to take into account both the needs for **standardization** and **unification** at international level, as well as the **specific needs** (financial, social, etc.), environmental and structural characteristics of the current national legal deposit systems.
- This means changing the national legal deposit policies and, consequently, the structural organization of the library systems, and conforming them to a more homogeneous and coherent system set up in a European dimension.

Phase B - the "means" and the "mechanisms" -

by which the Community directives are implemented, after being adopted and filtered by the national governments, are **new national legislation** whose main goal is the re-organization of the current legal deposit systems with the support of public **funds**.

- As we have seen **selection** and **decentralization** are the main principles on which national provisions can be based in order to achieve *efficiency cost-effectiveness*.

- A *selection policy* would lead to **specialization** of the libraries according to specific fields of competence (subjects and territory) and, consequently, to the improvement of the collection, recording, storage and maintenance processes. At the same time the selection process would decrease the quantity of material received by the different depository libraries, the structural, organizative and administrative costs involved in the whole system, the number of personnel involved, and the time required from the exercise of the procedures.
- The adoption of a **decentralized** system would facilitate the development of *cooperation policies*, both between the different depository institutions (central, local and specialized ones), and between them and depositors (publishers, printers and authors) and, consequently reduce the number of copies required for deposit.
- The provision of public **funds** would enable and extend the use of **automated systems** in the field of legal deposit by providing the depository institutions with more **technology-advanced equipment** and by providing depositors with financial incentives.
- This would speed up the implementation of the *cooperation-policy* and the achievement of all the direct advantages deriving from it.
- Such are some of possible direct, as well as indirect effects produced by the **means** applied and the **mechanisms** involved in *phase B* of this hypothesis for strategic planning.

Phase C

- the achievement of the "Goals" -.
- The first direct effect produced by the re-organization of legal deposit systems, according to the model proposed, is the **improvement of legal deposit effectiveness**.
- The achievement of a higher effectiveness rate would possibly produce, as a subsidiary effect, a **positive "overlap" between legal deposit and the National Bibliographies**. By improving the national legal deposit management system, in fact, the National Bibliographic **records** would benefit from the

provision of information and more detailed and up-to date description of new publications. Vice versa the depository libraries would benefit from all services provided by the National Bibliographic records supported by the exploitation of the C.I.P..

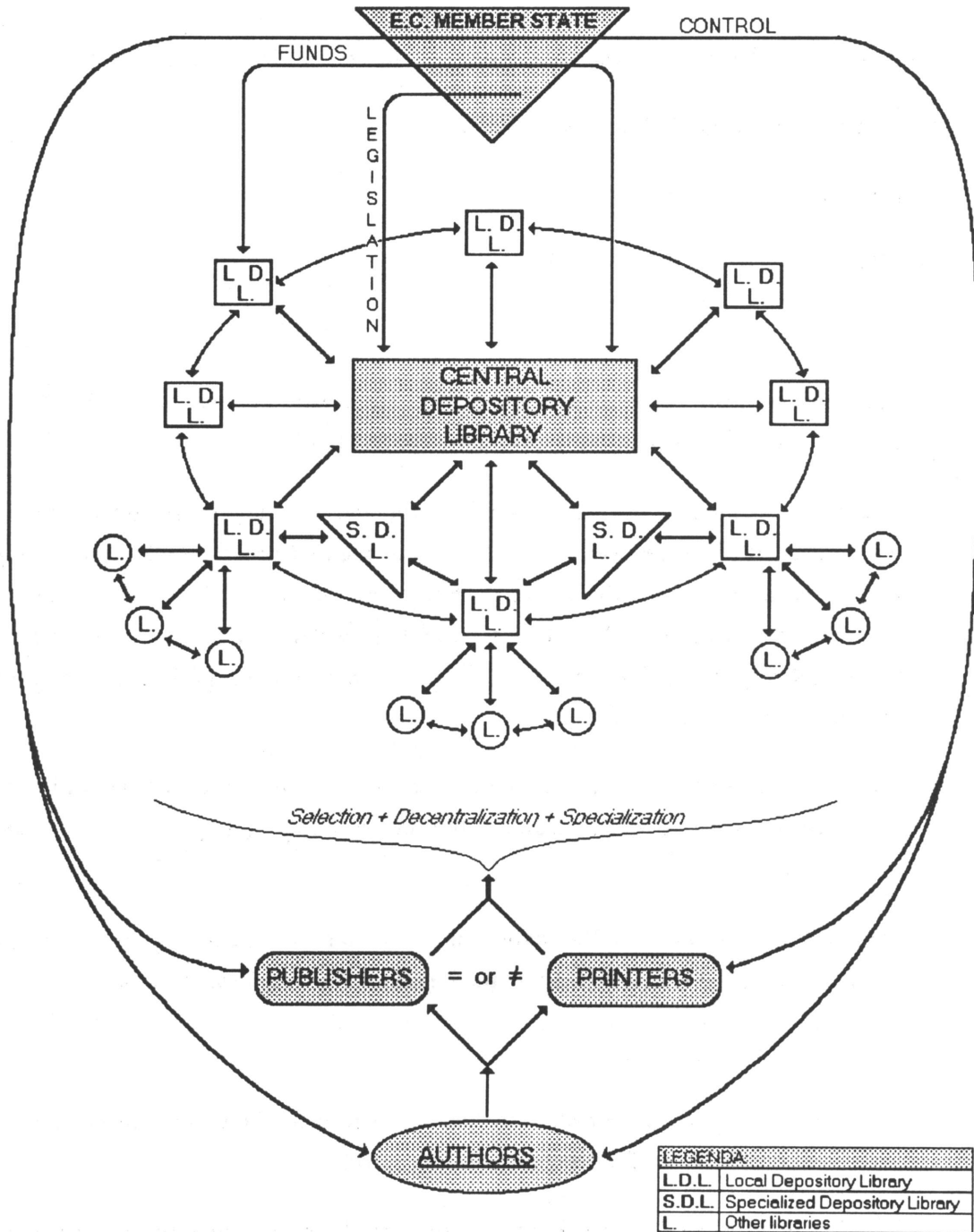
- This sort of *closer, mutual, and profitable interdependence* between the improvement of legal deposit effectiveness and the compilation of the National Bibliographies would, as a direct consequence, enhance **international** (in a European as well as a world wide context) **exchange** of data, both in the field of legal deposit and of National Bibliographies.

This hypothesis of a strategic plan for the re-organization of legal deposit systems in the European environment, is not to be seen as a universal solution to such a complex issue; it is only an **example** of how value and efficiency in this field can be achieved, by applying a more **systematic, approach with targetted operational measures at international level**, in the common perspective of European unification.

The model proposed, as we have seen, is based on the principles of selection and decentralization and it shows how far this option can affect the different elements involved in the mechanisms of the system as a whole.

Taking selection, decentralization and specialization as the best possible options for the implementation of feasibility studies on the *re-arrangement* of the current structure of legal deposit systems, a scheme describing a *theoretical model of a national legal deposit system* based on the above mentioned principles is given below.

**MODEL OF NATIONAL LEGAL DEPOSIT SYSTEM
BASED ON SELECTION, DECENTRALISATION
AND SPECIALISATION**



MODEL OF NATIONAL LEGAL DEPOSIT SYSTEM

As one can see from the model, three are the parties involved in the system, namely:

- 1) The **governments** of the E.C. Member States;
- 2) The **depository libraries**;
- 3) **Depositors**.

- 1) According to the structure of this model the State exercises *three main functions*, namely the **legislative**, the **financial** and the **control** ones.
 - In terms of priorities the State provides for the issuing of *national laws* in accordance with the general directives at European Community level adapting them, when necessary, to the national library environment and to specific needs. The formal provisions established by the national legislation are addressed either to the central depository library or to the local ones, following the principles of *decentralization* and *specialization*.
 - The **control** is exercised by the State, possibly in *direct cooperation* with the depository libraries, over depositors, the latter being alternatively publishers, printers, or authors.
 - The **financial allocation** of the state's funds is exercised according to a *selective approach*, criteria of which depend on the *model* of *decentralization* adopted.
- 2) The **operative bodies** are the *depository libraries*, whose characteristics and functions are defined on the basis of a decentralized structure.
 - Following such principles, the central depository library becomes the *consignee* of all national, as well as foreign, publications subject to deposit of general interest. This

could be for all book and non-book material except for thesis and academic dissertations.

- The central depository library is supported by some *specialized depository libraries* intended for the collection of material according to specific areas of competence (scientific, technological, artistic, etc.) or to specific recording, storage and maintenance processes required by the material received (for example for H, I, L, M, and N non-book material).
 - The **local depository libraries**, according to the *principle of selection*, are in charge of the collection of material whose relevance is more of a local interest (for example for D, E, F and G material). They exercise the double function of local *storehouses* for the material received, and of *terminals* for the provision of bibliographic data and information in close cooperation with the national depository library.
 - According to the principle of *cooperation*, all other libraries gravitate around the depository institutions. The adoption of a *cooperation-policy* in a *decentralized system*, supported by the extension and development of *automation*, provides the means for establishing closer inter-relationships between the different libraries. By exploiting a "*closed circuit*" (like the one proposed in the scheme for example) all libraries, public and private cultural organizations and other entities would be interconnected to each other like *linked satellites*, whose "*gravitation-center*" is represented by the **central depository library** acting as main "*data-bank*".
- 3) **Depositors**, according to the principles of *selection*, *decentralization* and *specialization*, and following the methodology, terms and conditions established by the national law, accomplish the procedures of deposit by allocating the material to the pertinent depository institutions. It is very important, in this context, to specify clearly which is the responsible party for deposit. It is even more important, as claimed by several countries surveyed, to designate only one depositor-party which can be alternatively publishers, printers or authors themselves. This would be one way, besides other financial incentives, to overcome the problem of the high number of copies and high expenditure sacrificed for deposit purposes by depositors.

- By establishing direct relationships between **depositors** and the **State**, both parties can practice the function of *mutual control*. On the one side, in fact, the State can control whether depositors have accomplished the deposit according to the procedures and terms established by law; on the other depositors can verify whether the depository institutions virtually exercise the "*restriction on usage*" applied to some kinds of material subject to "*Copyrights*".

RECOMMENDATIONS

In order to *finalize* the efforts applied to the improvement of legal deposit practice (besides the strategic plan hypothesis and the model of national legal deposit system suggested by this study as possible solutions) further **recommendations** need to be outlined as follows:

- To be considered as "*general guidelines*";
- a) It is necessary to **change the general approach** to the field of legal deposit by converting the current connotation of inhibition, compulsion and expropriation, which traditionally accompany this issue, into a broader-based view. A more adequate approach currently required would be conceiving the effective practice of legal deposit (besides being a means for the preservation and transmission of the national cultural heritage) as a considerably useful means for the development and promotion of public information.
- b) In order to implement legal deposit effectiveness and, consequently, to promote international exchanges, a more pragmatic and standard approach, based on a *selective acquisition policy* and *decentralized systems*, is required. To reach expectations in this context, the provision of adequate *planning-exercises* is required at international level.
- c) With the view of conforming to international standard directives and political options, it would be necessary for the E.C. Member States to **re-organize** the structure of the national legal deposit systems. The setting of *medium/long-terms objective*, to cope with international requirements and internal needs, would be indispensable to this purpose.

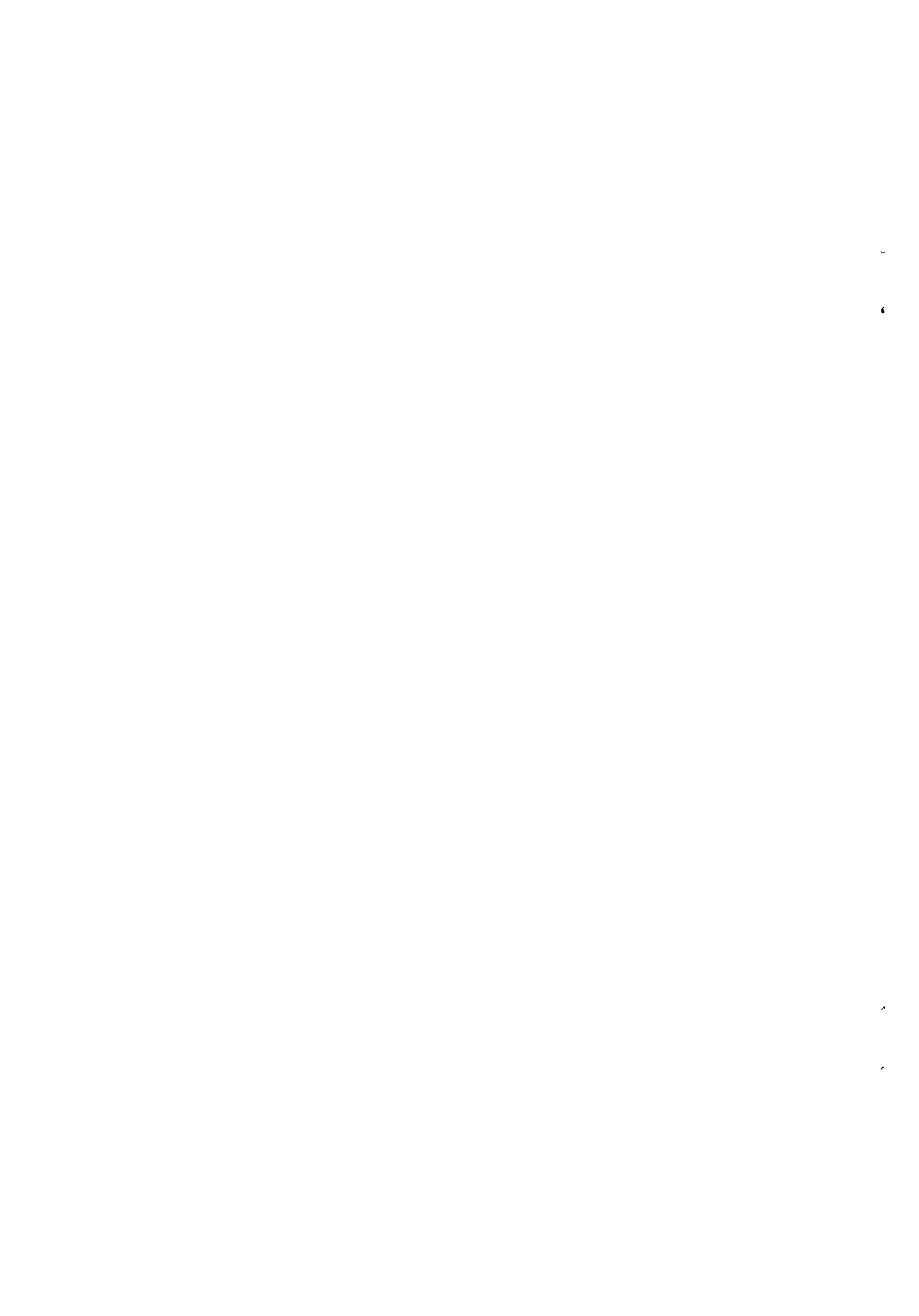
- d) The depository libraries should enhance a cooperation policy by promoting contacts with other national libraries, with international organizations and public entities, with academic and professional bodies and with subject experts, in order to develop national strategies and operational measures for acquisition, retention and disposal procedures.

- Specific recommendations:

- d) In the frame of legal deposit strategic planning the extension and the development of automation is required in order to support cooperation between different institutions, to facilitate the material collection, to speed up recording processes and to achieve a more effective implementation of legal deposit bureaucratic procedures.
- e) Promoting financial incentives, such as partial or full reimbursement of expensive material and delivery costs and, above all, decreasing the number of copies required for deposit by law, would encourage depositors to accomplish legal deposit procedures more willingly.
- f) In order to implement effectively a selective acquisition and retention policy, more *staff time* should be allocated to controlling legal deposit intake supported by the implementation of specific and clear "Guidelines".

An institution is the embodiment of an ideal. In order to survive, an institution must fulfill **two conditions**: it must be properly, or at least sufficiently, **organized** to sustain the ideal which gave it birth , and sufficiently responsive to remain **relevant** to the society which supports it.

This study provides a number of data, information, comments and suggestions in order to facilitate the elaboration process of an appropriate planning strategy. It is now the task of the responsible bodies to finalise it, by finding adequate and pragmatic solutions, so that the institution and the practice of legal deposit will still be considered as a "key issue" in our technology and information-oriented society.





ANNEX

SAMPLE QUESTIONNAIRE

The *questionnaire* which was sent to survey relevant organisations in each E.C. Member State (depository institutions, National/Central Libraries, Ministeries of Education, etc.) is represented below.

- Each questionnaire is divided in two parts, respectively concerning *book material* and *non-book material*.
- Each one of the two parts specifies the *different kinds of materials* according to the *nature of the publication* and to the *technical medium* on which it is printed, namely:

BOOK MATERIAL

- A) **Monographs;**
- B) **Periodicals;**
- C) **Official publications;**
- D) **Printed music;**
- E) **Maps, plans, atlases;**
- F) **Prints, pictures, posters;**
- G) **Thesis and academic dissertations.**

NON-BOOK MATERIAL

- H) **Sound recordings;**
- I) **Music recordings;**
- L) **Films;**
- M) **Video material;**
- N) **Radio and television broadcastings.**

The Institutions surveyed were asked to provide information (data and figures), for each one of the above-mentioned kinds of material, concerning the following parameters of reference and performance indicators:

- **National/Central/local depository libraries or institutions in charge for the collection of legal deposit material;**
 - **National/regional legal basis currently in existence;**
 - **Coverage of legal basis (range of publications subject to legal deposit);**
 - **Criteria applied for collection of legal deposit material;**
 - **Depositors (publishers, printers, authors and other parties in charge for the deposit of legal deposit material);**
 - **Forms of cooperation between depository institutions;**
 - **Forms of cooperation with other parties;**
 - **Number of copies required for deposit;**
 - **Time limit for deposit;**
 - **Penalties adopted when deposit procedures and terms have not been accomplished;**
 - **Reimbursement accorded to depositors for some kinds of publications;**
 - **I.S.B.N. attribution;**
 - **Annual intake of legal deposit material;**
 - **Annual growth rate of legal deposit material;**
 - **Data Processing of legal deposit material;**
 - **Time delay in processing;**
 - **Editing delay in processing;**
 - **Bibliographic products concerning legal deposit material;**
 - **Legal deposit effectiveness (quantitative or qualitative estimation).**
-

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- **Information, data and figures provided by this study are drawn from the questionnaires issued by Mr. G. Vitiello which were duly filled-out and returned by the institutions surveyed largely complemented by relevant information packages and brochures; for further references, please see *Acknowledgements* in the introductory chapter.**

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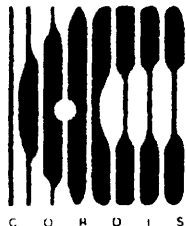
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