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an agency of the  
**Department of Arts and Culture**




**LEGAL DEPOSIT AND THE NATIONAL LIBRARY OF SOUTH AFRICA**

**PRESENTED BY NICOLA POTGIETER**

**01 OCTOBER 2016**

**LIASA 17<sup>TH</sup> ANNUAL CONFERENCE, DURBAN 2016**



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- **LIBRARIES AS REPOSITORIES OF PUBLISHED MATERIAL**
  - **MANDATORY LEGAL DEPOSIT**
  - **PARTICIPATING COUNTRIES**





➤ **LEGAL DEPOSIT IN SOUTH AFRICA**

➤ **PURPOSE OF LEGAL DEPOSIT**

➤ **FUNCTION OF NATIONAL LIBRARIES**

➤ **LEGAL DEPOSIT COMPLIANCE ISSUES**






➤ **WHAT IS LEGAL DEPOSIT**



➤ **WHAT TYPES OF MATERIAL ARE SUBJECT TO LEGAL DEPOSIT**

➤ **WHAT IS THE IMPORTANCE OF LEGAL DEPOSIT**




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- **LEGISLATIVE INFRASTRUCTURE THAT SUPPORTS LEGAL DEPOSIT**
  - **LEGAL DEPOSIT ACT 54 OF 1997**
  - **NATIONAL LIBRARY OF SOUTH AFRICA ACT 92 OF 1998**
  - **CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA ACT 108 1996**
  - **PROMOTION OF ACCESS TO INFORMATION ACT 54 2002**



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- **LEGAL DEPOSIT COMPLIANCE MONITORING PROCESSES**
  - **PUBLISHERS ARE REQUIRED TO RETURN PREVIOUS LISTS OF ISBN**
  - **RETURNED LISTS ARE CHECKED AGAINST THE ILMS FOR RECEIPT**
  - **PERIODICAL CHECK-IN BOXES ARE SCANNED FOR NON-RECEIVED ITEMS**
  - **SCAN LOCAL MEDIA FOR NEW RELEASES**
  - **SCAN SOCIAL MEDIA FOR NEW RELEASES**
  - **CONSORTIUM MEMBERS SHARE LISTS OF RECEIPTS**



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- **MATTERS OF LEGAL DEPOSIT COMPLIANCE**
  - **PRESERVATION AND USE COPIES**
  - **NON-COMPLIANCE ON THE PART OS SOME PUBLISHERS**
  - **NON-DEPOSIT RESULTS IN AN INCOMPLETE COLLECTION**
  - **NEED TO UNDERSTAND THE REASONS FOR NON-COMPLIANCE**
  - **IMPORTANCE OF PUBLISHERS AND THE NATIONAL LIBRARY WORKING TOGETHER TO ACHIEVE A COMPREHENSIVE COLLECTION OF THE COUNTRY'S DOCUMENTARY HERITAGE**







➤ **CONCLUSION**

➤ **THANK YOU**





**LEGAL DEPOSIT OF ELECTRONIC PUBLICATIONS – WHAT  
ARE THE CHALLENGES FACED BY NATIONAL LIBRARIES IN  
AFRICA**

**PRESENTED BY MARIETJIE DE BEER**

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➤ **INTRODUCTION**

- **Cultural and intellectual heritage is primarily the responsibility of national libraries, but in Africa it could be public and university libraries, national archives and government libraries that act as legal depositories**
- **Electronic publication according to the Online Directory for Library and Information Science or ODLIS is “a work in digital form, capable of being read or otherwise perceived and distributed to the general public electronically. It includes electronic journals, electronic magazines and newspapers, electronic books, Web sites, Blogs, etc. Some electronic publications are online versions of print publications and others are born digital”**





➤ **INTRODUCTION**

➤ **CHALLENGES**

➤ **LEGAL DEPOSIT LEGISLATION**

➤ **COPYRIGHT AND INTELLECTUAL PROPERTY**

➤ **MECHANISM FOR DEPOSITING (IDENTIFICATION AND SELECTION)**

➤ **PRESERVATION**

➤ **HUMAN RESOURCES**

➤ **COST RELATED CHALLENGES**

➤ **INFRASTRUCTURE**





- **LEGAL DEPOSIT LEGISLATION**

- Legislation - updates take time

- Number of acts – Uganda as example

- Punitive measures

- **COPYRIGHT AND INTELLECTUAL PROPERTY**

- Legal and ethical questions

- Legislation and licences best options

- Digital Rights Management – technical protection and restrictions

- Non-compliance

- Western copyright vs African collective ownership

Cont.





- **MECHANISM FOR DEPOSITING**

- **Unique identification – Digital Object Identifiers (DOIs) and Uniform Resource Names (URNs)**

- **Fast growing – Selection policies**

- **Quality judgement – importance, future value, copyright allows access**

- **PRESERVATION**

- **Differences from country to country – copying**

- **Technology to create, store, access**

- **Long-term preservation and access**

- **Frequent hardware and software updates**

**Cont.**





- **HUMAN RESOURCES**

- **Staff - training and retention**

- **ICT training**

- **Skills**

- **COST RELATED CHALLENGES**

- **Collaboration e.g. consortia**

- **Budget**

- **INFRASTRUCTURE**

- **Facilities**

- **Connectivity**

- **Telecommunication – ICT infrastructure and policies**

- **CONCLUSION**





**THANK YOU**

