

British Library international survey on E-Legal Deposit 2011: Summary of findings

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CDNL Annual Meeting 2010 Discussion Group A

At last year's CDNL meeting, Discussion Group A on e-legal deposit:

- received a report on the BL's 2009 survey on e-legal deposit
- noted the importance of such comparative international data to support advocacy and as a means of sharing best practice;
- agreed there would be value in updating the survey, broadening its scope to CDNL members;
- recognised the value of distilling the principles relating to e-legal deposit;
- and also of developing a CDNL advocacy pack, identifying the arguments that resonate in support of legal deposit / e-legal deposit.

British Library tasked with conducting 2011 survey and reporting back.

British Library Survey on e-Legal Deposit 2009

- Survey conducted by British Library in early 2009
- Questionnaire issued to all members of the Conference of European National Librarians (CENL), plus the remaining G8 countries and a number of other nations.
- For each category of electronic publication, the questionnaire asked:
 - whether or not e-legal deposit or equivalent legislation had already been enacted, or would be in place before 2010;
 - whether the legislation had actually been implemented and put into effect;
 - whether material is already being deposited under legislation; and
 - broadly what terms of access are applied.

British Library 2009 Survey on e-Legal Deposit: Findings

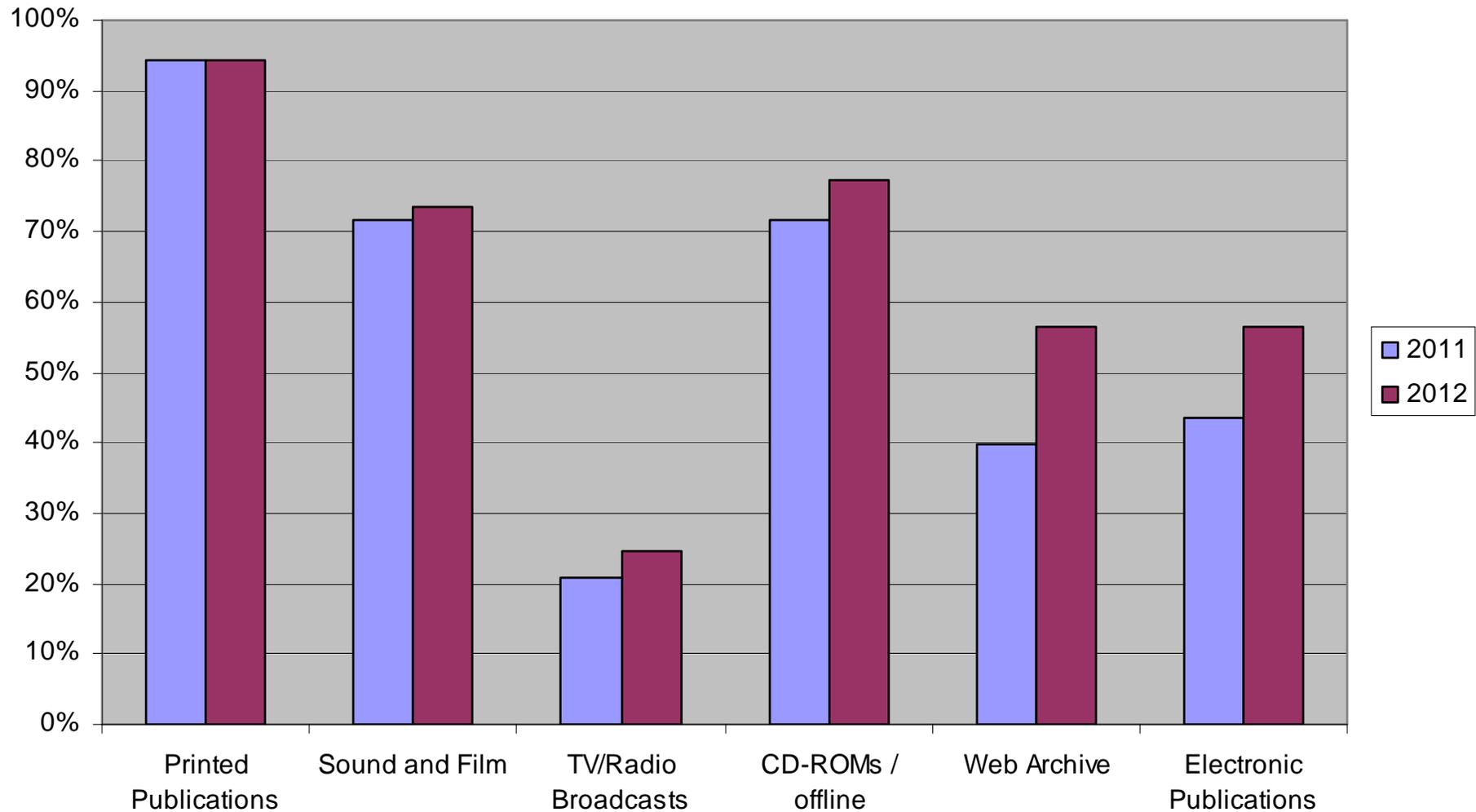
- 76% of 35 respondents reported e-legal deposit legislation passed and implemented at least for offline
- A further 6% (2 respondents) expected legislation to be in place by 2010
- 18% of respondents reported that e-legal deposit legislation had not been passed and was not in process
- 35% of respondents are able to collect free online material
- The same 35% are also entitled to collect e-books, e-journals, and other commercial online publications under the same legislation. (A further 2 respondents anticipated legislation to permit this in 2010).
- 18% of respondents reported that their existing legislation required deposit / collection of structured data behind query-driven services
- Access arrangements are generally more generous than those proposed for the UK

CDNL 2011 survey

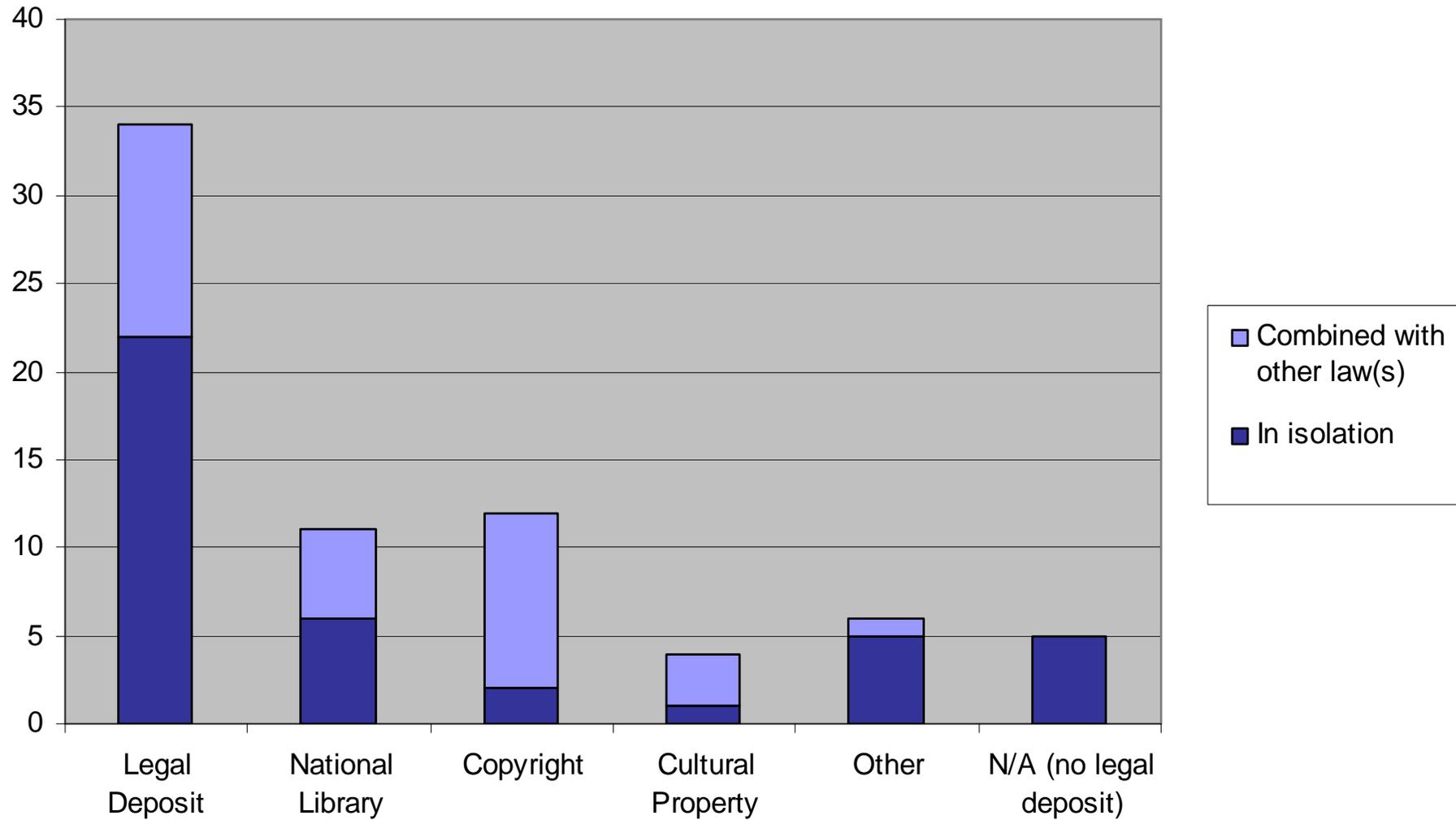
55 responses (35 in 2009)

	2011	2009
Middle East	2	0
Europe	31	30
Caribbean	3	0
Asia	9	1
S America	2	0
N America	3	2
Africa	3	0
Oceania	2	2
Total	55	35

CDNL members with legal deposit legislation



Types of legislation for legal deposit (June 2012)



Printed books and serials

94% of libraries have some form of legal deposit for print. Comments:-

- The Netherlands has a tradition of voluntary deposit.
- Switzerland has a mix of voluntary deposit schemes and purchasing agreements.
- In Cyprus, the deposit function is with the Ministry of Interior (Press and Information Office) instead of the national library, as a legacy of colonial censorship.
- In Japan, official publications and commercial publications are deposited with the National Diet Library: for commercial publications there is a compensation scheme whereby publishers are compensated for the cost of deposit.

34% of national libraries collect dissertations, but most do not consider them part of legal deposit.

Recorded Sound & Screen Materials

71% (37) of responding countries have legal deposit for recorded sound and published screen material.

Sound

- 35 national libraries have legal deposit for recorded sound
- In 2 countries, the recipient of legal deposit for recorded sound is a different body
- 2 further national libraries operate voluntary schemes of deposit

Screen

- 31 national libraries have legal deposit for either DVD/films or other video
- In 6 countries, the recipient of legal deposit for screen is a different body
- 1 further national library operates voluntary schemes of deposit

The norm is that access is restricted to use within the institution only.

Broadcast TV and Radio content

TV

- 10 countries report having legal deposit for broadcast TV
- In 4 countries, the recipient of legal deposit for broadcast TV is the national library; in 4 countries it is a different body
- In 2 countries, legal deposit for broadcast TV is not yet implemented
- 3 further national libraries operate archiving agreements

Radio

- 9 countries report having legal deposit for broadcast radio
- In 3 countries, the recipient of legal deposit for broadcast radio is the national library; in 4 countries it is a different body
- In 2 countries, legal deposit for broadcast TV is not yet implemented
- 3 further national libraries operate archiving agreements

The norm is that access is restricted to use within the institution only.

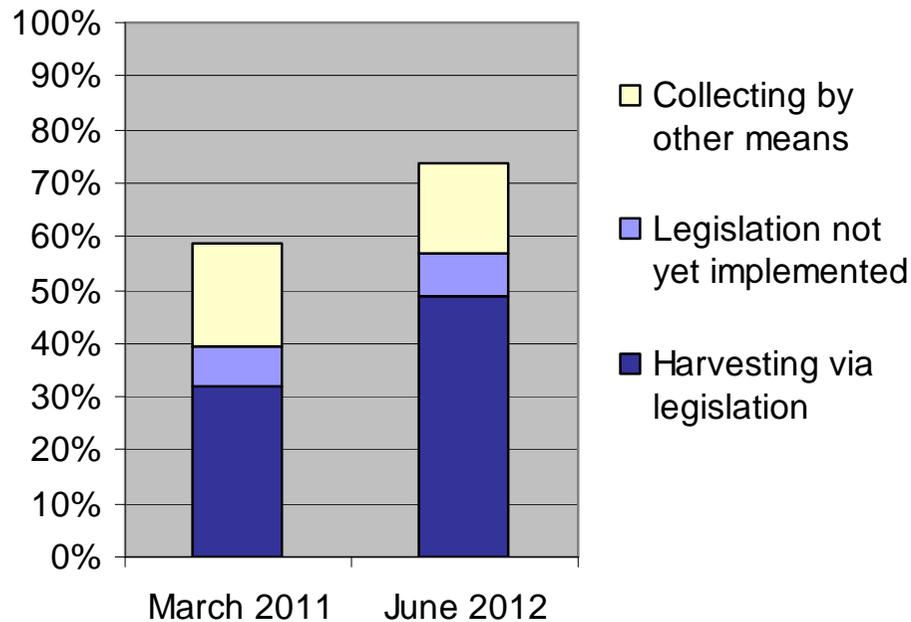
CD-ROMS and Offline publications

- 38 (73%) of national libraries – or 41 (79%) by next year – have legal deposit or other legislation for CD-ROM publications.
- Another 8 (15%) currently receive CD-ROM publications through voluntary deposit schemes.

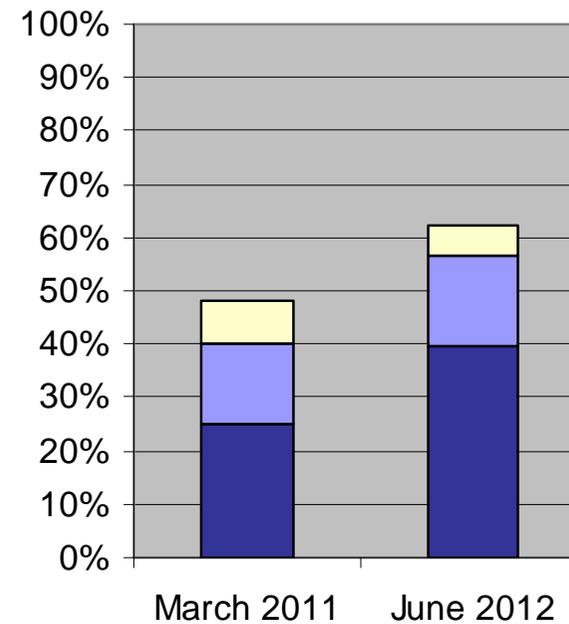
Web harvesting

- 21 (40%) already have legislation which enables harvesting.
- 30 (58%) national libraries will have legislation by June 2012.

Selective harvesting



Domain-wide harvesting



Web archive access

Four models:-

1. Dark archive – access permitted only by special application.
E.g. domain-wide harvests done by Internet Archive for the national library (Australia, USA) or because of personal data issues (Norway).
2. Access only for authorised/registered national library users, on site (France, Germany). The UK regulations in 2012 will restrict access to one reader at a time for the same website.
3. Any person in the national library may use the archive, usually on site. (Austria, Canada, Finland).
4. The archive is freely available online. This is predominantly the case for selective harvests where individual website owners have given permission (UK in 2011, Australia, Japan, Korea, Singapore...).

E-books and E-journals - collecting

23 (44%) national libraries already have relevant legislation. This will increase to 30 (58%) by June 2012.

However, only 14 (27%) libraries are actually collecting e-books or e-journals via legal deposit – 19 (37%) by June 2012. Others have not yet made use of the legislation.

Currently 9 national libraries report they are collecting by other means. The Netherlands has long provided an archiving service for e-journal publishers. The UK has a voluntary deposit scheme for e-journals, Switzerland for both e-journals and e-books.

Of the total 23 libraries now collecting e-publications (either by legal or voluntary deposit):

- 7 collect open access but not paid for (commercially published) works
- 5 collect commercially published but not open access works
- 11 collect both categories.

E-books and E-journals – access (June 2012)

Of 26 countries with relevant legislation or collecting through voluntary schemes...

	Open access e-publications	Commercial e-publications
Accessible to readers, both in the library and also remotely	14	3
Only accessible within library premises, but without restricting the number of readers	4	13
Only accessible to 1 reader at a time within library premises	1	2
'Dark' – access is by application only	2	3
<i>Unspecified / unclear from survey</i>	5	5

British Library 2011 Survey on e-Legal Deposit: Findings

- 94% of 52 responding CDNL members reported legal deposit for printed publications
- 73% of national libraries – or 79% by next year – have legal deposit or other legislation for CD-ROMs
- 40% of national libraries – or 58% by next year - have legislation which enables web harvesting.
- One quarter of national libraries undertake domain-wide harvests and one third undertake selective harvests under the appropriate legislation
- There are 4 main web archive access models: generally speaking, permitted access is more restrictive than the original except where permissions have been granted
- 44% of national libraries - or 58% by next year - have legal deposit for e-books and e-journals
- Generally speaking, permitted access to e-books and e-journals is in line with library access to subscription models