

**LEGAL DEPOSIT ACT
1999**

Legal deposit Act: An Act to Collect, Preserve and Manage Bhutan's Documentary Heritage (1999)

Whereas, it is expedient for the Royal Government to collect and preserve all forms of documents (Print, non –print, electronic, audio visual and electronic texts) of national interest and importance, emanating from and relating to Bhutan.

Whereas, it is necessary for the Royal Government to facilitate the creation of a comprehensive bibliographic recording of the documents emanation from and relating to Bhutan: current and retrospective;

And whereas, it is desirable for the Royal Government to make available and promote awareness of the nation's documentary heritage;

Therefore, the National Assembly of Bhutan hereby enacts this Legal Deposit Acts: An Act to Collect, Preserve and Mange Bhutan's Documentary Heritage (1999).

1. Title, Extent and Commencement of the Act

This Act shall be called the “Legal Deposit Act: An Act to Collect, Preserve and Mange Bhutan's Documentary Heritage.”

This Act shall extend to the entire Kingdom of Bhutan as well as to all Bhutanese citizens residing outside the country.

This Act shall come into force with effect from 20th , July 1999 corresponding to 8th day of the 6th month of the Earth Rabbit Year

2. Definitions

“Legal Deposit” means to legally collect, preserve, and organize the materials published in and about Bhutan.

“Library Material” includes both printed and non-printed materials.

“Printed materials” include books, newspaper, magazines, serials, government publication, mops, charts, tables, drawings, graphic arts, photographs, catalogues and posters produced by printing, lithography, photography, xylography, duplication or any other similar processes.

“Non-printed materials” include educational cinema, tele-films, documentaries, microfilms, audio-visual, recordings, electronic media (computer software, CD-ROM), Braille and any other media containing information.

“Publisher” refers to private organizations, companies, government and non-government and non-government organizations, individuals or private sectors who undertake the production of materials for the purpose of selling or free distribution.

3. Designation of the National Library and Archives as the Official Repository

The National Library and Archives shall be designated as the official repository of all documents to be collected/deposited under this Act and shall assume the following functions related to documentary heritage;

To build up a complete collection of materials, published or produced in any language, emanation from or relating to Bhutan.

To analyse, describe, preserve and make available for use its collection of the materials referred to in Article 3.1.1

To render bibliographic service and serve as the National Bibliographic Agency

4. Collection and Preservation

Within three months of the publication/production of any material, publishers/producer are required to deposit at the National Library and Archives, free of cost, four copies of the material, if printed and two copies of the material, if non-printed.

Of the four copies of printed materials received, the National Library and Archives shall allocate 1 (one) copy for the purpose of preservation and record, 1 (one) copy for reference and the remaining 2 (two) copies for inter-library use. In the case of non-printed materials, 1 (one) copy shall be allocated for preservation and record while the other copy shall be kept for reference.

The provision for interlibrary use shall be in accordance with the rules and regulations of the National Library and Archives.

Where materials are published by the government, government-owned or related sectors or organizations, 10 (ten) copies of printed materials and 5 (five) copies of non-printed materials shall be deposited at the Nation Library and Archives.

Of the ten copies of the materials received, 4 (four) copies shall be allocated as mentioned in Article 4.2 while the remaining 6 (six) copies shall be allocated for the publication exchange programmes of the Nation Library and Archives with nation and international organizations.

Of the five copies of non-printed materials received. 2 (two) copies shall be allocated for the purpose of preservation and record while the remaining 3 (three) copies shall be kept for reference.

5. Management of Collected Materials

The National Library and Archives shall manage all such material and maintain a record.

The record shall provide the following information:

Title/name of the publication/document/material;

The language in which the publication/document/material is written;

The name of the author, translator, or editor of the publication/document/material;

The subject matter;

The place of printing and publication/production;

The name of the printer and the name of the publisher/producer;

The date of publication/production and the date of issue;

The number of sheets or pages;

The size of publication/production

The number of the edition;

The number of copies or each edition;

The selling price of the publication/production

The mailing address of the publisher/producer or the author.

The National Library and Archives shall prepare and publish the National Bibliographic of the materials deposited.

6. No right of publication or sale without permission

Without the express permission of the copyright person/organization, the Nation Library and Archives shall have no right to duplicate any materials deposited by any medium, or sell any such materials.

However, The National Library and Archives may photocopy such documents for research purposes.

Any member of the public may use these materials as reference materials within the library.

7. Penalty

Any publisher who fails to deposit publications with the National Library and Archives as required by Article 4 of this Act shall, upon conviction be liable to a fine of Nu. 3,000.00 (Ngultrums three thousand), which shall be revised once in every five year.

Payment of fine shall not exempt such person(s)/organization(s) from fulfilling the obligations under this Act.

8. Right to reprint or reproduce

In case of copyright publications, where author, publisher, producer or his/her legal heir dies and the Royal Government is convinced that the copyright document is of utmost importance to the nation and requires to be reprinted, the National Library and Archives may reprint or reproduce such publications. Following such a decision of the Royal Government, the national Library and

Archive shall publish the notice for the claim as legal heir, prior to the reprinting of the material.