

# Legal Deposit

## WHAT IS LEGAL DEPOSIT?

Legal deposit is a statutory provision which obliges publishers to deposit copies of their publications in libraries in the country in which they are published. Under the *Copyright Act 1968* and various state Acts, a copy of any work published in Australia must be deposited with the National Library of Australia and the appropriate state library. In New South Wales, Queensland and South Australia, legislation also applies to certain other libraries and a copy must also be deposited with these libraries. Legal deposit of the material is the sole responsibility of the publisher. Legal deposit extends not only to commercial publishers but also to private individuals, clubs, churches, associations, societies and organisations.

## WHAT ARE THE REQUIREMENTS OF LEGAL DEPOSIT?

The Acts requiring deposit have a number of common features:

### Definition of a work

A work can be a book or a periodical such as a newsletter or annual report; a newspaper or a piece of sheet music; a map, plan, chart or table; a program, catalogue, brochure or pamphlet. In some states, it also includes material published in electronic format such as computer disks, CDs and DVDs.

### Definition of publication

A work is deemed to have been published if reproductions of the work or edition have been made available (whether by sale or otherwise) to the public.

### Best copy

The deposit copy must be the best complete copy of a work as published. For example, if both a hardback and paperback edition is published, one copy of the hardback edition must be deposited.

### Second and subsequent editions

A copy of a second or later edition must be deposited if there are changes or additions to the preceding edition, such as to text or to illustrations. If a book is reprinted with a change to the title or to any part of the content, or it has a different publisher, it is considered to be a new edition.

## Legal deposit claims

Publishers should deposit routinely on publication. To ensure the collection of published Australian literature is as complete as possible, a deposit library may claim, from the publisher, publications not held in their collection. This is to remind publishers of the requirements of legal deposit under the *Copyright Act 1968*.

## WHAT ARE THE BENEFITS OF LEGAL DEPOSIT?

The National Library and other deposit libraries have an obligation to preserve all material lodged with them.

Legal deposit\* ensures that:

- the works of authors and publishers survive for the use of future generations
- records for legal deposit publications are available through Libraries Australia (a shared online national bibliographic database)
- commercial and self-published work receive wide exposure
- libraries can access and order bibliographic records for published works
- selected titles are included in online indexing databases, for example, APAIS (Australian Public Affairs Information Service) and AMI (Australasian Medical Index).

\*Legal deposit of material with libraries does not provide copyright protection. Copyright protection is granted automatically once a work is created.

The National Library's catalogue is available on the Internet at [www.nla.gov.au](http://www.nla.gov.au).

The National Library provides the Cataloguing-in-Publication program (CiP). CiP is a free service offered to publishers to provide a bibliographic record for a book before it is published.

The contact details for CiP are:

Cataloguing in Publication  
National Library of Australia  
Canberra ACT 2600  
T: (02) 6262 1458  
F: (02) 6273 4492  
E: [cip@nla.gov.au](mailto:cip@nla.gov.au)  
[www.nla.gov.au/services/CIP.html](http://www.nla.gov.au/services/CIP.html)

## REQUIREMENTS OF EACH DEPOSIT LIBRARY

### Australia wide: National Library of Australia

Legal deposit with the National Library is required under the *Copyright Act 1968, s201*. The Act requires all Australian publishers to deliver a copy of library material to the National Library within one month of publication. Library material means a book, periodical (e.g. newsletter, magazine, annual report), newspaper, pamphlet, sheet of letterpress, sheet music, map, plan, chart or table.

When sending legal deposit materials to the National Library, ensure that there is a name and address attached so that a legal deposit receipt can be sent. No other documentation is required.

Legal Deposit Unit  
**National Library of Australia**  
Canberra ACT 2600  
T: (02) 6262 1312  
F: (02) 6273 4492  
E: [legaldep@nla.gov.au](mailto:legaldep@nla.gov.au)  
[www.nla.gov.au/services/ldeposit.html](http://www.nla.gov.au/services/ldeposit.html)

### New South Wales

Legal deposit is required under the New South Wales *Copyright Act 1879-1952, ss5-7*. The Act requires that a copy of every 'book' first published in New South Wales be lodged within two months of publication.

'Book' is defined in the Act as any book, newspaper, periodical, pamphlet, leaflet, music, map, chart or plan separately published and 'bound, sewed or stitched together'.

Legal Deposit  
**State Library of New South Wales**  
Macquarie Street  
Sydney NSW 2000  
T: (02) 9273 1489  
F: (02) 9273 1246  
E: [orders@sl.nsw.gov.au](mailto:orders@sl.nsw.gov.au)

Legal Deposit Officer  
**NSW Parliamentary Library**  
Parliament House  
Macquarie Street  
Sydney NSW 2000  
T: (02) 9230 2384  
F: (02) 9230 2640  
E: [libreq@parliament.nsw.gov.au](mailto:libreq@parliament.nsw.gov.au)

Legal Deposit Officer  
**University of Sydney Library**  
University of Sydney NSW 2006  
T: (02) 9351 7268  
F: (02) 9351 7305  
E: [legaldeposit@library.usyd.edu.au](mailto:legaldeposit@library.usyd.edu.au)

Legal deposit with the National Library is also required.

### Northern Territory

Legal deposit is required under the *Publications (Legal Deposit) Act 2004*. A copy of a document published in the Northern Territory must be deposited within two months of publication.

Document means any document available to the public including books, newspapers, magazines, periodicals, reports, newsletters, calendars, directories, handbooks, guides, sheet music, maps, pamphlets, audiocassettes, videocassettes, films, multimedia kits, computer magnetic tapes, computer optical disks, floppy disks, CDs, CD-ROMs, DVDs. The Act also includes Internet publications including websites and PDF files.

Legal Deposit Officer  
**Northern Territory Library**  
GPO Box 42  
Darwin NT 0801  
T: (08) 8999 3929  
F: (08) 8999 6920  
E: [NTL.Deposit@nt.gov.au](mailto:NTL.Deposit@nt.gov.au)

Legal deposit with the National Library is also required.

### Queensland

Legal deposit is required under the *Queensland Libraries Act 1988* which replaces Part VIII of the *Libraries and Archives Act 1988*. The Act requires that a copy of material published in Queensland is deposited within one month of publication with the state and parliamentary libraries.

Material is defined as every part or division of a book or periodical; a piece of sheet music, map or chart; also non-print material on audiotape, film, videorecording, disk, microfilm or microfiche. Material is considered to have been published if reproductions of the material or edition have been supplied (whether by sale or otherwise) to the general public.

Library Deposits (Queensland)  
Resource Discovery Unit  
**State Library of Queensland**  
PO Box 3488  
South Brisbane QLD 4101  
T: (07) 3840 7880  
F: (07) 3846 1926  
E: [library.acquisitions@parliament.qld.gov.au](mailto:library.acquisitions@parliament.qld.gov.au)

Parliamentary Librarian  
**Parliamentary Library**  
Parliament House  
George Street  
Brisbane QLD 4001  
T: (07) 3406 7199  
F: (07) 3210 0172  
E: [Library.inquiries@parliament.qld.gov.au](mailto:Library.inquiries@parliament.qld.gov.au)

Legal deposit with the National Library is also required.

### South Australia

Legal deposit is required under the *South Australian Libraries Act 1982, s35* and *Libraries Act Amendment Act 1989*. The Acts require that material published in South Australia be deposited within one month of publication.

Material includes a book, or a part or division of a book; a newspaper, magazine, journal, pamphlet, map, plan, chart, table, printed music, a record, cassette, film, video or audiotape, disk or other electronic item made available to the public, designed to store and facilitate the reproduction of visual images, sound or information.

Legal Deposit  
**State Library of South Australia**  
GPO Box 419  
Adelaide SA 5001  
T: (08) 8207 7261/  
(08) 8207 7281  
F: (08) 8207 7307  
[www.slsa.sa.gov.au](http://www.slsa.sa.gov.au)

Parliamentary Librarian  
**South Australian Parliament  
Research Library**  
GPO Box 572  
Adelaide SA 5001  
T: (08) 8237 9398  
F: (08) 8212 1797  
E: ill@parliament.sa.gov.au

Legal deposit with the National Library is also required.

#### Tasmania

Legal deposit is required under the *Tasmanian Libraries Act 1984, s22*. The Act requires that a book published in Tasmania be deposited within one month of publication. 'Book' means any book, periodical, newspaper, printed matter, map, plan, music, manuscript, picture, print, motion picture, sound recording, photographic negative or print, microphotography, videorecording and any other matter or thing whereby words, sounds or images are recorded or reproduced.

Legal Deposit Officer  
**State Library of Tasmania**  
91 Murray Street  
Hobart TAS 7000  
T: (03) 6233 7502  
F: (03) 6233 7506  
E: Heritage.Collections@education.tas.gov.au  
www.statelibrary.tas.gov.au

Legal deposit with the National Library is also required.

#### Victoria

Legal deposit is required under the *Libraries Act 1988, s49*. The Act requires the deposit within two months of every new publication published in Victoria. Publication includes every book, periodical, newspaper, musical score, map, chart, plan, picture, photograph, print and any other printed matter, any microfiche or microfilm and a range of other types of publication.

Legal Deposit Librarian  
**State Library of Victoria**  
328 Swanston Street  
Melbourne VIC 3000  
T: (03) 8664 7141 (books)  
T: (03) 8664 7139 (periodicals)  
F: (03) 9663 1480  
E: MonoAcq@slv.vic.gov.au  
www.slv.vic.gov.au

Legal deposit with the National Library is also required.

#### Western Australia

In 1994, the *Western Australian Copyright Act 1895, ss4, 7-9*, was repealed. The Act had required that a book published in Western Australia be deposited within two months of publication.

In this Act, 'publication' meant a book, newspaper, magazine, journal, pamphlet, map, plan, chart or table, printed music, a film, tape, disc or other device ..., and anything prescribed to be a publication for the purposes of this definition.

Until legal deposit legislation is reinstated in Western Australia, the State Library of Western Australia hopes that publishers will abide by the spirit of legal deposit. Deposit material is housed in the JS Battye Library of Western Australian History.

Legal Deposit  
Battye Library  
**State Library of Western  
Australia**  
Alexander Library Building  
Perth Cultural Centre  
Perth WA 6000  
T: (08) 9427 3274  
F: (08) 9427 3256  
E: collection.development@slwa.wa.gov.au

Legal deposit with the National Library is also required

#### COPYRIGHT

Legal deposit should not be confused with copyright. Under the *Copyright Act 1968* copyright protection is granted automatically in Australia from the moment of creating a work. There are no formalities to be completed, such as registration or payment of fees. Publication is not necessary for copyright to subsist in a work except in the case of sound and television broadcasts and publishers' copyright in editions of works. However, library records and the legal deposit receipt issued to the publisher by some legal deposit libraries may be used as evidence of date of issue.

The Australian Copyright Council is an independent non-profit organisation. It provides information, advice and training on copyright in Australia. Authors and publishers can contact the Australian Copyright Council at:

Australian Copyright Council  
245 Chalmers Street  
Redfern NSW 2016  
T: (02) 8815 9777  
F: (02) 8815 9799  
E: info@copyright.org.au  
www.copyright.org.au

# Legal Deposit IN AUSTRALIA

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in cooperation with Australian Legal Deposit Libraries

**NATIONAL LIBRARY OF AUSTRALIA**

[www.nla.gov.au/services.deposits.html](http://www.nla.gov.au/services.deposits.html)