WHAT IS LEGAL DEPOSIT?
Legal deposit is a statutory provision which obliges publishers to deposit copies of their publications in libraries in the region 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 deposit libraries in your home state or territory. 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 legal 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 tabulation, a 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 is as complete as possible, a deposit library may claim, from the publisher, publications not held in its collection. This is to remind publishers of the requirements of legal deposit under the Copyright Act 1968 and other relevant legislations.

**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:

- works of authors and publishers survive for the use of future generations
- records for legal deposit publications are available through Trove (a shared online national bibliographic database at trove.nla.gov.au)
- commercial and self-published works receive wide exposure
- libraries can access and order bibliographic records for published works
- selected titles are included in online indexing databases such as APAS (Australian Public Affairs Information Service)

The National Library’s catalogue and Trove are available at nla.gov.au. Further information about Legal Deposit can be found on the National Library’s website at nla.gov.au/legal-deposit. Legal deposit with the National Library within one month of publication.

Cataloguing in Publication
National Library of Australia Canberra ACT 2600 T 02 6262 4158 F 02 6273 4492 www.nla.gov.au/cip

**WHAT IS THE RELATIONSHIP BETWEEN LEGAL DEPOSIT AND COPYRIGHT?**
Under the Copyright Act 1968, copyright protection is granted automatically in Australia from the moment of creating a work. 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 which provides information, advice and training on copyright in Australia to authors and publishers.

**Australian Copyright Council**
245 Chalmers Street Redfern NSW 2016 copyright.org.au

**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 material to the National Library, ensure that

**IS AN ISBN REQUIRED FOR LEGAL DEPOSIT?**
There is no need for a publication to have an identifier like the International Standard Book Number (ISBN) for legal deposit purposes. ISBNs are very important for the retail book trade but not essential for legal deposit. Publishers who wish to apply for an ISBN should contact ISBN Australia.

**ISBN Agency Australia**
Thorp-Boeker Level 1 607 St Kilda Road Melbourne Vic. 3004 PO Box 6509, St Kilda Road Central Vic. 8008 T 03 8517 8349 F 03 8517 8368 info@thorpe.com.au www.thorpe.com.au/en-AU/products/servindent_isbn.shtml

**Australian Capital Territory**
The ACT does not currently have legal deposit legislation. Publishers are encouraged to lodge a copy of their publications with the ACT Heritage Library for ongoing preservation and access.

**ACT Heritage Library**
PO Box 158 Canberra City ACT 2601 T 02 6207 5312 F 02 6207 5835 act.heritage.library@act.gov.au www.library.act.gov.au

**New South Wales**
Legal deposit is required under the New South Wales Copyright Act 1968, 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’.

**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 or DVDs.
The Act 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 www.nretas.nt.gov.au/ knowledge-and-history/northern-territory-library/publications/publications_legaldrop

Queensland

Legal deposit is required under the Queensland Libraries Act 1968, part 6x6. 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 sheet of sheet music, map or chart; also non-print material on audiotape, 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 Officer State Library of South Australia GPO Box 419 Adelaide SA 5001 T 08 8207 7281 F 08 8207 7247 LegalDeposit.SLSA@slsa.sa.gov.au www.slisa.sa.gov.au/site/page.cfm?c=4702

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, 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 Officer State Library of South Australia GPO Box 419 Adelaide SA 5001 T 08 8207 7281 F 08 8207 7247 LegalDeposit.SLSA@slsa.sa.gov.au www.slisa.sa.gov.au/site/page.cfm?c=4702

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 Community Knowledge Network 91 Murray Street Hobart Tas. 7000 T 03 6233 7502 F 03 6233 7506 legaldeposit@education.tas.gov.au www.linc.tas.gov.au/legalDeposit

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 Officer State Library of Victoria 528 Swanston Street Melbourne Vic. 3000 T 03 8664 7141 (books) T 03 8664 7138 (periodicals) F 03 9663 1480 legaldeposit@slv.vic.gov.au www.slv.vic.gov.au/about-us/plans-policies/legal-deposit-victorian-publications

Western Australia

In May 2012, the Legal Deposit Act 2012 was passed. The Act covers print, audio-visual and digital material, including works published on the internet. Sections of the Act will take effect following consultation with stakeholders to develop regulations. In the interim, the State Library of Western Australia hopes that publishers will abide by the spirit of legal deposit.