

LEGAL DEPOSIT OF PUBLICATION LAW

Subject of the Law

Article 1

This Law is regulating goals and aims of the legal deposit of publication, types of publications, number of the legal deposit copies, their usage and protection, rights, obligations and responsibilities of the publishers, printers, distributors, deposit libraries, financial and other issues related to collecting, protecting and using the legal deposit of publication, with the goal of achieving the common interest in the field of culture, library and information and publishing activity.

Terms

Article 2

Terms that are used in this Law to label positions, professions or vocations are grammatically expressed in masculine form but are implying both the natural masculine and feminine gender of the person referred to.

Meaning of the Terms

Article 3

Some of the terms used in this Law have the following meanings:

1. “Legal deposit” is the regulated number of copies of a publication. According to this Law, the publisher or other tributary is delivering the legal deposit, at their expense, to the deposit library in charge.
2. “Local legal deposit” is one copy of the publication that, according to this Law, the publisher or a second tributary is delivering, at their expense, to the public library of the city or municipality of their headquarters or residence, for the purpose of forming or filling the local collections.
3. “Publication” is a work in a certain form (published, produced, edited) and physically or electronically distributed for usage in the Republic of Serbia.
4. “Electronic publication” is a publication published in electronic form as a separate physical unit (floppy disc, CD, DVD, etc.), a publication that is available on the Internet and a publication prepared for print in a format corresponding to the international standards of universal accessibility of information.
5. “Combined publication” is a publication on two or more mediums or diverse forms of the same medium.
6. “Serial publication” is a publication published consecutively, temporally unrestricted in separate volumes, books or as electronic publications with continuous

insignias (newspapers, magazines, yearbooks, anthologies, calendars, address books, reports, statistic yearbooks etc.).

7. "Micro-printed non-book material" is the name for posters, leaflets, printed announcements, catalogues, brochures and similar publications.
8. "Edition" implies all copies of one publication in any form while it represents the same original work published by a publisher.
9. "New edition" is a subsequent, repeated or updated publication of the formerly published publication, in the amended form, on a separate or different medium.
10. "Publisher" is a legal or natural person which is publishing publications for their distribution in the Republic of Serbia.
11. "Printer" is a legal or natural person who deals with printing publications for usage in the Republic of Serbia.
12. "Distributor" is a legal or natural person who imports and distributes publications intended for usage in the Republic of Serbia.
13. "Deposit libraries", in the context of this Law, are the National Library of Serbia and Matica Srpska Library.
14. "ISBN" is an International Standard Book Number, which can be assigned to other finite resources, identifying edition, disregarding the medium on which it is published.
15. "ISSN" is an International Standard Serial Number, identifying the title of the serial publication.
16. "ISMN" is an International Standard Music Number, identifying certain printed music publication.
17. "DOI" (Digital Object Identifier) is an international digital identifier of electronic documents.
18. "ISAN" is an International Standard Audiovisual Number identifying certain audio-visual work.
19. "Union Catalogue System" is a part of the basic library and information system in the Republic of Serbia, according to the Law that regulates library and information activity.

General Interest

Article 4

The obligation of delivery of the legal deposit is determined with the goal of achieving citizens' rights on open access to the information, knowledge and other intellectual goods, collecting and preserving national scientific and cultural heritage, bibliographic control, describing the publications in the national union catalogue according to the international standards, making the national bibliography and other bibliographies and collecting other data on the publishing production.

Delivery, collecting, preserving and enabling usage of the legal deposit are the affairs of the public interest.

The National Library of Serbia and Matica Srpska Library are assuring the realization of the public interest.

The legal deposit of Publications, permanently maintained by the National Library of Serbia and Matica Srpska Library, are protected as cultural heritage.

Range of the Legal Deposit

Article 5

The legal deposit is referring to the publications:

- 1) Published by a domestic publisher in the Republic of Serbia or abroad for usage and distribution in the Republic of Serbia.
- 2) Printed in the Republic of Serbia for the needs of the publishers abroad.
- 3) Published abroad and distributed in the Republic of Serbia in more than 10 copies per year.

The legal deposit implies the following types of publications: books, brochures, separates, serial publications, printed music, cartographic material, catalogues, calendars, multiplied artistic and scenic programs, printed photographs, postcards and drawings, spatial plans, engravings, posters, leaflets and other picture and graphical materials, advertisements and proclamations. sound and video material on any medium (excluding filmstrip, i.e. cinematographic works), electronic publications distributed on physical carriers and electronic publications distributed on the Internet, if published in the Republic of Serbia, the content of the Internet domain of the Republic of Serbia, combined and multi-medial publications, computer programs in public usage and other publications.

Tributaries

Article 6

The obligation of delivering the legal deposit on their expense has:

- 1) Publishers with the headquarters or residence in the Republic of Serbia.
- 2) Printers of all publications printed for the publishers with the headquarters or residence outside of the Republic of Serbia and for the micro-printed non-book material.
- 3) Distributors for all publications distributed in the Republic of Serbia during one year, in more than 10 copies.

Number of Copies

Article 7

It is obligatory to deliver to the National Library of Serbia 5 copies from Article 5, Paragraph 1, Point 1 and 2 of this Law and one copy of the publication from Article 5,

Paragraph 1, Point 3 of this Law, prepared for the publishing in the format corresponding to the international standards of universal accessibility of information.

Tributaries with the headquarters or residence in the AP Vojvodina should deliver legal deposit through the Matica Srpska Library.

Exceptionally from point 1 of this Article, if a publication represents a bibliophilic edition, printed with special letters or publication containing data that are considered secret by the Law, a tributary is obligated to deliver 2 copies of such publications.

On demand, a tributary is obligated to deliver, at his expense, one copy of the publication to the authorized public library of the city or municipality of his residence for the purpose of forming and filling the local collection (“local legal deposit”).

Legal Deposit of the Electronic Publication

Article 8

The legal deposit of an electronic publication is delivered to a deposit library in a format corresponding to the international standards of the universal accessibility of the publication.

The legal deposit of an electronic publication is delivered without electronic protection of the access or with an appropriate code for the access.

The legal deposit of a publication prepared for print in the format corresponding to the international standards of the universal accessibility of the publication can be used only on the premises of the deposit library.

The deposit library is obliged to prevent copying and distribution of the legal deposit of the electronic publication.

Narrower terms of the delivery and usage of electronic publications are proscribed by a minister in charge of culture (in the further text referred to as Minister).

Time of the Delivery and Condition of Publications

Article 9

The legal deposit is delivered to the deposit library in charge not later than 7 days after finishing the printing, production or importing, and before the publication is put into circulation.

Tributaries are obliged to deliver a certain number of copies of every edition of a publication to the deposit library in charge or to provide access to their electronic publications.

If an internet publication is not protected by the access code, it is considered that the obligation of delivery of a copy of the electronic publication is fulfilled the day it is published.

Copy of the delivered publication has to be undamaged and in the condition intended for public distribution.

The publisher is obliged to replace a damaged or incomplete copy of the publication within 15 days after receiving the notification about this matter.

Obligations of the Deposit Libraries

Article 10

National Library of Serbia:

- 1) Receives, processes in the union catalogue system and preserves the legal deposit.
- 2) Enables usage of the legal deposit in the premises of the library.
- 3) Creates current national bibliography for all types of publications.
- 4) Makes CIP-entry (cataloguing of the publication in pre-print) for the publications published in the Republic of Serbia, except for the publications published on the territory of AP Vojvodina.
- 5) Conducts bibliographic and content processing of the published publications, according to international standards.
- 6) Assigns international numbers of publications (ISBN, ISSN, ISMN, DOI, ISAN etc.) according to the Law.
- 7) Enables usage of publications within 30 days of the reception of the publication.

Matica Srpska Library:

- 1) Receives, processes in the union catalogue system and preserves the legal deposit.
- 2) Enables usage of the legal deposit in the premises of the library.
- 3) Creates current bibliography for the territory of AP Vojvodina.
- 4) Makes CIP-entry (cataloguing of the publication in pre-print) for the publications published on the territory of AP Vojvodina.
- 5) Conducts bibliographic and content-related processing of the published publications, according to international standards.
- 6) Enables usage of publications within 30 days of the reception of the publication.

The National Library of Serbia and Matica Srpska Library are issuing a confirmation of the received legal deposit copies to tributaries.

Due to the realization of the common interest, the National Library of Serbia and Matica Srpska Library are tracking the execution of the obligation of delivery of Legal Deposit and are taking measures against tributaries, according to this Law.

The means of preservation, protection and the usage of the Legal Deposit are proscribed by the Minister.

Allocation of the Legal Deposit

Article 11

The National Library of Serbia is allocating the received copies of the Legal Deposit by:

- 1) Permanently keeping 2 copies as cultural heritage.
- 2) Forwarding one copy to the Matica Srpska Library.
- 3) Forwarding one copy to the National and university library "Ivo Andrić" from Pristina.
- 4) Forwarding one copy for exchange, by taking into account the priorities of the exchange.

The Matica Srpska Library is allocating the received copies of the Legal Deposit from the territory of AP Vojvodina by:

- 1) Permanently keeping 2 copies as cultural heritage.
- 2) Forwarding 2 copies to the National Library of Serbia.
- 3) Forwarding one copy to the National and university library "Ivo Andrić" from Pristina.

Bibliographic and Content Processing

Article 12

Deposit libraries are obliged to conduct bibliographic and content processing of a publication, according to international standards.

Bibliographic and content processing are conducted in order to collect and harmonize bibliographic data, create the national bibliography and other bibliographies, create CIP-entry (cataloguing of the publication in pre-print), assign the international identification ISBN, ISSN, ISMN, DOI, ISAN and other international identifications and standards for publishing of publications.

According to bibliographic and content processing of the legal deposit, deposit libraries are creating ma and other bibliographies, as well as other bibliographic and statistical perusals regarding publications in the Republic of Serbia.

Bibliographic and other data regarding publishing production have to be publicly accessible via the union catalogue system of the deposit libraries.

Stimulation of the Tributaries

Article 13

According to this Law, with the delivery of the legal deposit tributary is exercising the right to have bibliographic data of the publication entered into the union cataloguing system of the Republic of Serbia and other international bibliographic databases, and other rights and benefits according to the regulations.

Article 14

Delivery of the legal deposit to the deposit library, in terms of this Law, is not considered as a commerce of goods and services.

Limitations

Article 15

The National Library of Serbia or Matica Srpska Library will not create CIP-entry (cataloguing of the publication in pre-print), nor assign international identifications and universal standardized numbers (ISBN, ISSN, ISMN, DOI, ISAN etc.) for the publications of the publisher who did not deliver a legal deposit of the previously published publications.

Together with the request for the production of CIP-entry (cataloguing of the publication in pre-print) publisher encloses a copy of the publication, prepared for publishing, in electronic form.

Penalty Regulations

Article 16

A legal person or entrepreneur is to be fined in the amount of 100.000-500.000 RSD if:

- 1) Does not deliver a legal deposit of the publication in prescribed number and deadlines (Article 7 and Article 9, paragraph 1).
- 2) Does not deliver electronic publication or disables its usage in the ways prescribed by this Law and regulations delivered for its conduction (Article 8, paragraphs 1 and 2).
- 3) Prevents access to the electronic publication (Article 9, paragraph 2).
- 4) Does not replace damaged or incomplete legal deposit (Article 9, paragraph 5).

For the violation of paragraph 1 of this Article, the responsible person in the legal person or manager of the public body that is not a legal person will be penalized with a pecuniary sentence in the amount of 20.000-50.000 RSD.

Transitional and Final Provision

Article 17

Bylaw regulations for conducting this Law will be delivered within 90 days from the day of this Law coming into force.

Article 18

Clauses 42-45 of the Law on Cultural Heritage (“Službeni Glasnik RS” no. 71/94) cease to be valid from the day of the beginning of enforcing this Law.

Article 19

This Law comes into force on the 8th day of the publishing in “Službeni Glasnik of the Republic of Serbia”, and will be enforced with the expiry of 3 months from the day of its coming into force.