



# Legal Deposit Libraries Act 2003

## 2003 CHAPTER 28

### *Duty to deposit*

#### **1 Deposit of publications**

- (1) A person who publishes in the United Kingdom a work to which this Act applies must at his own expense deliver a copy of it to an address specified (generally or in a particular case) by any deposit library entitled to delivery under this section.
- (2) If a deposit library other than the authority controlling the Library of Trinity College, Dublin has not specified an address, the copy is to be delivered to the library.
- (3) In the case of a work published in print, this Act applies to—
  - (a) a book (including a pamphlet, magazine or newspaper),
  - (b) a sheet of letterpress or music,
  - (c) a map, plan, chart or table, and
  - (d) a part of any such work;but that is subject to any prescribed exception.
- (4) In the case of a work published in a medium other than print, this Act applies to a work of a prescribed description.
- (5) A prescribed description may not include works consisting only of—
  - (a) a sound recording or film or both, or
  - (b) such material and other material which is merely incidental to it.
- (6) Subject to section 6(2)(h), the obligation under subsection (1) is to deliver a copy of the work in the medium in which it is published.
- (7) In this section, “address” means an address in the United Kingdom or an electronic address.

## **2 New and alternative editions**

- (1) This Act does not apply to a work which is substantially the same as one already published in the same medium in the United Kingdom.
- (2) Where substantially the same work is published in the United Kingdom in more than one medium—
  - (a) section 1(1) applies only in relation to its publication in one of those media, and
  - (b) that medium is to be determined in accordance with regulations made by the Secretary of State.
- (3) The Secretary of State may by regulations make provision as to circumstances in which works are or are not to be regarded for the purposes of this section as substantially the same.

## **3 Enforcement**

- (1) This section applies where a person (in this section, “the publisher”) who is required by or under this Act to deliver anything to an address specified by a deposit library, or to a deposit library, has failed to comply with that obligation.
- (2) The library may, in accordance with rules of court, apply to the county court (or, in Scotland, to the sheriff) for an order requiring the publisher to comply with the obligation.
- (3) If on an application under subsection (2) it appears that—
  - (a) the publisher is unable to comply with the obligation, or
  - (b) for any other reason, it is not appropriate to make an order under that subsection,the court or sheriff may instead make an order requiring the publisher to pay to the library an amount which is not more than the cost of making good the failure to comply.