

ON LEGAL DEPOSIT

This law defines state policy in the field of legal deposit and creates the legal grounds for establishing a national bibliographic data bank with other laws of Georgia; and ensures the production and development of Georgian national bibliography and the protection, preservation and availability of tangible documentary heritage; and determines the types of legal deposit documents, and categories of producers and recipients, and their rights and duties, and procedures for the establishment of a Georgian national bibliographic data bank, and liabilities for not complying with obligations.

Chapter I - General Provisions

Article 1 - Scope of the Law

This law applies to the producers of legal deposit, and national and local recipients of legal deposit and all natural and legal persons, who are engaged in receiving, distributing, producing, transferring and preserving legal deposit.

Article 2 - Legislation of Georgia on legal deposit

The legislation of Georgia on legal deposit consists of this Law and other legal and subordinate normative acts.

Article 3 - Definition of terms

The terms used in this Law have the following meanings:

- a) national bibliography - a bibliography, which is inventorying, registering and recording a complete list of all documents published within the boundaries of a single country and foreign publications about said country and works of compatriots of said country published in a foreign country.
- b) a document - any tangible object with any type of information on it, in textual, auditory or visual format or a combination thereof, which can be identified by its essential elements; and which is intended for public use in time and space for the purposes of transfer and storage;
- c) an electronic document – any document on an electronic (magnetic, optical, etc.) carrier which can be preserved, transferred, seen, read or listened to only by means of an electronic medium. There are 2 main categories of electronic documents: off-line and on-line;
- d) an off-line electronic document - a document stored on an electronic (magnetic, optical, etc.) carrier (CD, DVD , etc.) and which can be used off-line by means of an electronic medium;
- e) an on-line electronic document - a document, published on the Internet, regardless of whether or not free access to it is restricted , and which appears in full-text or in part on a web page and has an extension format of any electronic file (HTML, PDF, etc.);
- f) a copy - a sample of an edition, which is identical to the original;
- g) a producer of a document - a legal or natural person, who is engaged in making and publishing (issuing) legal deposit. Producers of documents are publishers, printing and publishing houses and printing houses, mass media corporations, music recording companies, television and radio broadcasting committees, film studios, video and cinematic companies, scientific-research institutions, state agencies, institutions of higher education, designing and construction companies and other institutions and organisations including private persons, who are making and publishing different types of documents;
- h) legal deposit of a document ('legal deposit') - a sample of different types of documents, which have been published in more than 100 units , which shall be delivered to prescribed libraries free of charge and in the amount and manner determined by this Law;
- i) national legal deposit - a copy of different types of documents, published within the territory of Georgia or abroad by order of organisations or persons registered in Georgia, documents imported to Georgia for the purposes of public distribution which shall be delivered to the relevant organisations, free of charge in accordance with this Law. National recipient of legal deposits is completed by national legal deposit;
- j) autonomous legal deposit - a copy of different types of documents, published within the boundaries of the Autonomous Republics of Abkhazia and Adjara or abroad by order of organisations or persons registered in these autonomous republics, which shall be delivered to the prescribed administrative-territorial libraries free of charge in accordance with this Law;
- k) local legal deposit - a copy of different types of documents, published within the boundaries of the administrative-territorial units of Georgia or abroad by order of organisations or persons registered in these administrative-territorial units, which shall be delivered to the prescribed administrative-territorial libraries by the producer free of charge in accordance with this Law;
- l) a recipient of a document - a producer of the national bibliography as specified by this Law;
- m) a legal deposit system - a set of types of legal deposit as well as procedures determined for their collection, distribution and usage;
- n) national bibliographic data bank of Georgia - a data bank of all types of documents that form legal deposit, which is distributed in accordance with this Law and is subject to permanent preservation and public access. This data bank represents part of Georgian cultural heritage;
- o) a local bibliographic data bank - a bibliographic data bank organised within the boundaries of Autonomous Republics of Abkhazia and Adjara or the administrative-territorial units of Georgia, which is created by a local producer for the purposes of delivery to local recipients, and for the preservation



and general public access to documents determined by this Law. Autonomous and local legal deposits form local bibliographic data bank.

Article 4 - Purpose of creating the legal deposit system

The purpose of creating a legal deposit system is as follows:

- a) to develop a comprehensive national bibliographic data bank of Georgia, as a part of world cultural heritage;
- b) to ensure the permanent preservation of and access to legal deposit determined by this law in national, autonomous and local recipients of legal deposit in accordance with the legislation of Georgia;
- c) to use legal deposit for the purposes of providing informational-bibliographic and librarian services;
- d) to provide state registration of documents (bibliographic and statistical), and to prepare state bibliographic and statistical information;
- e) to ensure publication of current and retrospective state registration databases and statistical catalogues;
- f) to develop comprehensive signalling and abstract informational catalogues and to publish them in accordance with the types of documents that have already been accepted;
- g) to ensure public awareness of receipt of all types of legal deposit;
- h) to produce a centralised catalogue in accordance with the types of documents that have already been accepted;
- i) to ensure free access to accepted documents, including by means of informational-telecommunication networks.

Article 5 - Types of legal deposit

Types of legal deposit are as follows:

- a) printed documents (any publication that contains textual information - books, pamphlets, magazines, newspapers, music scores, geographical maps, atlases, etc.; periodical publications, almanacs, annuals; fact sheet publications - bills, booklets, programmes, etc; visual publications - posters, prints - plates, reproductions of works of art, calendars, labels, postcards, philatelic catalogues, etc.), that have undergone editorial and publishing review, and have authentic print design and are accompanied by notices of intended publication;
- b) publications for the partially or completely blind community - publications produced by relief - dotted print or the Braille system, relief-graphic publications, audio books, large-print publications for the low vision community, electronic publications for the blind (adapted editions with the use of Braille displays and speech synthesizers);
- c) audiovisual production - film, video, phonographic, photo productions and their combinations, produced and reproduced on any recording medium;
- d) electronic documents - documents containing information stored in electronic - digital format which have undergone editorial and publishing review, and are accompanied by notices of intended publication and are circulated and distributed by means of an electronic medium;
- e) unpublished documents - documents containing scientific research, research and development and technological studies (dissertations, abstracts, deposited scientific works);
- f) combined documents - collections of multimedia documents produced on any recording medium (printed, audiovisual, electronic);
- g) postage stamps.

Article 6 - Types of non-mandatory legal deposit

Types of non-mandatory legal deposits are as follows:

- a) fillable forms and blank sheets, envelopes and shipping supplies, invitation cards, menus, tickets, parts of documents, games;
- b) documents on classified private and state information, as well as production documents;
- c) patent documents - patent description documents and applications on industrial property;
- d) any software for electric-counting devices and databases produced on any tangible recording medium;
- e) banknotes and coins of the Georgian Lari and printed and electronic documents used in the production of Georgian Lari.

Chapter II - Rights and Responsibilities of Producers of Legal Deposit



Article 7 - Costs of preparation, publication (issuance) and distribution (transfer, delivery) of legal deposits

1. A producer shall deliver a legal deposit to the deposit libraries. A producer shall include the costs of preparation, publication (issuance) and distribution (transfer, delivery) in the product costs of legal deposit.
2. A producer shall replace defective legal deposit within a period of one month at the request of a recipient of a document.

Article 8 - Purpose of establishing data banks of legal deposit of national and local bibliographic documents

In order to ensure the preservation of and public access to all types of documents issued within the territory of Georgia data banks of legal deposit of national and local bibliographic documents shall be established.

Article 9 - Delivery of printed legal deposit

1. A producer shall deliver two copies of any printed publication and one copy of its electronic version to the National Parliamentary Library of Georgia within two weeks after the first edition of the work has been published.
2. A producer shall deliver one copy of any printed publication to the central libraries of the Autonomous Republics of Abkhazia and Adjara through printing houses within two weeks after the first batch of the edition has been published.
3. A producer shall deliver one copy of any printed publication and one copy of its electronic version to appropriate legal deposit libraries through printing houses within two weeks after the first batch of the edition has been published in accordance with the legal deposit libraries specified in Article 18 of this Law.

Article 10 - Delivery of legal deposit of unpublished documents

Prescribed scientific boards shall deliver dissertations, abstracts and deposited scientific works with the right of legal deposit to the National Parliamentary Library of Georgia. In addition:

- a) one copy of a dissertation and one copy of its electronic version shall be delivered to the National Parliamentary Library of Georgia within 30 days after an academic degree has been granted;
- b) two copies of an abstract and one copy of its electronic version shall be delivered to the National Parliamentary Library of Georgia within 30 days after an academic degree has been granted;
- c) a deposited scientific work shall be delivered to the National Parliamentary Library of Georgia within 30 days after it has been recognised as a deposited scientific work by a prescribed scientific board.

Article 11 - Delivery of legal deposit of publications for the blind community

One copy of a print document in Braille and one copy of an audio book shall be delivered to the National Parliamentary Library of Georgia within two weeks after the first batch of the edition has been published.

Article 12 - Delivery of audiovisual legal deposit

Two copies of an audiovisual work shall be delivered to the National Parliamentary Library of Georgia and the National Archives of Georgia. In addition, copies of an audiovisual works shall be delivered on the day of their release, and a film and a video document shall be delivered on the day of its copying.

Article 13 - Delivery of legal deposits of video games, animated, documentary and science-fiction films

One copy (positives) of a video game, animated, documentary and science-fiction films shall be delivered to the National Archives of Georgia within one month after it has been spliced and dubbed.

Article 14 - Delivery of off-line electronic legal deposit

1. Two copies of an off-line electronic document shall be delivered to the National Parliamentary Library of Georgia, if more than 20 copies of the document have been published.
2. This law applies to off-line documents, available in electronic form only, except for computer software and computer games.
3. A producer of a document shall deliver an off-line electronic document to the prescribed recipient in the format it has been issued for public distribution.



Article 15 - Delivery of legal deposit issued by citizens of Georgia in a foreign state

1. An obligation to deliver a legal deposit of a document shall apply to all types of documents issued by citizens of Georgia in a foreign state where not fewer than 100 copies of the document have been imported to Georgia through a distribution service.
2. Two copies of a document issued in a foreign country and imported to Georgia shall be delivered to the National Parliamentary Library of Georgia, within 2 weeks after the day when it was imported.

Article 16 - Rights of a producer of document

A producer of a document has a right to request the following from the recipient of a document:

- a) to publish information on delivered legal deposit in the form of a state bibliographic, pilot and abstract editions, free of charge within one month after the delivery of the document.
- b) to put bibliographic information on legal deposit in electronic catalogues and databases;
- c) to deliver a copy of the deposited document as well as notices on statistics and the facts of the published document;
- d) to include expenses connected with the delivery of legal deposit in the total cost of an appropriate edition.

Chapter III - Recipients of Legal Deposit , their Rights and Responsibilities

Article 17 - Owners of the data banks of Georgian national bibliographic documents

Data banks of National library documents of Georgia shall be created in the National Parliamentary Library of Georgia (' National Library') and National Archives of Georgia.

Article 18 - Delivering autonomous and local mandatory copies of documents

A publisher shall deliver copies of autonomous and local documents to the following libraries:

- a) Autonomous Republic of Abkhazia – the Papaskiri National Library of Abkhazia;
- b) Autonomous Republic of Adjara - the Akaki Tsereteli Batumi Public Library
- c) municipalities of Kutaisi, Chiatura, Tkibuli, Tskaltubo, Baghdati, Vani, Zestaponi, Terjola, Samtredia, Sachkhere, Kharagauli and Khoni – the Kutaisi State Scientific-Universal Library;
- d) municipalities of Poti, the City of Zugdidi, Zugdidi Abasha, Senaki, Martvili, Mestia, Chkhorotsqu, Tsalenjikha and Khobi – the Zugdidi Municipality Central Library;
- e) municipalities of the City of Ozurgeti, Ozurgeti, Lanchkhuti da Chokhatauri – the Ozurgeti Municipality Central Library;
- f) municipalities of the City of Ambrolauri, Ambrolauri, Lentekhi, Oni and Tsageri – the Ambrolauri Municipality Central Library;
- g) municipalities of the City of Telavi, Telavi, Akhmeta, Gurjaani, Dedoplistsqaro, Lagodekhi, Sagarejo, Sighnagi da Kvareli – the Telavi Central Public Library;
- h) municipalities of the City of Akhaltsikhe, Akhaltsikhe, Adigeni, Aspindza, Akhalkalaki, Borjomi and Ninotsminda – the Akhaltsikhe Central library of the Akhaltsikhe Library Union;
- i) municipalities of the City of Gori, Gori, Kaspi, Kareli and Khashuri – the Gori Central Library of Gori Library Union;
- j) municipalities of Rustavi, Bolnisi, Gardabani, Dmanisi, Tetrtskaro, Marneuli and Tsalka – the Rustavi Municipality Central Library;
- k) municipalities of the City of Mtsketa, Mtsketa, Dusheti, Tianeti and Khazbegi – the Mtsketa Municipality Central Library;
- l) municipality of Tbilisi – the National Parliamentary Library of Georgia.

Article 19 - Rights of recipient of legal deposit

Legal deposit libraries have the right to request:



- a) the replacement of an incomplete legal deposit with a complete copy
- b) the submission of a copy which has not been delivered by the publishing entity.

Article 20 - Responsibilities of recipient of legal deposit

Within their competence legal deposit entities and organisations which are recipients of legal deposit shall:

- a) ensure statistical and bibliographic registration of legal deposit;
- b) ensure publication of updated bibliographic data in accordance with the classification of the documents under this Law;
- c) ensure control of the delivery and preservation of legal deposit in accordance with prescribed standards;
- d) ensure public access to legal deposit by promoting awareness of documents;
- e) ensure the development of an integrated database of bibliographic records on the bases of a legal deposit database, and ensure the coordination and cooperation with other libraries of Georgia with similar responsibilities;
- f) ensure the preservation of legal deposit of off-line electronic documents for use by future generations; ensure access to a paid off-line electronic document for registered readers of the recipients of legal deposit in their reading halls in accordance with the copyright law of Georgia.

Article 21 - Competencies of the National Library

The competencies of the National Library are the following:

- a) to provide state registration of printed documents (bibliographic and statistical);
- b) to keep state bibliographic records of printed documents;
- c) to develop a collection of printed documents for the national bibliographic data bank of Georgia;
- d) to ensure the preservation and use of printed documents on the bases of the receipt of national legal deposit;
- e) to ensure the receipt, storage and accessibility of electronic documents;
- f) to monitor the comprehensiveness of received documents;
- g) to perform other functions provided for by the legislation of Georgia.

Article 22 - Right to access legal deposit

Every natural or legal person is entitled to access legal deposit in compliance with the rules established in legal deposit entities and organisations.

Chapter IV - Control and Liabilities

Article 23 - Controlling authority

1. ISBN (Books), ISMN (Music) and ISSN (serial) International Standards Office controls the submission of legal deposit to legal deposit libraries.
2. In the event of non compliance with the responsibilities of a producer of a document, the head of the national bibliographic data bank agency or a legal deposit library shall send a written notice of non-compliance to the producer of the document who shall take action on the notice within a period of one month, failing which the producer of the document shall become liable under this Law for not delivering legal deposit.

Article 24 - Liabilities of a producer of a document

1. The Liabilities of a producer of a document for non-compliance with the rules determined under this Law shall be defined by this Law and other legislative and subordinate acts of Georgia.
2. A government body (an official) authorised by the Ministry of Culture and Monument Protection of Georgia shall draw up an administrative offence report, and a court shall review the case.
3. Non-compliance with the obligation to enable delivery of legal deposit shall be punishable by a fine of up to GEL 50 on natural persons and GEL 100 on legal persons.



Chapter V - Final Provisions

Article 25 - Entry into force of this Law

1. This Law, except for the Article 24 shall enter into force on 1 October 2014.
2. Article 24 of this Law shall enter into force on 1 March 2015.

President of Georgia

Giorgi Margvelashvili

Kutaisi,

1 August 2014

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