

LATVIA's ANSWERS

QUESTIONNAIRE for Survey on Copyright Registration and Deposit Systems

A. COPYRIGHT REGISTRATION AND RECORDATION

The Latvian Copyright Law doesn't provide for mandatory or voluntary registration/recordation of copyright works or subject matter of related rights. There is no legislation dealing specifically with "orphan works" yet in Latvia.

B. LEGAL DEPOSIT

27. Does your country have a legal deposit system/s in place?

Yes.

28. Please list relevant national legislation regulating the legal deposit.

The Legal Deposit Law (adopted in 2006).

29. Is the legal deposit mandatory or voluntary in your Country? If mandatory, what are the legal consequences in case of non compliance?

The legal deposit is mandatory. In case of non compliance a person shall be held liable in accordance with the procedures specified in the Latvian Administrative Violations Code.

30. What are the functions performed by your National legal deposit system (e.g. preservation of cultural heritage; collection of statistical information, etc)?

The main function of the Latvian legal deposit system is to ensure permanent preservation, processing and public use of the national cultural heritage.

31. Is there any connection or interaction among legal deposit and copyright protection?

Legal deposit system provides a part of statistical data necessary for calculation of remuneration for authors regarding public lending of their works in public libraries.

32. Does your national legislation have any provision in regard to making copies or adapting formats of deposited works for preservation purposes? If so, please clarify under which terms and conditions.

There are no specific provisions in regard to making copies or adapting formats of deposited works.

According to the Copyright Law a library, archive or museum shall be entitled to make one copy of a work existing in their permanent collection, without a direct or indirect commercial purpose, in order to preserve it. The works that have been published in Latvia and are not commercially available can be reproduced in a digital format, unless an agreement with the author determines otherwise.

33. What is the object of legal deposit? Please list all types or categories of material subject to legal deposit (e.g. Print Material, such as books, serials, government publication; Non-Print Material, such as music and audiovisual works, broadcast material).

The objects of legal deposit are all printed, electronic and online publications, and unconventional or “grey literature”.

Within the framework of the Legal Deposit Law:

- electronic publication is an audio record, video record or computer record which is produced in multiple copies in cassettes, floppy disks, discs, compact discs and in a similar way and is intended for public use;
- unconventional or “grey literature” is literature which contains publicly accessible information and is not distributed in a commercial network, for example, analytical reviews, reports of technical or scientific researches, deposited scientific works etc.

34. Does legal deposit apply upon production/printing of content or after its distribution? Does legal deposit apply to material printed in your country but distributed abroad?

Legal deposit copies of periodicals shall be supplied to the National Library of Latvia before the commencement of their realisation. Legal deposit copies of other printed publications, as well as electronic publications, shall be supplied to the National Library of Latvia within 14 days after their publishing. Legal deposit copies of unconventional or “grey literature” shall be supplied to within 30 days after their disclosure.

The legal deposit applies to printed and electronic publications published in the Republic of Latvia or printed outside the Republic of Latvia upon the order of the author or of the publisher registered in the Republic of Latvia, and to unconventional or “grey literature”.

35. Is there any type or category of material exempted from legal deposit for policy reasons?

Still images (photos), moving images, movies, TV and radio broadcasts are excluded. There is a special Latvian State Archive of Audiovisual materials.

36. Is there any specific regulation in regard to material published in electronic format? If so, does the regulation distinguish between on-line and off-line material? Please clarify relevant differences.

According to the Legal Deposit Law freely accessible online publications shall be harvested and archived automatically by the National Library of Latvia. Publishers of online publications of restricted access shall ensure access to an online publication for the National Library of Latvia in order to obtain a copy of this publication.

37. How many copies does the depositor have to deposit? Are there special conditions for limited or *de luxe* editions?

The following copies shall be supplied to the National Library of Latvia:

- 1) 5 copies of each printed publication type (excepting books, brochures and publications for blind people);
- 2) 7 copies from each publication of a book and brochure;
- 3) 1 copy of each publication for blind people;
- 4) 3 copies of each electronic publication;
- 5) 2 copies of each unconventional or “grey literature”.

38. Who is/are the subject/subjects responsible for delivering the legal deposit?

A supplier of legal deposit copies is a publisher, who has published a printed publication, electronic publication or unconventional or “grey literature”. A supplier of legal deposit may also be a printer of a publication, if the publisher has agreed with the printer regarding the supply of legal deposit copies to the National Library of Latvia.

39. What are the time requirements for legal deposit?

See answer to Question No. 34.

40. Is there a payment or compensation involved in legal deposit? If so, please indicate its amount.

Libraries shall receive legal deposit copies free of charge.

41. What is/are the entity/entities responsible for acting as legal depository?

The main entity is the National Library of Latvia which is responsible for distribution of legal deposit levies to several other libraries (most significant scientific and academic libraries).

42. Does the general public have access to legally deposited materials? If so, please explain under which terms and conditions.

Yes.

43. Do/does the depository/depositories provide publicly available search facilities? If so, are they accessible on-line?

All deposited publications are included in the national bibliography database as well as in library catalogues which are accessible on-line.

44. Is legal deposit linked to any number or code? Is there any relation with the International Standard Books Number (ISBN) with the International Standard Serial Number (ISSN) and other such codes?

Pre-publication metadata are included in the national bibliography database from ISBN national register.

45. Please provide statistics on the number of deposits per year for the following items (last five years); a) print material; b) musical works; (c) audiovisual works.

	2005	2006	2007	2008	2009	Altogether:
Print material	75 691	71 800	63 595	63 133	51 758	325 977
Printed music	215	137	86	61	90	589
Audiovisual	358	429	437	445	596	2265
Altogether:	76 264	72 366	64 118	63 639	52 444	328831