

## **LEGAL DEPOSIT OF ELECTRONIC PUBLICATIONS IN MALAYSIA: 1988 - 2000**

**Shahrozat Ibrahim<sup>1</sup> and N.N. Edzan<sup>2</sup>**

<sup>1</sup>Perpustakaan Negara Malaysia

<sup>2</sup>MLIS Programme, Faculty of Computer Science & Information Technology,  
University of Malaya, 50603 Kuala Lumpur, Malaysia

e-mail: edzan@um.edu.my

### ***ABSTRACT***

*This paper analyses statistical data of non-print/electronic publications received and registered by the National Depository Centre, Perpustakaan Negara Malaysia since the enforcement of the Deposit of Library Material Act, 1986. Out of the 7,926 titles of non-print publications received and registered from 1988 - 2000, only 165 titles (2.08%) are electronic publications. The findings indicate that the types of electronic publications received and registered are limited to off-line electronic publications namely, CD-ROMs, diskettes and computer software. The legal deposit of on-line electronic publications has yet to materialise. The study is supported by interviews with relevant authorities to obtain information regarding issues related to legal deposit of electronic publications in Malaysia such as the ineffectiveness of the current legal deposit legislation, inadequate number of staff handling legal deposit of electronic publications and other non-print material, the public's unawareness of the importance of legal deposit of electronic publications and the fear of publishers with the legal deposit of their electronic publications.*

**Keywords:** Legal deposit; Non-print publications; Electronic publications; Deposit of Library Material Act; Malaysia

### **INTRODUCTION**

Legal deposit is a statutory obligation which requires that any organization, commercial or public, and any individual producing any type of documentation in multiple copies, be obliged to deposit one or more copies with a recognized national institution (Larivière, 2000). Thus, legal deposit legislation covers all kinds of published material produced in multiple copies and offered to the public regardless of the means of transmission.

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The issue of legal deposit of electronic publications has been investigated ever since 1992 by the CDNL Working Group on Legal Deposit and Electronic Publishing (Conference of Directors of National Libraries, 1994). Cornish (1998) noted that there was considerable amount of interest in the deposit of electronic material as shown in the literature for 1996 as was in 1995 and especially in the United Kingdom where a number of studies on the topic were commissioned by the British Library Research and Development Department (now renamed the British Library Research and Innovation Centre). Many countries throughout the world have made changes to their legal deposit legislation to take into account the developments of new media particularly that of electronic publications. In many countries proposals are being made for the extension of legal deposit to include electronic and other non-print material (Hoare, 1997). Countries like Switzerland and the Netherlands have no national legal deposit legislation, but only voluntary deposit. While countries like Norway has the most advanced legislation which requires the deposit of all kinds of media. However, very few countries deal with the legal deposit of online publications.

The emergence of electronic publishing has brought about a need to revise established rules and standards within the information sector which includes the revision of legal deposit laws is necessary in order to safeguard new forms of published information (Hedberg, 1996). In countries where legal deposit applies only to electronic documents such as CD-ROMs, they risk losing that part of their cultural heritage that is accessible only online. A survey carried out in 1989 indicated that only 14 of the responding national libraries were collecting electronic media such as tapes and discs and only 6 of these were using legal deposit as an acquisition tool (McCormick and Williamson, 1990). Significant developments such as the European Community Workshop on Issues in the Field of National Deposit Collections of Electronic Publications which was held in Luxembourg in December 1995 concluded that there is a need for the deposit of electronic publications. There is a risk that many materials will risk becoming unavailable to future users, unless depository libraries undertake the responsibility of providing the means for access by users (Report, 1995). The primary purpose of legal, mandatory deposit is to build and preserve a comprehensive collection of publications as a record of the nation's culture and heritage, without being dependent upon funds for the purchase of the items (Vickery, 1998).

In the United Kingdom, the need to extend legal deposit to non-print media was put forward through a consultation paper by the Department of National Heritage in 1997. Other issues discussed were on existing legal deposit arrangements, the costs

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of such a scheme, the implications for intellectual property rights, remedies for non-compliance, the idea of reducing the requirement to fewer copies, the disposal of unwanted copies and archiving (Department of National Heritage, 1997).

The need for legal deposit of electronic publications in Australia is to serve the ongoing needs of the Australian nation and as part of its efforts to maintain the Australian documentary heritage (National Library of Australia, 2001). The National Library of Australia acquires copies of electronic publications produced in Australia as research tools. The electronic publications deposited not only benefit the producers of these new information products but also researchers using the Library. Public access to the products increases public awareness and provides an opportunity for researchers to evaluate these products.

In Canada, the present shift towards electronic publishing in a networked environment has raised a set of issues that expands and changes the way the National Library of Canada is fulfilling its heritage mandate (National Library of Canada, 1998). Its present collection management policy has already addressed the acquisition and preservation of electronic publications on physical media. While a separate policy and guidelines deal with identifying, locating, acquiring, reporting, storing and preserving networked electronic publications. If these publications are not captured and preserved, major gaps in the Canadian heritage and research tools will occur.

In most countries, the national institution chosen to receive the deposited material is the national library of the country. But, it could also be the parliamentary library, the national archives, one of the government libraries or, in a few cases, one of the main university libraries. If the national library of a country is chosen as the depository library, it will be the focal point for receiving the historical, literary and cultural heritage of the nation. It is also the responsibility of the national library to assemble, record and organise comprehensive collections of the published outputs of the nation for use as well as preserve them for posterity.

With regards to Malaysia, Zawiyah (1998) noted that with developments in information technology, Perpustakaan Negara Malaysia is in the process of reviewing its legislation to ensure that its role continues to be relevant in the changing environment, particularly in the public sector with its emphasis on the electronic government. Perpustakaan Negara Malaysia or the National Library of Malaysia is the national depository institution designated to receive publications

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published in the country as stipulated in the *Deposit of Library of Material Act, 1986*.

## **PURPOSE**

The main purpose of this study is to analyse the statistical data of non-print/electronic publications received and registered by Perpustakaan Negara Malaysia since the enforcement of the *Deposit of Library Material Act, 1986*. It also aims to:

- (a) Identify and classify the types of non-print/electronic publications
- (b) Determine the total number of non-print/electronic publications
- (c) Identify and classify the subject coverage of the non-print/electronic publications
- (d) Determine issues related to the legal deposit of electronic publications.
- (e) Make recommendations to ensure legal deposit of electronic publications.

## **METHODOLOGY**

The study involves an analysis of statistical data of non-print/electronic material compiled by the National Depository Centre at Perpustakaan Negara Malaysia since the enforcement of the *Deposit of Library Material Act, 1986* from 1988 to 2000. The non-print/electronic material is classified according to types of material and subject. The study is also supported by interviews held with the Director of the National Depository Centre and 5 publishers selected from the list of publishers who have deposited more than five titles of electronic publications with the National Depository Centre. Therefore, the findings of this study with regards to the issues related to legal deposit of electronic publications would be limited to the experience and knowledge of those interviewed.

## **RESULTS AND DISCUSSION**

### **Non-print material received and registered**

Since the enforcement of the *Deposit of Library Material Act, 1986* the total cumulative number of non-print material received and registered by the National Depository Centre from 1988 - 2000 is 7,926 titles (Table 1). With the exception of 1995, the overall trend analysis indicates a gentle upward trend for the years 1988 - 2000 of these materials.

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Table 1: Non-print Material Received and Registered: 1988 – 2000

Year	No. of Titles	% Increase	Cumulative No. of Titles
1988	233	0.00	233
1989	390	67.38	623
1990	523	34.10	1,146
1991	574	9.75	1,720
1992	619	7.84	2,339
1993	780	26.01	3,119
1994	788	1.03	3,907
1995	9	-98.86	3,916
1996	608	6655.56	4,524
1997	1,014	66.78	5,538
1998	797	-21.40	6,335
1999	734	-7.90	7,069
2000	857	16.76	7,926

#### **Types**

The *Deposit of Library Material Act, 1986* includes cinematograph films, microforms, phonorecords, video and audio recordings and other electronic media as non-print material. Table 2 shows the types of non-print material received and registered from the years 1988 - 2000 as classified by the National Depository Centre. It shows that the number and types of non-print material received and registered differ greatly. The three highest number of non-print material received and registered are audio-cassettes, audio compact discs and video cassettes; while the lowest three are computer software, flash cards and diskettes. It also shows that some types of non-print material were received and registered for certain years only.

CD-ROMs, diskettes, and computer software are classified as electronic publications. The first type of electronic publication received and registered is a CD-ROM in 1996. The total cumulative number received and registered from the year 1996 - 2000 is 165 titles (Table 3). Diskettes were first received and registered in 1998 while only computer software was first received and registered in 1997. The total number of electronic publications received and registered is relatively low compared with the other types of non-print material. It constitutes only 2.08% of the total number of non-print material received and registered of which CD-ROMs constitute 1.87%, while diskettes and computer software constitute 0.19% and 0.03% respectively.

Table 2: Types of Non-print Material Received and Registered: 1988-2000

Type of Material	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Total	Percent over total
Auto Compact Disc	0	0	0	0	84	227	135	0	363	327	268	112	191	1,707	21.54%
Video Compact Disc	0	0	0	0	0	0	0	0	0	0	113	38	70	221	2.79%
Laser Disc	0	0	0	0	0	0	0	0	0	53	4	0	0	57	0.72%
Audio Cassette	194	256	305	410	436	472	388	3	196	274	265	446	328	3,973	50.13%
Video Cassette	25	35	85	39	81	34	153	5	36	296	80	66	31	966	12.19%
Betacam	0	0	0	0	0	0	0	0	0	0	0	0	64	64	0.81%
Film	0	15	79	72	9	46	112	0	0	18	28	39	98	516	6.51%
Multimedia Kit	0	2	21	36	9	1	0	1	8	0	0	0	4	82	1.03%
Transparencies	0	0	0	0	0	0	0	0	4	21	4	0	0	29	0.37%
Phono Records	14	5	21	11	0	0	0	0	0	0	0	0	0	51	0.64%
Microfiches	0	77	12	0	0	0	0	0	0	0	0	0	0	89	1.12%
Flash cards	0	0	0	6	0	0	0	0	0	0	0	0	0	6	0.08%
Diskette	0	0	0	0	0	0	0	0	0	0	14	0	1	15	0.19%
Computer Software	0	0	0	0	0	0	0	0	0	1	1	0	0	2	0.03%
CD-ROM	0	0	0	0	0	0	0	0	1	24	20	33	70	148	1.87%
Annual Total Collections	233	390	523	574	619	780	788	9	608	1,014	797	734	857	7,926	100.00%
Percent over Total collections	2.94%	4.92%	6.60%	7.24%	7.81%	9.84%	9.94%	0.11%	7.67%	12.79%	10.06%	9.26%	10.81%	100.00%	
Cumulative Total Collections	233	623	1,146	1,720	2,339	3,119	3,907	3,916	4,524	5,538	6,335	7,069	7,926		
Cumulative Increase Percent		67.38%	83.95%	50.09%	35.99%	33.35%	25.26%	0.23%	15.53%	22.41%	14.39%	11.59%	12.12%		

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However, it should be noted that there is an upward trend for electronic publications especially CD-ROMs and this will be the trend for the years to come

Table 3: Electronic Publications Received and Registered: 1996 – 2000

Year	Diskette		CD-ROM		Computer Software		Total	
	No. of Titles	Cumulative Total	No. of Titles	Cumulative Total	No. of Titles	Cumulative Total	No. of Titles	Cumulative Total
1996	0	0	1	1	0	0	1	1
1997	0	0	24	25	1	1	25	26
1998	14	14	20	45	1	2	35	61
1999	0	14	33	78	0	2	33	94
2000	1	15	70	148	0	2	71	165

Based on these results, it can be assumed that a large amount of electronic publications have not reached Perpustakaan Negara Malaysia. The number of titles of electronic publications that were deposited for the last 13 years can be considered very low when compared to the Government's emphasis on information technology and initiatives in encouraging the development of Malaysian local multimedia content. It can be expected that with the current government policy, the volume of electronic publications have and will grow tremendously.

The increasing volume and the variety of formats and characteristics will definitely pose problems to their legal deposit. With the production of more electronic publications, the task of tracking them down will become more difficult and challenging because:

- (a) There is no specific mention of the inclusion of electronic publications in the *Deposit of Library Material Act*, and also no definition of the term electronic publication, a factor that is of great importance, considering the difficulty in distinguishing electronic publications.
- (b) The inadequate number of staff in handling legal deposit of the various types of non-print material, which include electronic publications, who are also responsible for handling the legal deposit of conference proceedings and seminar papers.
- (c) Inadequate public awareness of the importance and need for legal deposit of electronic publications.

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From this study, it cannot be established what percentage of electronic publications escape legal deposit since one of the problems is finding out what has been published and not deposited. Interviews with the publishers have shown that they have published more than what they have deposited.

Another possible reason why these publishers did not deposit all their electronic publications to Perpustakaan Negara Malaysia is that, unlike printed library material which should be deposited within one month of their publication at the publisher's own expense; non-printed library material are only delivered on request and may sometimes involve payment to the publishers. Section 4, Part 2 of the *Deposit of Library Material Act, 1986* states that for non-printed library material:

"...if written request is made for such library material within one year of their publication, provided that that the Director-General shall pay for the cost of the library material so delivered, if payment is demanded by the publisher."

This is in contrast with printed library material where the publisher:

"...shall within one month, of the publication, deliver to the Director-General, at his own expense, such number of copies as prescribed in Schedule 1..." and "where printed library material is published at regular or irregular intervals as in the case of periodicals and serials, it shall be delivered within one week of such publication."

The types of electronic publications received and registered through legal deposit are only limited to off-line electronic publications such as diskettes and CD-ROMs. There is no record of any on-line/networked electronic publications and this can be attributed to the fact that the current *Deposit of Library Material Act, 1986* can be interpreted as not covering on-line/networked electronic publications. In principle, electronic publications of all types should be subjected to legal deposit, whether they are off-line electronic publications or on-line/networked electronic publications.

As far as electronic publications are concerned, the *Deposit of Library Material Act, 1986* does not provide any specific definition. The Act only states "...and other electronic media" but does not specifically elaborate what "other electronic media" is, a factor which is of great importance considering the difficulty in determining what constitutes electronic publications. The legal deposit legislation has to change in order to accommodate the present shift towards electronic publishing in a



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networked environment. It has been 15 years since the *Deposit of Library Material Act, 1986* was revised. New policy and guidelines are required to deal with identifying, locating, acquiring, reporting, storing and preserving on-line/networked electronic publications. Such publications can only be obtained over networks via protocols such as file transfer, electronic mail, or hypertext transfer. If these publications are not captured and preserved, there will be major gaps in the Malaysian intellectual heritage and research tools.

#### **Subject Coverage**

The non-print materials are classified according to the Dewey Decimal Classification Scheme. The findings (Table 4) indicate that the highest number of non-print material received and registered is for music, performing arts, theatre, films and cinema, followed by religion/theology. It should also be noted that the four types of non-print material that constitute a major portion in the subject of music, performing arts, theatre, films and cinema are audio cassettes, audio compact discs, video cassettes and video compact discs. While the types of non-print material that constitute most in the subject of religion/theology are audio-cassettes and video cassettes.

The subject coverage of the 165 titles of electronic publications deposited varies. As for electronic publications, the 148 titles of CD-ROMs received and registered cover various subject areas (Table 4). The two highest number of CD-ROM titles received and registered are in the subject of education and language/linguistics. This can be accounted to the fact that publishers like CIE Network and the Education Technology Division are involved with computers in education or electronic education programmes where several developments have necessitated the change towards a technologically supported education system. Most of the 15 diskettes received and registered are in the subject of music, performing arts, theatre and film/cinema.

Table 4: Types of Non-print Material by Subject

Subject	Audio Compact Disc	Video Compact Disc	Laser Disc	Audio Cassette	Video Cassette	Betacam	Film	Multimedia Kit	Transparencies	Phono Records	Micro fiches	Flash Cards	Diskette	Computer Software	CD-ROM	TOTAL	Percent (%)
Generalities	0	0	0	1	49	1	5	0	0	0	1	0	0	0	13	<b>70</b>	<b>0.88</b>
Philosophy/Psychology	0	0	0	5	1	0	0	0	0	0	0	0	0	0	1	<b>7</b>	<b>0.09</b>
Religion, Theology	21	7	0	559	283	0	14	2	1	0	0	0	1	1	18	<b>907</b>	<b>11.44</b>
Sociology, Statistics	0	0	0	7	10	0	28	0	0	0	0	0	0	0	0	<b>45</b>	<b>0.57</b>
Politics, Economics	0	0	0	45	52	0	73	0	0	0	0	0	1	0	9	<b>180</b>	<b>2.27</b>
Law, Public Administration, Social Beliefs, Welfare, Insurance	0	1	0	5	22	0	40	0	0	0	0	0	0	0	6	<b>74</b>	<b>0.93</b>
Military Art and Science	0	0	0	0	2	0	7	0	0	0	0	0	0	0	0	<b>9</b>	<b>0.11</b>
Education	0	0	0	2	19	0	3	3	13	0	0	0	0	0	24	<b>64</b>	<b>0.81</b>
Trade, Communication, Transport, Tourism	0	0	0	0	1	0	3	0	0	0	0	0	0	0	0	<b>4</b>	<b>0.05</b>
Ethnography, Cultural Anthropology (Customs, Folklore, Mores, Tradition)	0	0	0	2	1	0	74	0	1	0	0	0	0	0	0	<b>78</b>	<b>0.98</b>
Language, Linguistics	0	0	0	14	1	0	2	56	0	0	0	0	1	1	20	<b>95</b>	<b>1.20</b>
Mathematics	0	0	0	0	1	0	0	3	9	0	0	0	1	0	15	<b>29</b>	<b>0.37</b>
Natural Sciences	0	0	0	0	4	0	7	0	3	0	0	0	0	0	10	<b>24</b>	<b>0.30</b>
Medical Science, Public health	0	0	0	2	5	0	7	0	0	0	0	0	0	0	0	<b>14</b>	<b>0.18</b>
Engineering, Technology, Industries, Trades and Crafts	0	0	0	0	4	0	5	0	0	0	80	0	0	0	1	<b>90</b>	<b>1.14</b>
Agriculture, Forestry, Stockbreeding, Hunting, Fisheries	0	0	0	0	2	0	22	0	0	0	8	0	0	0	1	<b>33</b>	<b>0.42</b>
Domestic Science	0	1	0	1	19	0	2	0	0	0	0	0	0	0	1	<b>24</b>	<b>0.30</b>
Management, Administration and Organization	0	0	0	27	14	0	2	1	0	0	0	0	2	0	4	<b>50</b>	<b>0.63</b>
Physical Planning, Town & Country Planning, Architecture	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	<b>2</b>	<b>0.03</b>

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Plastic and Graphic Arts, Photography	0	0	0	0	0	0	7	0	1	0	0	0	0	0	3	11	0.14
Music, Performing Arts, Theatre, Film and Cinema	1,686	212	57	3,277	290	45	52	11	0	51	0	6	9	0	3	5,699	71.90
Games and Sports	0	0	0	1	12	2	18	0	1	0	0	0	0	0	5	39	0.49
Literature	0	0	0	25	112	0	72	6	0	0	0	0	0	0	4	219	2.76
Geography	0	0	0	0	15	0	26	0	0	0	0	0	0	0	0	41	0.52
History, Biography	0	0	0	0	45	16	47	0	0	0	0	0	0	0	10	118	1.49
<b>TOTAL</b>	<b>1,707</b>	<b>221</b>	<b>57</b>	<b>3,973</b>	<b>966</b>	<b>64</b>	<b>516</b>	<b>82</b>	<b>29</b>	<b>51</b>	<b>89</b>	<b>6</b>	<b>15</b>	<b>2</b>	<b>148</b>	<b>7,926</b>	<b>100.00</b>
<b>Percent (%)</b>	<b>21.54</b>	<b>2.79</b>	<b>0.72</b>	<b>50.13</b>	<b>12.19</b>	<b>0.81</b>	<b>6.51</b>	<b>1.03</b>	<b>0.37</b>	<b>0.64</b>	<b>1.12</b>	<b>0.08</b>	<b>0.19</b>	<b>0.03</b>	<b>1.87</b>	<b>100.00</b>	<b>0</b>

**Legal Issues**

The publishers' main concern is that access to their deposited electronic publications will lead to unfair exploitation of their publications. Here, piracy is the main challenge and threat to electronic publications and this issue can be overcome by issuing protection codes and reducing the price of CD-ROMs. The publishers felt that there is a need for a legal agreement between the deposit holder, the publisher and the user. However, the nature of copyright in a literary work is as stipulated in Section 13 of the *Copyright Act, 1987* :

- (1) copyright in a literary, musical or artistic work, a film, or a sound recording shall be the exclusive control in Malaysia -
  - (a) the reproduction in any material form;
  - (b) the performance, showing or playing to the public;
  - (c) the broadcasting;
  - (d) the communication by cable; and
  - (e) the distribution of the copies of the work to the public by sale, rental, leases or lending,
 of the whole work or a substantial part thereof, either in its original or derivative form.

The term "material form" and "reproduction" in the *Copyright Act, 1987* has been defined to cover all kinds of reproduction of a work. "Material form" is defined as, "in relation to a work or a derivative work, includes any form (whether visible or not) of storage from which the work or derivative work, or a substantial part of the work or derivative work can be reproduced". While "reproduction" is defined as "the making of one or more copies of a work in any form or version, and in relation to an artistic work includes the making of a copy in three dimensions of a two-

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dimensional work". Thus, electronic publications are protected by the *Copyright Act, 1987*.

If it is in the form of multimedia, or a database, it may be considered as a derivative work. Section 8 of the Act states :

The following derivative works are protected as original works:

- (a) translations, adaptations, arrangements and other transformations of works eligible for copyright; and
- (b) collections of works eligible for copyright which, by reason of the selection and arrangement of their contents, constitute intellectual creations.

However, a certain amount of fair dealing of a copyrighted work is allowed under the law. "Fair dealing" is defined under Section 13(2) of the *Copyright Act, 1987* as "fair dealing for purposes of non-profit research, private study, criticism, review or the reporting of current events, subject to the condition that if such use is public, it is accompanied by an acknowledgement of the title of the work and its authorship".

Libraries are granted a wider exception in facilitating access to learning, culture and ideas as stipulated in Section 13(i) of the *Copyright Act, 1987* :

- (i) any use made of a work by or under the direction or control of the government, by the National Archives or any State Archives, by the National Library or any State Library, or by such public libraries and educational, scientific or professional institutions" and "where such use in public interest and is compatible with fair practice" and:
  - (i) no profit is derived there from; and
  - (ii) no admission fee is charged for the performance, showing or playing, if any, to the public of the work thus used.

## **RECOMMENDATIONS**

The *Deposit of Library Material Act, 1986* does not specify the legal deposit of electronic publications. The Act has to be amended in order to clearly specify and define electronic publications to ensure coverage of both off-line and on-line/networked electronic publications.

Some countries have taken action to include electronic publications in their legal deposit legislation. Canada, France, Germany, Iran, Italy, Japan, Sweden and the United States have specifically identified off-line electronic publications as being subject to legal deposit by referring in their legislation to the necessity of depositing

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a physical item or publication in a fixed format (Lariviere, 2000). Other countries, like Denmark, Finland, Norway and South Africa are including on-line material, through a definition that accommodates current and future new publishing formats, eliminating from the definition any reference to a physical format.

Since information technology evolves at such a rapid pace, it is important that the definition of material to be deposited is worded in such a way that amendments will not be necessary each time a new media or technique of providing information is made available. There is no standardised set of terms used in legal deposit legislation although the Norwegian legislation has been used by several countries as a model on which to develop new legislation. Countries like, Australia, Denmark and United Kingdom have referred to the Norwegian legislation as a useful model.

There should be mutual understanding between the publishers and the deposit holder in order to resolve the issue of unfair exploitation of deposited publications. Perpustakaan Negara Malaysia needs to demonstrate to the publishers that they will gain from legal deposit through wide publicity of their works and also long-term care and maintenance of their works. The publishers must also be assured that access to their works will only be permitted under clear circumstances. In France, documents including electronic documents, acquired through legal deposit are not made available to the general public, but only to readers carrying out research at the Bibliotheque nationale de France so as to protect the publisher's rights.

Similarly, in the Library of Congress of the United States of America, user's access to electronic publications such as CD-ROMs are bound by an agreement whereby library users may search the work and print copies of their search results, and the Library will not use CD-ROM agreement to provide fee services. The CD-ROMs are kept in secure areas and handled under supervision of authorised library staff.

Extending legal deposit to on-line/network publishing will give Perpustakaan Negara Malaysia the legal authority to acquire electronic publications for the national collection. This is in line with the recommendations of the 1994 CDNL Working Group that legal deposit of electronic publications should not only include off-line electronic publications but also on-line electronic publications especially when there is a rapid move towards on-line publishing.

The present shift towards electronic publishing in an on-line/networked environment cannot but affect the way Perpustakaan Negara Malaysia fulfils its role in developing the cultural and intellectual heritage of the nation for present and future

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generation of users. Since Perpustakaan Negara Malaysia is receiving off-line electronic publications in the form of diskettes and CD-ROMs, it should now expand to include on-line/networked electronic publications. If steps are not taken immediately to ensure legal deposit of these electronic publications, potential loss of valuable material will occur.

## **CONCLUSION**

As the National Depository Centre for Malaysian publications, Perpustakaan Negara Malaysia should ensure the acquisition, recording, preservation and the availability of the nation's published heritage. A national collection of published material in various formats can be developed through an effective legal deposit system. Although the present legal deposit system applies to both print and non-print material, it has yet to cover electronic publications especially on-line/networked electronic publications. If these publications are not captured and preserved, Malaysia will lose that part of its cultural and intellectual heritage that is accessible on-line only. As Lariviere (2000) noted, "as technology evolves, the threat of potential loss of valuable material is growing, and in certain areas, the situation is almost at the point of no return".

Electronic publishing in Malaysia is definitely growing rapidly and will become as much a part of the nation's published heritage as print publications. The success of legal deposit of electronic publications will depend largely on strong government support and this will not be that difficult as it scores highly on the government's agenda. The support of information providers and publishers is also crucial for the success of legal deposit of electronic publications.

Perpustakaan Negara Malaysia must obtain an electronic copy of an electronic publication selected for its permanent collection. Long-term preservation means ensuring that a publication survives long after copyright has expired. By acquiring an electronic publication from the originator as soon as it is published, Perpustakaan Negara Malaysia is assured of preserving the integrity of a publication as originally released. The Library should be able to ensure that the electronic publication is in a form that is accessible for current and future generations of readers and researchers.

## *Legal Deposit of Electronic Publications in Malaysia*

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