

# Legal Deposit and access to broadcasting in Norway

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*Karl.Erik.Andersen@nb.no*

*Head Curator, Broadcasting Archives, National Library of Norway, Mo i Rana*

I come from the National Library of Norway, which is located both in Oslo, the capital, and Mo i Rana, 1000 km north by car or 730 km by air. The great distance between the two locations has been compensated by developments in communications and especially the Internet. (It's only a little bit farther, 850 km by air, between Oslo and Riga.)

The Rana division of the National Library was founded in 1989. We began in an old school, but soon had new buildings: In the mountain behind the library we made a hole big enough for a four story building with 45.000 meters of shelves. Outside to the left are the nitrate vaults and the big grey box on the right is the Book Box, an automated storage and retrieval system that holds 1 million books and other items. There is also a media lab that includes sound, video, photo, microfilm and a film restoration lab.

In 1990 a new Legal Deposit Act came into effect, which extended its reach beyond books and other printed material, to microforms, photographs, combined documents, sound recordings, films, videograms, electronic documents and broadcasting. The Act was worded in very general terms. For instance "Electronic documents" is interpreted to cover both databases, CD-ROMs and Internet sites. The Regulations to the Act take care of the details, and can be adjusted as the world changes, in an easier way than revising the whole Act.

The regulations say this about the legal deposit of broadcasting: The national broadcaster Nrk is to deliver copies of all their broadcasts. Other channels deliver at specific request.

We have chosen to request deposit of those radio and TV channels that cover the whole country. Including the Nrk, we now receive recordings from 3 national TV channels, 6 national radio channels and the Nrk's 18 regional radio and TV services. We don't collect local radio and only a 4 weeks a year spot check of local television.

What is collected is there to be used. The Act states that the purpose of legal deposit is to make records of the nation's cultural and social life available as source material for research and documentation. So researchers, scientist, high level students, authors and journalists have the right to access. The law prevents us from lending out copies of broadcasting for educational use, and those who want to reuse audiovisual material in new productions must ask the rights holders, not us, for permission.

The way we make our material available is through lending. (We did sell copies for a while, but after we got our own lawyer who could read the laws, we decided that lending is the way to go and we can only sell copies in special cases, if the rights holder gives permission. This means we ask the Nrk for permission to sell in a handful of cases each year.)

We have signed agreements with 16 libraries around the country. Most are university libraries or higher education libraries, but there are some local libraries too. When someone needs access to a radio or TV programme for research or documentation, we make a copy and send it to his or her library, where it can be viewed or listened to on the library premises. There is no home loan. When the borrower has finished with the material, we ask the library to return the video tapes so we can re-use them. But the CDs are not reusable, and it's unlikely that another borrower will want to hear the same material, so we ask the library to destroy the CD copy.

We expect digital lending to become legally possible from 2006. The EU directive on copyright (the INFOSOC directive), applies to non-EU member Norway too, and this summer the Norwegian adaptations of the copyright law were passed. Next will follow new regulations for libraries, and we expect to see changes that will help us in our work as an archive. We will be allowed to digitize legal deposit material, and hopefully we will be allowed to give digital access to material that we have received as digital legal deposit. Mainly access on our own premises, but also on-line in our remote libraries. This means we can make a digital file and send it over the Internet to a library so the borrower can view it or listen to it on a library computer. Of course, we would like to be able to send it straight home to the user, but that must be the next battle.

In order to lend digitally, it is best to receive the legal deposit copies digitally to begin with. We have made a start in this regard. Last New Year we began receiving radio as digital deposit from the Nrk, in 1 hour sound files and a daily metadata file per channel. Our computers fetch these files via FTP and place them in our Digital Long Term Repository. They also add a new record per day per channel to our catalogue and import the metadata supplied by the Nrk. We have started discussions with the TV channels with regard to starting a digital deposit of television next year. It's still undecided whether this will be in the same way as the radio deposit, with 1 hour files via FTP, or from satellite streams, or from streaming TV on the Internet.

In conclusion I would like to stress the importance of legal deposit. It is society's way of saving the collective memory. We feel it is preferable to have a public institution that gathers the documents from all relevant producers on all kinds of media. The content in our collections will be public property forever, of course while at the same time protecting the rights of the producers and authors.