

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO  
LEGAL DEPOSIT BILL**

[B 19—97]

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*(As agreed to by the Portfolio Committee on Arts, Culture and Language, Science and  
Technology (National Assembly))*

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[B 19A—97]

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REPUBLIEK VAN SUID-AFRIKA

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**PORTEFEULJEFKOMITEE-AMENDEMENTE  
OP  
WETSONTWERP OP  
PLIGLEWERING**

[W 19—97]

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*(Soos goedgekeur deur die Portefeuljekomitee oor Kuns, Kultuur en Taal, Wetenskap en  
Tegnologie (Nasionale Vergadering))*

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[W 19A—97]

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**AMENDMENTS AGREED TO****LEGAL DEPOSIT BILL**  
**[B 19—97]****CLAUSE 1**

1. On page 2, in line 9, to omit all the words after “means” and to substitute:

any object which is intended to store or convey information in textual, graphic, visual, auditory or other intelligible format through any medium, and any version or edition of a document which is significantly different from that document in respect of its information content, intelligibility or physical presentation, is considered to be a separate document;
2. On page 2, from line 10, to omit paragraph (iv).
3. On page 2, from line 15, to omit paragraph (v).
4. On page 2, from line 20, to omit paragraph (viii).
5. On page 2, from line 23, to omit paragraph (ix).
6. On page 2, in line 29, to omit “central” and to substitute “national”.
7. On page 2, in line 34, to omit “6(1)(b) and (2)” and to substitute “6(2)”.
8. On page 2, in lines 35 and 36, to omit “designated by the Minister under” and to substitute “referred to in”.
9. On page 2, in line 39, after “available” to insert:

in multiple copies or locations to—  
(a) any member of the public, whether through purchase, hire, loan, subscription, licence or free distribution; or  
(b) the members of an association or a society, the membership of which is open to any qualifying member of the public

**CLAUSE 2**

1. On page 4, in line 11, after “each” to insert “version and”.
2. On page 4, in lines 13 and 14, to omit “national bibliographic agency” and to substitute “State Library”.

**CLAUSE 4**

1. On page 4, in line 22, to omit “made generally available” and to substitute “published”.

## CLAUSE 5

1. On page 4, in line 24, after “document” to insert:  
     , or its unique or labour-intensive production method
2. On page 4, in line 25, after “financial” to insert “or other”.
3. On page 4, in line 31, to omit “relevant national preservation agency” and to substitute:  
     South African Library or the National Film, Video and Sound Archives, as the case may be,
4. On page 4, in line 32, to omit “national bibliographic agency” and to substitute “State Library”.
5. On page 4, in line 36, to omit “relevant national preservation agency if such relief does” and to substitute:  
     South African Library or the National Film, Video and Sound Archives, as the case may be: Provided that such relief shall
6. On page 4, in line 43, to omit “national bibliographic agency” and to substitute “State Library”.
7. On page 4, in line 44, to omit “that agency” and to substitute “the State Library”.

## CLAUSE 6

1. On page 6, from line 2, to omit subsections (1) and (2) and to substitute:
  - (1) The places of legal deposit shall be—
    - (a) the City Library Services, Bloemfontein;
    - (b) the Library of Parliament, Cape Town;
    - (c) the Natal Society Library, Pietermaritzburg;
    - (d) the South African Library, Cape Town;
    - (e) the State Library, Pretoria;
    - (f) the National Film, Video and Sound Archives, Pretoria, for purposes of certain categories of documents as prescribed; and
    - (g) any other library or institution prescribed by the Minister for purposes of certain prescribed categories of documents.
  - (2) (a) The Minister shall, on the recommendation of the Member of the Executive Council responsible for libraries in each province, designate at least one place of legal deposit in each province to serve as an official publications depository, which shall be entitled to receive a copy of every official publication but not of other categories of documents.
  - (b) Except in the case of subsection (1)(b), an official publications depository may be designated in an existing place of legal deposit if the Minister deems this advisable: Provided that such a place of legal deposit shall retain its right under section 2(1) also to receive documents other than official publications.

## CLAUSE 7

1. On page 6, in line 25, after “shall” to insert:  
     , subject to such limitations as may be prescribed
2. On page 6, in line 26, after “(a)” to insert “receive,”.
3. On page 6, in line 28, to omit “subject to such limitations as may be prescribed,”.
4. On page 6, in line 30, to omit “national bibliographic agency” and to substitute “State Library”.
5. On page 6, in line 36, to omit “relevant national preservation agency” and to substitute:  
     South African Library and the National Film, Video and Sound Archives
6. On page 6, in line 37, to omit “partial”.
7. On page 6, in line 41, before “information” to insert “official publications and”.

## CLAUSE 8

1. On page 8, in line 4, to omit “legal deposit libraries and places of partial” and to substitute “places of”.
2. On page 8, after line 4, to insert the following paragraph:  
     (b) the head of the Government Printing Works;
3. On page 8, in line 11, to omit “five” and to substitute “four”.
4. On page 8, after line 31, to insert the following paragraph:  
     (f) report to Parliament on the activities and financial affairs of the places of legal deposit in accordance with the provisions of the Reporting by Public Entities Act, 1992 (Act No. 93 of 1992).
5. On page 8, in line 35, to omit “Committees” and to substitute “Committee”.

## CLAUSE 9

1. On page 8, in line 39, to omit “as prescribed” and to substitute “not exceeding R20 000”.

## CLAUSE 10

1. On page 8, in lines 46 and 47, to omit “or in any other manner”.
2. On page 8, in line 47, after “or” to insert:  
     , if copies are no longer available,

CLAUSE 13

Clause rejected.

CLAUSE 15

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause to follow Clause 14:

**Repeal of laws**

**15.** The laws mentioned in the Schedule are hereby repealed to the extent set out in the third column thereof.

NEW SCHEDULE

1. That the following be a new Schedule:

**Schedule**

**Laws repealed**

Number and year of law	Title	Extent of repeal
Act No. 11 of 1977 (Transkei)	National Library Service Act, 1977	Section 12
Act No. 8 of 1978 (Bophuthatswana)	Bophuthatswana National Library Service Act, 1978	Section 19(5)
Act No. 18 of 1980 (KwaZulu)	KwaZulu Library Act, 1980	Section 7
Act No. 19 of 1980 (Ciskei)	Ciskeian Library Services Act, 1980	Section 12
Act No. 12 of 1981 (Venda)	Venda National Library Services Act, 1981	Section 14(4)
Act No. 4 of 1982 (Gazankulu)	National Library Service Act, 1982	Section 14(4)
Act No. 17 of 1982	Legal Deposit of Publications Act, 1982	The whole
Act No. 10 of 1983 (Qwaqwa)	National Library Service Act, 1983	Section 14(4)
Act No. 7 of 1991 (Lebowa)	Central Library Service Act, 1991	Section 18

LONG TITLE

1. On page 2, in the second line, after “deposit” to insert “of published documents”.