

*Draft Regulations laid before Parliament under section 11(6) of the Legal Deposit Libraries Act
2003, for approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

2013 No.

LIBRARIES

**The Legal Deposit Libraries (Non-
Print Works) Regulations 2013**

Made - - - - - ***

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 1(4), 2(2), 6(1), 7(3), 10(5) and 11(1) of the Legal Deposit Libraries Act 2003⁽¹⁾.

The Secretary of State has consulted the deposit libraries⁽²⁾ and the publishers appearing to the Secretary of State to be likely to be affected by these Regulations.

The Secretary of State has consulted the Scottish Ministers and the Welsh Ministers⁽³⁾.

The Secretary of State is satisfied that as regards the restriction by section 7 of the Act (having regard to these Regulations) of activities in relation to relevant material⁽⁴⁾, the restriction of those activities under the laws of Ireland is not substantially less.

The Secretary of State is satisfied that as regards the protection under the laws of any part of the United Kingdom of copyright, publication right, database right and patents in relation to relevant material, the protection under the laws of Ireland of corresponding rights is not substantially less.

The Secretary of State is satisfied that as regards the protection from liability under subsections (3) and (4) of section 10 of the Act, the protection under the laws of Ireland in relation to corresponding liability is not substantially less.

The Secretary of State considers that the costs likely to be incurred as a result of these Regulations by persons who publish works to which these Regulations relate are not disproportionate to the benefit to the public arising from the delivery of copies of such works.

The Secretary of State considers that these Regulations do not unreasonably prejudice the interests of persons who publish works to which these Regulations relate.

In accordance with section 11(6) of the Act a draft of this instrument was laid before and approved by a resolution of each House of Parliament.

(1) 2003 c.28. Section 10(6) of the Act, to which section 10(5) of the Act refers, was amended in relation to England and Wales and Northern Ireland by Part 2 of Schedule 23 to the Coroners and Justice Act 2009 (c.25) and in relation to Scotland by paragraph 72(e) of Schedule 7 to the Criminal Justice and Licensing (Scotland) Act 2010 (2010 asp 13) to reflect changes made to common law libel offences.

(2) "Deposit library" is defined in section 14 of the Act.

(3) The requirement in section 12(5) of the Act to consult the National Assembly for Wales is to be construed as a reference to the Welsh Ministers by virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(4) "Relevant material" is defined in section 7(5)(b) of the Act.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK
Statutory Instrument: The Legal Deposit Libraries (Non-Print Works) Regulations 2013 No. 777
