

212/1997

Act on Free Copies of Periodicals, Non-Periodicals and Audiovisual Copies

of 3 July 1997

The National Council of the Slovak Republic has passed the following Act:

§ 1

Subject of Amendment

This Act sets up the duty of the publishers of periodicals and non-periodicals and the makers of copies of audiovisual works to submit copies of periodicals, non-periodicals and audiovisual copies of Slovak works (1) to designated persons at law according to appendixes No.1 and 2.

Specification of Some Concepts

- (1) A periodical publication is a periodical or other publication issued at least twice a year under the same title with an indication of periodicity and a lay-out typical for this sort of published work (2).
- (2) A periodical is a publication which is not designed for the official, service and operational needs of public authorities, communities and legal and natural persons as well.
- (3) A non-periodical is an intentionally-made publication, a copy of a literary, photographic, scientific or art work (3), which is, as a rule, an unrepeated issue and can be published in parts irrespective of the form and the method of compilation, issue or manufacture
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1) § 2, paragraph 1, letter b) of Radio and TV Transmission Act of the National Council of the Slovak Republic No.1/1996 of Code Laws

2) § 3, paragraph 1 of Periodicals and Other Mass Media Act No.81/1996 of Coll. Laws according to the latest provisions

3) § 10, paragraph 2 of Literary, Scientific and Art Works Act (Copyright Act) No. 35/1965 of Coll. Laws according to the latest provisions

(4) A non-periodical publication is not

- a) a three-dimensional cartographic work, a basic state map or a thematic state map according to special provisions (4),
- b) a three- dimensional copy of an art work
- c) a copy designed for social or family purposes, especially an invitation or announcement

d) a bank note, a coin, a stamp, a duty stamp, a lottery-ticket, a stock, an investment certificate, a payment card and other postal stationery, and a phone card

e) an electoral certificate, a list of electors, a ballot and the record of an election or referendum results

f) a copy of a literary, scientific or artwork (3), the number of which copies does not exceed 50

(5) A required copy of a periodical or non-periodical is part of the amount of copies which a publisher must submit to designated legal persons

(6) A required copy of a Slovak audiovisual work (5) is part of amount of an audiovisual work, which a manufacturer must submit to designated legal persons according to appendix No.2

(7) The publishers of periodicals or non-periodicals and the manufacturers of Slovak audiovisual works are legal or natural persons who fulfill the criteria based on the special provisions (7) and reimburse the expenses for their issue or manufacture

8) The issuance of periodicals, non-periodicals and the manufacture of audiovisual copies in a non-state language (8) is not limited by observing this Act and the stipulation of special provisions (9)

4) § 2, paragraphs 9 and 10, Geodesy and Cartography Act of the National Council of the Slovak Republic No.215/1995 of Code Laws

5) § 2, paragraph 1, letter c), Radio and TV Transmission Act of the National Council of the Slovak Republic No.1/1996 of Code Laws

6) § 2, paragraph 2, letter a) of Act No.1/1996 of Code Laws of the National Council of the Slovak Republic

7) Trade Act No.455/1991 based on the latest provisions.

Commercial Code based on the latest provisions.

Act No.1/1996 of Code Laws of the National Council of the Slovak Republic

Act No. 81/1996 of Coll. Laws based on the latest provisions

8) § 5, paragraph 5, Act on the Official Language of the Slovak Republic No.270/1995 of Code Laws of the National Council of the Slovak Republic

9) Act No. 81/1996 of Coll. Laws based on the latest provisions

§ 3

Duties of Publishers of Periodicals

A publisher of periodicals is required to deliver required copies free of charge at his own expense on the day of the periodicals' circulation under the following conditions:

- a) he is required to deliver a required copy according to Appendix No.1 if the total number of copies exceeds 500
- b) two required copies to the University Library in Bratislava and the Slovak National Library at Matica Slovenská and one copy to the Scientific-Technical Information Centre of the Slovak Republic and the registration authority if the total number of copies does not exceed 500
- c) a required copy in electronic form to the University Library in Bratislava and the Slovak National Library at Matica Slovenská. All details will be stipulated by generally binding legal provisions issued by the Ministry of Culture of the Slovak Republic.

§ 4

Duties of Publishers of Non-Periodicals

A publisher of non-periodicals is required to deliver required copies free of charge at his own expense no later than ten days after the distribution of the copies under the following conditions:

- a) he is required to deliver a required copy from each issue or issued part if the total number of copies exceeds 500 according to Appendix No.1
- b) two required copies from each issue or issued part to the University Library in Bratislava and the Slovak National Library in Matica Slovenska and one copy to the Scientific-Technical Information Centre of the Slovak Republic if the total number of copies does not exceed 500
- c) a required copy in electronic form to the University Library in Bratislava and the Slovak National Library at Matica Slovenska. All details will be stipulated by generally binding legal provisions issued by the Ministry of Culture of the Slovak Republic.

§ 5

Duty of Manufacturer of Audiovisual Work

The manufacturer of an audiovisual work is required to deliver one copy free of charge and at his own expense up to ten days from its manufacture according to Appendix No. 2.

§ 6

Duty of the Registry Authority of Periodicals

The registry authority for periodicals shall deliver one copy of each periodical to the corresponding record office no later than three years after its acquisition (11) according to Appendix No.3.

§ 7

Availability of Required Copies

(1) Libraries are required to lend one of the required audiovisual copies on their premises free of charge to everyone.

(2) The University Library in Bratislava and the Slovak National Library at Matica Slovenská can also lend one of the required audiovisual copies free of charge outside the library on the basis of a submitted application if the copy is necessary to ensure that professional activities involved in keeping duties set up by special regulations are maintained. (12)

10) § 5, paragraph 2, Act No.81/1966 of Coll. Laws according to the latest provisions.

§ 13, paragraph 1 of Act on the Organization of Local Public Authorities and the Amendment of Some Laws No. 222/1996 of Code Laws of the National Council of the Slovak Republic.

11) Maintaining Archives Act No.149/1975 of the Slovak National Council according to the latest provisions

12) § 15, letter j) of Act No.35/1965 of Coll. Laws according to the latest provisions

§ 8

International Numbering Standard

A publisher will number a non-periodical (ISBN), a periodical (ISSN) and sheet music (ISMN) in coordination with national agencies for the international numbering standards of books (ISBN), the international numbering standards for periodicals (ISSN) and the international numbering standards for sheet music (ISMN). In addition, he can ask the University Library in Bratislava to allocate a bar code (EAN) in accordance with international coding symbols.

§ 9

Publishers and Manufacturers' Authorizations

The publisher of a periodical and the manufacturer of an audiovisual work are authorized to issue or manufacture a maximum 160 extra copies from each issue of a non-periodical or audiovisual work in addition to the total number of copies which will be used for fulfilling his duty according to § 4 and 5 ("duty") resulting from the contracts of the publisher and the manufacturer for evaluating, promoting, archival, and documentary purposes.

2) Publishers and manufacturers are required to record their disposition of unsellable non-periodicals and audiovisual copies according to paragraph 1.

§ 10

Supervision

The supervision of duties which result from this Act

- a) will be provided by a registry authority for periodicals
- b) for non-periodicals and audiovisual copies, by a district authority in cooperation with the University Library in Bratislava, which is responsible for the allocation of ISBN and ISMN numbers.

§ 11

Penalties

- (1) As a result of the infraction of the duties set out in § § 3 to 5, the district authority can penalize a publisher or manufacturer whose place of business or residence is situated on its territory up to 75 000 Sk.
- (2) According to paragraph 1, the penalty can be assessed for up to one year at the latest from the issuance of a copy or the manufacture of an audiovisual copy.
- (3) A penalty assessed according to this Act is payable for up to 30 days from the date when the decision became valid. The general provisions of administrative execution relate to the execution of the penalty assessed.
- (4) A penalty assessed according to this Act belongs to the state's budget revenue (14).

Final Regulations

§ 12

The Act on Required Copies of Periodicals and Non-Periodicals No.93/1993 of Code Laws of the National Council of the Slovak Republic according to Act No. 49/1996 of Code Laws of the National Council of the Slovak Republic has been abolished.

National Council of the Slovak Republic

§ 13

This Act is valid from 1 September 1997

13) Administrative Action Act No. 71/1967 of Coll. Laws (Administrative Order)

14) Budget Rules Act No.303/1995 of Code Laws of the National Council of the Slovak Republic

Required Copies of Periodicals

| Type | Designated | Number of required copies |
|--|---|----------------------------------|
| National press, Code laws official bulletins | University Library in Bratislava | 2 |
| | Slovak National Library at Matica Slovenská | 2 |
| | Parliamentary Library in Banská Bystrica | 1 |
| | Central Library of the Slovak Academy of Sciences | 1 |
| | Regional State Library in Košice | 1 |
| | Regional State Library in Nitra | 1 |
| | Regional Scientific Library in Prešov | 1 |
| | Regional State Library in Trenčín | 1 |
| | Regional State Library in Trnava | 1 |
| | Regional State Library in Zvolen | 1 |
| | Regional State Library in Žilina | 1 |
| | National Centre of Communications Media | 1 |
| | Registry Authority | 1 |
| | Regional press from the whole Slovak Republic | University Library in Bratislava |
| Slovak National Library at Matica Slovenská | | 2 |
| Parliamentary Library | | 1 |
| National Centre of Communications Media | | 1 |
| Regional press from relevant region | relevant regional state library | 1 |
| | registry authority | 1 |
| Regional press from relevant district | district (regional) libraries | 1 |
| | registry authority | |

Required Non-Periodical and Audiovisual Copies

| Type | Designated | Number of |
|--|---|-----------|
| | legal | required |
| | person | copies |
| Publications such as, for example, books, sheet music, cartographic works, graphic art, special and official publications, prescriptive deeds, published scientific and academic theses, published travel and scientific reports | University Library in Bratislava | 2 |
| | Slovak National Library at Matica Slovenská | 2 |
| | Parliamentary Library | 1 |
| | State Scientific Library in Banská Bystrica | 1 |
| | Central Library of the Slovak Academy of Sciences | 1 |
| | Regional State Library in Košice | 1 |
| | Regional State Library in Nitra | 1 |
| | Regional Research Library in Prešov | 1 |
| | Regional State Library in Trenčín | 1 |
| | Regional State Library in Trnava | 1 |
| | Regional State Library in Zvolen | 1 |
| | Regional State Library in Žilina | 1 |
| Audiovisual and multimedia copies (particularly audiocassettes, | University Library in Bratislava | 1 |
| | Slovak National Library at Matica Slovenská | 1 |
| | National Centre for Audiovisual Art | 1 |

videocassettes,
CD-ROM)

| | | |
|-------------------------|---|---|
| Publications in Braille | Slovak National Library at Matica Slovenská | 1 |
| | M. Hrebenda Central Library for the Blind | 1 |

Required Periodical Copies Delivered to Archives

| Type | Registry authority | Archive |
|---|-------------------------------|--|
| Central Press, Code Laws official bulletins | Ministry of Culture of the SR | Slovak National Archive |
| Regional press | Ministry of Culture of the SR | Archive of Bratislava (press from the Region of Bratislava) State Regional Archive in Bratislava (press from the Regions of Trnava and Trenčín) State Regional Archive in Nitra (press from the Region of Nitra) State Regional Archive in Žilina (press from the Region of Žilina) State Regional Archive in Banská Bystrica (press from the Region of Banská Bystrica) State Regional Archive |

in Prešov (press from the Region of
Prešov)

State Regional Archive

in Košice (press from the Region of
Košice)

Regional press district authority
from relevant
district

regional archive

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