

DECREE ON LEGAL AND CULTURAL DEPOSIT

PRESIDENTIAL DECREE NO. 812, October 18, 1975

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WHEREAS, the acquisition, organization and preservation of a nation's intellectual and cultural heritage is a prime duty of the State;

WHEREAS, the cultural heritage of the Filipino nation is manifested in, among others, a comprehensive national bibliography, the principal basis of which are the published and printed materials or legal deposit;

WHEREAS, these legal deposit materials are of great value to readers, researchers, and scholars;

WHEREAS, there also exists an imperative need to preserve published and printed materials for posterity, and against unforeseen events and calamities such as fires, earthquakes, floods; or wars that may cause untold destruction to our national culture; and

WHEREAS, it is believed that the best way of accomplishing these purposes is to provide that certain government libraries be made recipients and depositories of copies of such published and printed materials;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree, order and make as part of the law of the land the following measures:

SECTION 1. This Decree shall be known as the "Decree on Legal and Cultural Deposit".

SEC. 2. (A) Within one month from the date any printed book, as this term is defined herein, is first delivered out of the press, the publisher of such book shall furnish, free of charge and in the same finish as the best copies of the same are produced, two copies thereof to the National Library, and a copy each to the University of the Philippines Main Library, the University of the Philippines Library at Cebu City, the Mindanao State University Library, and the Cultural Center of the Philippines Library. Upon receipt of the respective copies, the Chief Librarian concerned shall issue an acknowledgment receipt therefor to the proper person and shall keep a copy of such receipt for record purposes.

(B) The heads of the various departments, bureaus, offices, and branches of the governments, including the provinces and municipalities, and government-owned and government-controlled corporations are likewise required to furnish the National Library two free copies of any printed book published by them, and a copy each to the aforementioned libraries, within the period specified in paragraph (A) of this Section.

SEC. 3. For purposes of this Decree, the following shall be taken in the sense hereinbelow indicated:

- "Book" includes all printed literary works, musical arrangements, catalogues, periodicals, government publications, prints, photographs, drawings and other graphic arts, maps, plans, charts, and tables, and all supplements thereto, whether in their original form or adaptations or reproductions of the same, which are made available for sale or free distribution to the general public, but shall not include legal documents, printed forms, trade circulars, timetables, and other commercial documents.

- "Printed", as applied to books, means that which is produced by printing, lithography, photography, duplication, or any like process.

- "Printer" refers to the proprietor of the printing establishment.

- "Publisher" refers to the person, natural or juridical, which undertakes the production of a book and its offer for sale or free distribution. The publisher of a book may also be its printer.

SEC. 4. Notwithstanding the provisions of existing laws to the contrary, departments, bureaus, offices, and branches of the government including the provinces and municipalities, and government-owned or government-controlled corporations ordering the printing of any publication are directed to furnish, without charge to the National Library at least fifty (50) copies of all printed reports or documents of any kind to serve as the mainstay of the exchange commitments of the National Library, both national and international.

SEC. 5. The Director of the National Library is hereby empowered to make use of, allocate or distribute in the manner he deems fit, and in the interest of educational or cultural advancement, scholarship, or research the materials on legal deposit in the National Library.

SEC. 6. The Director of the National Library shall keep a record of all materials received under Section 3 of this Decree, which record shall contain, as far as practicable the following particulars as supplied by the publisher:

- The title of the book and the contents of the title page with a translation into English of such title and contents when they are not in the English language;
- The language in which the book is written;
- The name of the author, translator, or editor of the book;
- The subject matter;
- The place of printing and the place of publication;
- The name of firm of the printer and/or the name or firm of the publisher;
- The date of issue from the press and/or the date of publication;
- The number of sheets, leaves or pages;
- The size;
- The number of the edition;
- The number of copies which the edition consists;
- The price at which the book is sold to the public; and
- The name and residence of the proprietor of the copyright or any portion of the copyright.

SEC. 7. The records to be kept by the Director of the National Library, pursuant to the immediately preceding section, shall be published in the Official Gazette at the end of each quarter, counted from the beginning of each calendar year, or not less than one month after the end of such quarter.

SEC. 8. In case of a copyrighted work, the provisions of Section 2 of this Decree shall not apply.

SEC. 9. In case of total or partial nonfulfillment of the deposit required under Section 2 (A) of this Decree, the publisher shall upon conviction be liable to a fine of not less than fifty (P50.00) Pesos nor more than five hundred

(P500.00) Pesos and shall, likewise, be obliged to deliver the materials published or printed. If the copy of the materials is no longer available, a reproduction thereof, or the value of the work, shall be added to the fine.

SEC. 10. All laws, executive orders and/or administrative regulations which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 11. This Decree shall take effect three (3) months after its approval.

Done in the City of Manila, this 18th day of October, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.)

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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