

LAW no. 111 of November 21st 1995 on the Legal Deposit of Documents
(on August 10th 2007 amended by article I of Law 209/2007)

CHAPTER I: General Provisions

Art. 1

(1) The present law disposes the establishment of the Legal Deposit of Documents, further referred to as the Legal Deposit.

(2) The Legal Deposit is the intangible fund of the movable national cultural heritage.
(on August 10th 2007 Chapter I, article 1, amended by article 1, paragraph 3 of Law 209/2007)

Art. 2

The Legal Deposit includes the following categories of documents, series products, no matter whether they are intended to be commercialised or freely diffused:

- a) books, brochures, leaflets;
- b) newspapers, magazines, almanacs, calendars and serial publications;
- c) excerpts from serial publications;
- d) scores;
- e) series reproductions of albums, graphic, plastic, decorative and photographic art works, as well as of picture postcards, and greetings;
- f) books of maps, flat, in relief and globular maps, printed schemes;
- g) propagandistic communication supplies, of political, administrative, cultural-artistic, scientific, educative, religious, sportive interest: schedules, notices, posters, proclamations, sketches;
- h) PhD papers and their summaries, as well as university courses;
- i) documents in electronic format, on any of the following types of support: disk, tape, videocassette, CD, DVD and, respectively, those on the following type of support: film slides, microfilms, micro files;
- j) official publications of the central and local public authorities, as well as normative acts collections;
- k) functioning standards and technical norms;
- l) numismatic and philatelic documents;
- m) any other documents printed or multiplied by physical-chemical or graphic procedures, such as lithography, photography, phonic- and video-graph, etc., except those stated at article 5.

(on August 10th 2007 Chapter I, article 2, amended by article 1, paragraph 4 of Law 209/2007)

CHAPTER II: The Organisation of the Legal Deposit

Art. 3

- (1) The Legal Deposit is organised, at a central level, by the Romanian National Library and has as beneficiaries: the Romanian Academy Library, “Lucian Blaga” Central University Library of Cluj-Napoca, “Mihai Eminescu” Central University Library of Iasi, “Eugen Todoran” Central University Library of Timisoara, the

National Military Library and the Centre for Preserving the Historical Military Archives of Pitesti.

- (2) The Legal Deposit is organised, at a local level, by the county libraries and by the Bucharest Metropolitan Library.

(on August 10th 2007 Chapter II, article 3, amended by article I, paragraph 6 of Law 209/2007)

Art. 4

- (1) The documents stated at article 2 made in Romania, as well as those made abroad by Romanian legal bodies or executed for it, no matter whether they were meant to be diffused in Romania or abroad are also considered to be legal deposit items and must be submitted to the Legal Deposit.
- (2) The documents stated at article 2 made abroad by Romanian natural bodies or executed for it, no matter whether they were meant to be diffused in Romania or abroad, may be submitted as legal deposit items.

(on August 10th 2007 Chapter II, article 4, amended by article I, paragraph 7 of Law 209/2007)

Art. 5

Poor information documents - agendas, visit cards, correspondence envelopes, administrative-accounting forms, records, bordereaux, payrolls, bills, headings, commercial use documents – series products intended to be commercialised or freely diffused, regardless of the material support and of the artistic technique used for producing, issuing or diffusing them, the documents of financial value – bank documents, transport or show tickets, identity or marital status papers, ownership titles, artistic and documentary full-length and short-reel films, advertisement supplies for commercial purposes, items containing classified information are not considered to be legal deposit items and must not be sent to the Legal Deposit.

(on August 10th 2007 Chapter II, article 5, amended by article I, paragraph 8 of Law 209/2007)

Art.6

- (1) For the documents stated at article 2, made in Romania, the producer is the one who must submit them as legal deposit items: publishing houses, natural or legal bodies producing documents on their own, workshops, recording houses, studios, the National Bank of Romania, the State Mint, the “Romanian Post” National Company, as well as other similar producers.
- (2) For the documents made abroad by or for Romanian legal bodies, they are the ones that must submit them as legal deposit items.

(on August 10th 2007 Chapter II, article 6, amended by article I, paragraph 9 of Law 209/2007)

Art. 7

- (1) The following documents shall be sent to the Romanian National Library in 7 copies:
 - a) books, except rare and bibliophile editions;

- b) brochures;
- c) excerpts of serial publications.

- (2) The Romanian National Library keeps 3 copies, of which a copy of its own Legal Deposit, a copy for the statistic record and the elaboration of the Romanian Current National Bibliography and a copy for the international exchange of publications and delivers the other 4 copies to the Romanian Academy Library, to “Lucian Blaga” Central University Library of Cluj-Napoca, to “Mihai Eminescu” Central University Library of Iasi, and to “Eugen Todoran” Central University Library of Timisoara.
- (3) One supplementary copy of the documents stated at paragraph (1), concerning the military field, elaborated by legal or natural bodies which are not in the military service, shall be sent, to the National Military Library and the Centre for Preserving the Historical Military Archives of Pitesti.

(on August 10th 2007 Chapter II, article 7, amended by article I, paragraph 10 of Law 209/2007)

Art. 7¹

- (1) The following documents shall be sent to the Romanian National Library in 8 copies:
 - a) serial publications;
 - b) official publications of the central or local public administration authorities, as well as collections of normative acts;
 - c) textbooks;
 - d) audiovisual documents recorded on disks, tapes, videocassettes, CDs, DVDs;
 - e) the electronic documents recorded on floppy disks, CDs, DVDs.
- (2) The Romanian National Library keeps 2 copies for its own Legal Deposit and for elaborating the Romanian Current National Bibliography and delivers the other 4 copies to the Romanian Academy Library, to “Lucian Blaga” Central University Library of Cluj-Napoca, to “Mihai Eminescu” Central University Library of Iasi, and to “Eugen Todoran” Central University Library of Timisoara.
- (3) One supplementary copy of the documents stated at paragraph (1), concerning the military field, elaborated by legal or natural bodies which are not in the military service, shall be sent, to the National Military Library and the Centre for Preserving the Historical Military Archives of Pitesti.
- (4) The Ministry of Education, Research and Youth shall send one copy of the PhD papers, to the Romanian National Library and the concerned universities to the Romanian Academy Library.

Art. 7²

- (1) The following documents shall be submitted to the Romanian National Library in 3 copies:
 - a) scores;
 - b) programmes, notices, posters, proclamations of cultural memory interest;
 - c) books of maps, flat, in relief and globular maps, printed schemes;

- d) series reproductions of graphic, plastic, decorative and photographic art works, as well as of picture postcards, and greetings;
 - e) microfilms, micro files.
- (2) The Romanian National Library keeps 2 copies for its own Legal Deposit and for elaborating the Romanian Current National Bibliography and delivers one copy to the Romanian Academy Library.

Art. 7³

- (1) The following documents shall be submitted to the Romanian National Library in 2 copies:
- a) rare and bibliophile books;
 - b) printed and multiplied university courses;
 - c) summaries of the PhD papers;
 - d) technical functioning standards and norms;
 - e) leaflets.
- (3) The Romanian National Library keeps 1 copy for its own Legal Deposit and delivers the other copy to the Romanian Academy Library.

Art. 7⁴

One copy of the numismatic and philatelic documents such as: banknotes, coins, medals and stamps shall be sent to the Romanian Academy Library.
(on August 10th 2007 Chapter II, article 7, amended by article I, paragraph 11 of Law 209/2007)

Art. 8

For the documents stated at article 7 paragraph (1) and article 7¹ paragraph (1), the persons stated at article 6 shall submit a supplementary copy for the legal deposit of the county library from the county where their headquarter, respectively domicile, is and a copy to the Bucharest Metropolitan Library, with a view to including the documents in the local Legal Deposit.
(on August 10th 2007 Chapter II, article 8, amended by article I, paragraph 12 of Law 209/2007)

Art. 9

- (1) It is mandatory to submit the documents for the legal deposit to the libraries stated at articles 7 and 7¹ – 7⁴. The documents shall be sent free of charge.
(on August 10th 2007 Chapter II, article 9, paragraph (1), amended by article I, paragraph 13 of Law 209/2007)
- (2) The expenditure for delivering the documents for the legal deposit to the persons stated at article 8 shall be charged on them and the expenditure for delivering the documents from one library to another shall be charged on the libraries that send them, from their own budgets.
(on August 10th 2007 Chapter II, article 9, paragraph (1), amended by article I, paragraph 13 of Law 209/2007)

- (3) The delivery stated at paragraph (1) shall be done from the first edition, no later than 30 days after issue.
- (4) No documents printed in supplementary editions shall be sent. For these, a statement of the total number of printed copies shall be submitted to the Romanian National Library at the end of each year.

Art. 10

- (1) The legal and natural bodies who submit documents to the Legal Deposit must fill in the attached forms with the following data, necessary for identifying each item sent: author, title, edition, price and order number. These data shall be adapted function of the category of the submitted documents.
- (2) On the books submitted to the Legal Deposit, there must be the C.I.P. description of the Romanian National Library, as well as the following data: name, domicile / headquarters, month and year of issue, the International Standard Book Number – ISBN, edition and, if the book is published abroad, the country where it was printed.

(on August 10th 2007 Chapter II, article 10, amended by article I, paragraph 14 of Law 209/2007)

Art. 11

The Romanian National Library is authorised to act as national agency of the Legal Deposit and shall fulfil, as such, the following attributions:

- a) to ensure the national bibliographic control – N.B.C. – over the documents stated at article 2 of the present law;
- b) to draft the official statistic of the national editions;
- c) to ascribe the Legal Deposit number;
- d) to ascribe the International Standard Book Number – ISBN – to books and the International Standard Serial Number – ISSN - to other serial publications and to draft the Cataloguing in Progress – C.I.P.;
- e) to create and administer the data base of the publishing houses with their headquarters in Romania;
- f) to follow up and control the way legal and natural bodies that must submit documents to the Legal Deposit, comply with this obligation;
- g) to follow up and control the way the beneficiary libraries process, deposit and preserve the books and the other documents received as legal deposit;
- h) to keep, process, store and preserve, as intangible fund, a copy of the documents received as legal deposit and deliver the other copies to the beneficiaries stated at articles 7 and 7¹ – 7³.

(on August 10th 2007 Chapter II, article 11, amended by article I, paragraph 15 of Law 209/2007)

Art. 12

The institutions that receive the legal deposit copies of the documents have the following obligations:

(on August 10th 2007 Chapter II, article 12, amended by article I, paragraph 16 of Law 209/2007)

- a) to receive the materials with this title and to register them;
- b) to process them according to the library norms in force;
- c) to ensure they are correctly stored, conserved and administered;
- d) to dispose measures for ensuring the integrity and security of the received documents;
- e) to follow up the reception of the materials they should receive and inform the Romanian National Library about the any missing documents.

CHAPTER III: Contraventions and Sanctions

Art. 13

- (1) The Romanian National Library, respectively the Bucharest Metropolitan Library and the county libraries, must control, through their specialised staff, authorised to this purpose, the activity of all the legal and natural bodies stated at art. 6, relative to fulfilling the obligation to submit the documents subject to the Legal Deposit, respectively to the Local Legal Deposits, to ascertain the contraventions stated at article 15 paragraph (1) and to enforce contravention fines.
- (2) The amounts resulted from fines becomes extra budgetary incomes of the Romanian National Library, of the Bucharest Metropolitan Library, respectively of the county libraries, in compliance with the provisions of article 8 paragraph (3) of Government Ordinance no. 2/2001 on the legal status of contraventions, approved with amendments and completions by law no. 180/2002, with the subsequent amendments and completions and shall be used by them to acquire the documents stated at article 2.
- (3) The Ministry of Culture and Religious Affairs issues the special identification cards for the control staff stated at article 2.

Art. 14

The control of the activity of the producers subordinated to the Ministry of National Defence and the Ministry of Administration and Interior, the ascertainment of the contraventions perpetrated by them and the enforcement of the contravention fines shall be done by the staff assigned by the two ministries.

Art. 15

- (1) Not complying with the obligation to submit the documents for the legal deposit within the delay stated at article 9 paragraph (3) represents contravention and shall be sanctioned with fine from 300 lei to 3.000 lei for natural bodies and from 500 lei to 5.000 lei for legal bodies, depending on the sale price of the documents or on their documentary value, except the documents stated at article 7² letter b).
- (2) The staff stated at article 13 paragraph (1) shall be in charge with ascertaining the contraventions and enforcing the appropriate fines.
- (3) The stipulations of Government Ordinance no. 2/2001 on the legal status of contraventions, approved with amendments and completions by law no. 180/2002, with the subsequent amendments and completions shall be applied to the contraventions stated in the present law.

Art. 16

- (1) Within 30 days after enforcing the contravention fine for perpetrating the contravention stated at article 15 paragraph (1), the offenders are compelled to submit to the Legal Deposit the documents whose not submitting entailed the contravention measures.
- (2) Not submitting the documents in compliance with paragraph (1) represents contravention and shall be fined within the limits stated at article 15 paragraph (1), reduced to 50%. The stipulations of paragraph (1) are not to be applied if the offenders prove that, before or starting the day when the fine for perpetrating the contravention stated at article 15 paragraph (1) was enforced, they are no longer in possession of the documents subject to not submitting them as stipulated in the present law.

(on August 10th 2007 Chapter III, article 16, amended by article I, paragraph 19 of Law 209/2007)

CHAPTER IV: Final Provisions

(on August 10th 2007 Chapter IV, article 17, abrogated by article I, paragraph 21 of Law 209/2007)

Art. 18

When the present law comes into force, article 41 of Decree no. 17 of January 14th 1949 on publishing and diffusing books, as well as any other dispositions contrary to the present law, are abrogated.

*) Codified on the basis of article II of Law no. 594/2004 on amending and completing Law no. 111/1995 on establishing, organising and functioning of the Legal Deposit for printings and other graphic and audiovisual documents, published in the Romanian Official Journal, Part I, no. 1.225 of December 2004, renumbering the texts.

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