

CHAPTER 109

LIBRARIES (DEPOSIT OF BOOKS)

AN ACT TO MAKE PROVISION FOR THE DEPOSIT AND PRESERVATION OF COPIES OF BOOKS PRINTED IN FIJI

[1st January, 1972]

Short title

1. This Act may be cited as the Libraries (Deposit of Books) Act.

Interpretation

2. In this Act, unless the context otherwise requires—
“book” includes every part or division of a book, pamphlet, periodical, newspaper, magazine, review, gazette, sheet of letterpress, sheet of music, map, plan, plate, chart or table separately printed, or any dust-jacket, cover or wrapper pertaining thereto, but does not include—
 - (a) any reissue or new impression or any second or subsequent edition of the book unless such edition contains additions or alterations either in the letterpress or in the maps, prints, plans or other illustrative materials belonging thereto;
 - (b) any books which are not intended to be made available to or open to inspection by the public at large;“printed”, as applied to books, means produced by printing, lithography or any other like process, or by stencil duplication or any other like process, and “printer” shall be construed accordingly.

Delivery of copies of books printed in Fiji

3.—(1) The printer of every book printed in Fiji and the publisher of every book published in Fiji but printed on his behalf outside Fiji shall, within one month after the day on which any such book is first delivered out of the press, and notwithstanding any agreement, if the book is published, between the printer and the publisher thereof, deliver one copy of the book free of charge to the persons and places named in the Schedule:

Provided that by mutual agreement between the persons named in the Schedule and the printer or publisher, as the case may be, the period of delivery may be extended, but in no case shall exceed three months.

(2) Every copy delivered under the provisions of this section shall be a copy of the whole book, with all maps, illustrations, and plates belonging thereto, finished and coloured in the same manner as the best copies of the same are produced, and shall be bound, sewed or stitched together, and on the best paper on which the book is printed.

(3) The publisher or other person employing the printer shall, within a reasonable time before the expiration of the said month, supply the printer with all

maps, illustrations, and plates finished and coloured as aforesaid which are necessary to enable him to comply with the requirements of this section.

(4) The person to whom any copies of books other than newspapers are delivered pursuant to this section shall give or cause to be given to the printer, or publisher as described in subsection (1), a receipt in writing for such copies.

(5) The Minister may, by notice in the Gazette, amend the Schedule.

Penalties for non-delivery of books by printer or for non-delivery of maps, etc. by publisher

4. (1) Any printer, or publisher as described in subsection (1) of section 3, who fails to comply with any of the provisions of subsection (1) or (2) of section 3 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred dollars and the court may in addition order the printer or publisher, as the case may be, to deliver to any person specified in the Schedule, a copy of the book in respect of which the conviction is recorded.

(2) Any publisher or person employing any printer who fails to comply with the provisions of subsection (3) of section 3 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred dollars.

Consultation of books

5. Books deposited under this Act shall be available for consultation only in the premises of the depository libraries, and may not be borrowed from any such library by any person whatsoever:

Provided that any book may, at the request of the printer or publisher, be withheld from consultation for a period of not more than five years from the date of delivery of such book to the depository library.

Exemption and rules

6. The Minister may—

- (a) by order exempt from the provisions of section 3 any book or any class or description of books either absolutely or subject to such conditions as may be specified in the order; and
- (b) make rules providing for the better carrying out of the provisions of this Act.

SCHEDULE

1. The Archivist, National Archives of Fiji.
2. The Librarian, University of the South Pacific.

Controlled by Ministry of Education

CHAPTER 109

LIBRARIES (DEPOSIT OF BOOKS)

SECTION 6—DEPOSIT OF BOOKS (EXEMPTION) ORDER

Order 22nd December, 1971

Made by the Minister

Short title

1. This Order may be cited as the Deposit of Books (Exemption) Order.

Exempted books

2. The following classes or descriptions of books are exempted from the provisions of section 3 of the Act:—

Bank deposit books
Blank forms of every description
Calendars and post cards
Cartons, containers, wrappers and labels
Cheque books
Greeting, visiting, business and invitation cards
Letterheads and business stationery
Menus
Paper towels and serviettes
Posters
Programmes
Reproductions of fine art works
Savings bank books
Table mats and coasters
Tariff lists
Tickets of every description
Timetables
Trade advertisement brochures and catalogues.

Controlled by Ministry of Information