



Legal deposits of electronic materials in Sweden

FOR GOVERNMENT AGENCIES



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The Legal Deposit Act for Electronic Materials (2012:492), which serves as a complement to the Legal Deposit Act (1993:1392), has been in effect since July 1, 2012.

The act stipulates guidelines for the submission of electronic documents as well as articulates the two major criteria for documents which are subject to this act – their public accessibility and their distribution through electronic networks.

The publishers of such shall submit all documents drafted after December 31, 2014 to Kungl. biblioteket (KB).

About 60 specially selected publishers, however, are under obligation to submit their publicly accessible documents drafted after March 31, 2013.

The stipulations of this act are binding for individual suppliers – agents, producers, publishers, distributors, federal and municipal authorities under governmental auspices. The regulations which apply to government agencies can be found here.

Subject to legal deposit are

1. documents publicly accessible in Sweden on electronic networks
2. documents that are comprised of any combination of text, sound and image and not updated on a regular basis or altered each and every time they are accessed
3. publications which a government agency has produced and for which it has provided public access; or a publication or study which the agency has commissioned someone else to undertake
4. a memorandum, report, instructions or any publication that is marked with a title that bears the classification “government notification”

The various forms of government notifications

A government notification is characterized more by its content and coherence than its length and all are subject to the prescriptions of the act. It should correspond to that which can be found on the web sites of the respective agencies and which is not updated on a regular basis, such as news items and announcements.

Examples:

- memorandums
- reports
- studies
- instructions
- guides
- educational materials (in various medial forms)
- position and policy papers
- case summaries
- periodicals
- statutes
- recommendations for regulators, lawmakers, and the general public
- translations of government documents
- treatises
- abstracts
- presentations of research findings
- newsletters
- fact sheets
- academic journals
- working papers
- publications which consist of main text and attachments or of a longer coherent text in two files

Exceptions/exemptions to the rule

In accordance with Paragraph 6 of The Legal Deposit Act for Electronic Materials (2012:866), items which are made public in compliance with the Public Access to Information Act are not subject to submission.

Liable to exception/exemption

Examples:

- documents submitted by individual suppliers or government agencies of administrative character
- verdicts and findings
- appraisal commentaries
- official reports with internal registration numbers, not available for external use
- news items
- job classifieds
- downloadable forms

- materials continuously updated
- power point and other multimedia presentations
- compounded documents consisting of manifold files
- databases
- software

These examples are not regarded as official publications of government agencies.

- material compiled by other government agencies

This material shall be submitted by the compliers themselves.

- material on internal web sites not publicly available

Please note that films can be subject to submission if they can be regarded as akin to films submitted in accordance with the Legal Deposit Act (1992:1392). Film extracts or clips that are parts of web presentations and are streamed live are not subject to submission.

Who is compelled under law to submit materials?

All municipal and federal authorities. Exempt are those private holders of those partnerships and commercial houses either owned or governed by governmental holding or trust companies and foundations.

To whom and when shall the materials be delivered?

To KB within three months of the date of publication

How shall legal deposit be delivered?

Each electronic item shall be delivered on a physical carrier in its original form. The library does, however, in special cases allow for network deliveries. Each item shall be accompanied by information about:

1. the place and time of publication
2. the material's format
3. passwords necessary to access these materials
4. how this particular material is related to other material under compulsion to be submitted either by the Legal Deposit Act for Electronic Materials or the Legal Deposit Act (1993:1392).

For further information please consult the following sites:

www.kb.se/plikt/eplikt

For further questions:
e-plikt@kb.se