



Date : 06/06/2008

**The legal deposit of Audiovisual and Multimedia material in France: the example of the Audiovisual Department of the National Library of France (Bibliothèque nationale de France / BnF)**

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**Meeting:** 95 Audiovisual and Multimedia, Copyright and other Legal Matters, National Libraries and Bibliography  
**Simultaneous Interpretation:** English, Arabic, Chinese, French, German, Russian and Spanish

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WORLD LIBRARY AND INFORMATION CONGRESS: 74TH IFLA GENERAL CONFERENCE AND COUNCIL  
10-14 August 2008, Québec, Canada  
<http://www.ifla.org/IV/ifla74/index.htm>

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**Abstract**

*The aim of this paper is to set out the principles concerning the legal deposit of Audiovisual and Multimedia material employed by the Audiovisual Department of the National Library of France. It will list the main characteristics of this legal deposit process in terms of chronological factors, geographical factors and the types of media covered.*

*It will show how collection activity is today complemented by a preservation plan thanks to systematic digitisation of material held.*

*It will also show how the preservation and consultation of this legal deposit are linked through the audiovisual system of the Audiovisual Department. Last, we will mention the latest challenge facing the Audiovisual Department and the legal deposit of Audiovisual and Multimedia material: the Internet.*

**The background to the legal deposit of Audiovisual and Multimedia material in France**

To understand the activity of the National Library of France regarding audiovisual and multimedia legal deposit, it is necessary to consider the history of legal deposit in France. A lot of specific points should be noted:

Historical coverage:

- French Legal deposit legislation for printed books dates from the sixteenth century when François the 1<sup>st</sup> passed the “Ordonnance de Montpellier” in 1537. Since that date, the purpose of all subsequent regulation has been to account for new technology at it arose, - and to adapt legal provisions accordingly, - in so doing making the scope of legal deposit broader each time.

Audiovisual legal deposit began in France as far back as 1938, with the creation of the “Phonothèque nationale” (National sound archives), charged with collecting the legal deposit of sound recordings. This was thus the world’s first legal deposit of sound recordings.

#### Geographical coverage:

- Not only material produced in France is concerned by the legal deposit of Audiovisual and Multimedia material, but also any audiovisual and multimedia material, whatever its origin, as soon as it is made available to an audience in France. This is a particularly relevant point in the case of recorded music which is international, as we all know.

#### Coverage in terms of materials and media:

- In 1976, the “Phonothèque nationale” became a department of the “Bibliothèque nationale” (national Library): the “département de la Phonothèque nationale et de l’Audiovisuel” (Department of national sound archives and Audiovisual). In addition to the legal deposit of sound materials, this Department is now in charge of the legal deposit of video recordings and mixed media (composite) documents, following a law passed in 1975.

#### Today: three institutions are in charge of audiovisual and multimedia legal deposit in France:

- In 1992, a law extended the coverage of audiovisual and multimedia legal deposit to electronic publishing (from software packages on floppy disk through to CDs or DVD-Roms, through to electronic consoles...), - the Department of national sound archives and Audiovisual of the Bibliothèque nationale is in charge of this new legal deposit activity. At the same time, the law expanded the coverage of legal deposit to two other types of media: the legal deposit of radio and television output, whose productions are deposited with the “Institut National de l’Audiovisuel” (National Audiovisual Institute), while the legal deposit of film productions is attributed to the “Centre National de la Cinématographie” (National Centre for Cinematography).

In the second part of my paper, I will focus solely on the activity of audiovisual and multimedia legal deposit at the Audiovisual department of the National Library of France. Therefore I will not deal either with the legal deposit of radio and television output (National Audiovisual Institute) nor with the legal deposit of roll films (National Centre for Cinematography).

#### **Audiovisual and multimedia legal deposit activity today within the Audiovisual department of the National Library of France**

With the creation of the National Library of France in 1994, the department of national sound archives and Audiovisual became the Audiovisual Department. It was included in the National Library of France’s project of relocation to the François-Mitterrand site. Its action is in keeping with the guiding mission of the Library, as defined by four main principles:

- to enrich the collections,
- to catalogue them,
- to preserve them,
- to communicate them.

To enrich the collections:

Media	Total collection	Legal deposit since	Status of collections received via legal deposit (December 31st 2007)	Annual increase of audiovisual and multimedia legal deposit at the Audiovisual Dept.
Sound recordings	1 million	1938	637 000 sound recordings	11 0000 / year
Video recordings	150 000	1975	130 000 video recordings	8 000 / year
Mixed media documents	50 000	1975	50 000 mixed media documents	3 000 / year
Electronic documents	40 000	1992	40 000 electronic documents	4 000 / year

Three departments: sound recordings department / video recordings department / mixed and electronic publishing department, cover and collect all national and international editions available on the French market

The breadth of this collection is wide because its principle is to be as representative as possible of all that is available in France at any given point in time. Three points should be highlighted :

- first: as stated before: unlike some other countries such as Switzerland for example, where the National Library collects “everything about Switzerland”, but only that, the National Library of France collects everything published or imported into France including national or international “editions”, related - or not - to France (see below how to understand this word of “edition” in the context of the French legal deposit). The law applies to all publishers, distributors and importers who somehow have a connection to the French national territory/France. It is evident in the field of music for example where major multinational companies like Universal, EMI, Sony, Warner have to deposit their production as well as French companies like Harmonia Mundi or Wagram.

- second: it is important to emphasize that rather than a legal deposit of (sound / video /multimedia) editions, it would be more correct to talk about a legal deposit of all kinds of sound, video and multimedia documents as soon as they are distributed to an audience within France, even if these documents are not distributed commercially, and even if the intended audience is a limited one. Let us take some examples to explain what I mean:

All major companies produce videos for internal communication or education. These videos are not published and they are broadcast only to a very specific audience: the staff of the company concerned. Nevertheless such videos are subject to legal deposit.

Another example: during the 1970’s and 80’s, video was an important channel of publicity for militant associations, leading to the emergence of what we can call : “the militant movie”.

Non commercial productions, known only to a limited audience, nevertheless these videos are covered under the legal deposit. Today a prevalence for this kind of video can be found in the output of associations such as Amnesty International or Médecins sans frontières (MSF). In France, all these productions are deposited at the National Library of France.

- thirdly: it is important to emphasize the fact that legal deposit concerns all that is available at a given point of time in France, without any value judgement from the librarians on the “quality” or non quality of the documents or their appropriateness for collection. Legal

deposit means that collecting is not a question of acquisition, meaning a collection development policy, but rather a question of collecting material of all sorts that give a comprehensive picture of material distributed to the French people today, in order to preserve it for future historical studies. This means that all different versions of a document as well as forbidden works, are included, as has been the case since the sixteenth century. It is left to time, history and future researchers to establish the relevance and the value of any given document.

The above explains the extent of the audiovisual and multimedia legal deposit of the Audiovisual department of the National Library of France, with a collection which ranges from Pierre Boulez through to Islamic sermons; from Edith Piaf through to Radiohead; from deluxe DVD editions through to militant video; from pedagogical teaching materials through to Playstation games, etc.

That means too that, to attain this objective, in each department (sound, video, multimedia), one or two persons are engaged in the full time job of maintaining relationships with editors, publishers, etc. This is a very important part of daily legal deposit work at the Audiovisual department.

#### To catalogue the collection:

Produced by the Audiovisual department and available on the web site of the National Library of France since 2004, the audiovisual and multimedia section of the French National Bibliography (<http://bibliographienationale.National Library of France.fr/>) publishes the bibliographical notes of sound recordings, moving images, electronic and mixed media documents published or distributed in France and received by legal deposit at the National Library of France.

The French National Bibliography is published on line in xml format. Three search methods are offered for each issue :

- index browsing (authors, titles, subjects, etc.);
- browsing by classification scheme;
- Google searching, using the Search tab at the upper right of the page.

Online access makes it possible:

- to access bibliographic records free of charge, and
- to download records individually free of charge too, in UNIMARC ISO 2709 format.

More generally, the National Library of France distributes its bibliographic records in the form of raw data in ISO 2709 format (UNIMARC and INTERMARC). Current yearly subscriptions and retrospective products are free of charge for French public libraries (not the customised products).

#### To preserve the collections :

A duplicate set of the legal deposit collection is kept at the remote site of Bussy-Saint-Georges in the suburbs of Paris. Approximately 25 % of the analogue collection, currently endangered due to its physical fragility or the increasing rarity of playing equipment (magnetic video and audio tapes...), is being preserved thanks to a systematic digitisation plan. It should be noted that the 120 000 analogue video documents (VHS, Umatic...) received via legal deposit from 1975 to the beginning of the 2000's are now entirely digitized. Analogue sound recordings are digitized in non compressed high definition BWF (Broadcast Wave Format) files, with a PCM 24 bits, 96 kHz format. The encoding format for video is in

accordance with the ISO/IEC 13818 standard (720x576 resolution in 4.2.0 MP@ML Mpeg2 Full D1-Program at 6 or 12 Mbits).

Today, the Audiovisual Department faces a new challenge: to digitize its 300,000 items of optical material: CD, DVD, CD and DVD-Rom, etc. (more than 500,000 discs). Begun in 2008, this will be one of the major tasks for the Department in the coming years.

All of the digitized documents are integrated into the digital archive of the Audiovisual Department. This archive is now 700 Terabytes and is stored on LTO Ultrium (Linear Tape Open) magnetic tapes; it is one of the components of the audiovisual system developed by the Department for preservation and consultation of its collections (see below).

In the coming years, this digital archive of the Audiovisual Department will be included within the "Distributed system for preservation and archiving" which is implemented at the present time by the National Library of France. This is a digital store with a hardware based on Sun Storage Tek™ Disk, a tape library and two storage sites; the software is developed in full compliance to ISO 14721:2003 standard : OAIS (Open archival information system), and use of metadata standards : METS, PREMIS, DC, MIX, ODRL.

#### To communicate the collections:

The legal deposit collection can be consulted at the Research level of the Library, in the audiovisual room « P ». This room is open to researchers, production, publishing and audiovisual broadcasting professionals and users producing proof of a specific research project. The audiovisual system gives access to the heritage and legal deposit collection through 70 audiovisual consultation terminals, from three broadcasting sources:

- a network server for the digitized documents,
- a robot for audio CDs and DVDs,
- with a manual communication from a broadcast suite for analogue documents such as microgroove records...

This audiovisual room « P » is now the only place in which to consult the audiovisual and multimedia legal deposit in France, because this room is shared with the National Audiovisual Institute for the consultation of the legal deposit of radio and television, and with the National Centre for Cinematography for the consultation of the legal deposit of film productions (concerning the component which is digitized).

#### **Today and tomorrow: the legal deposit of Web sites**

In 2006, a law extended the coverage of legal deposit in France to Web sites under the responsibility of the Bibliothèque nationale de France and of the National Audiovisual Institute.

The DADVSI law (DADVSI stands for *Droit d'auteur et droits voisins dans la société de l'information- loi 2006-961*) was officially published on August 3rd, 2006. Its Title IV (Clauses 39 to 47) officially establishes the Web legal deposit in the following terms : "*is also liable to legal deposit every sign, signal, writing, image, sound or every kind of messages communicated to the public by electronic channels*" (clause 39). The law applies to all types of "*online electronic publications*" constituting a set of signs, signals, images, sounds or every kind of message, as long as they are disseminated through the public browsing space. The *public browsing space* may be understood as a set of websites linked to each other by at least one hyperlink.

The Web size is exponential: it is not possible to aim for exhaustiveness nor to undertake a manual selection of sites. To respond fully yet pragmatically to the challenges addressed by

Web legal deposit, the Library has chosen to combine three complementary collecting methods:

- bulk automatic harvesting of French websites:

Bulk harvesting is done by robots. National Library of France signed a 3-year agreement with Internet Archive (IA) in 2004 whereby both partners agreed to embark on a research project on the French national domain. Through this partnership, National Library of France has captured three snapshots of French domain sites, at the end of 2004, 2005 and 2006. Each snapshot contains 118 to 140 million files equal to a volume of 7 Terabytes. Snapshots of French domain sites (historical collections from 2001 to 2004) have also been acquired, representing more than 5 billion files or 60 Terabytes. In 2007, National Library of France performed this snapshot itself.

- focused crawls:

Focused harvesting is based on a selection of sites by subject or reference librarians. Focus crawls can be thematic or event-based. About 3,500 websites from the 2002 and 2004 French Elections have been archived (23 million files). Other thematic crawls are planned. The latest (at the end of 2005) run on 4,500 sites (40 million files, a third of which were blogs).

- individual deposits:

In some instances, deposits may be directly made by Web site producers at the National Library of France's request when automatic capture is not possible. For example, the Library has been archiving the online edition of the *Journal officiel de la République française* (the Government's main publication) on a daily basis since June 2005.

Since April 7th 2008, Web archives have been accessible to authorized visitors of the National Library of France in the reading rooms of the Research Library only. This restriction applies to all legal deposit collections.

Collecting web sites as part of the legal deposit is essential for the Audiovisual Department. We all know the extent to which music and moving images are migrating from "hard" media to online files distributed via Web sites.

To collect and to give access to the archive of this diverse and fast expanding media represents a new challenge for legal deposit, for the Bibliothèque nationale de France, and for its Audiovisual Department.