



IMPLEMENTATION OF
THE COMMISSION RECOMMENDATION
ON DIGITISATION AND ONLINE ACCESSIBILITY
OF CULTURAL MATERIAL AND DIGITAL PRESERVATION

PROGRESS REPORT 2008-2010

**PLEASE RETURN
BEFORE 28 FEBRUARY 2010 TO
SZILVIA.OPOCZKY@EC.EUROPA.EU**

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CONTACT DETAILS (info will not be published):

Name	<input type="checkbox"/> Mr <input type="checkbox"/> Ms
Organisation	
Telephone	
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NOTE: *This template is structured according to the actions to be implemented by all Member States as recommended by the Commission in its Recommendation of 24 August 2006 on digitisation and online accessibility of cultural material, and digital preservation. This template should be strictly followed.*

The Commission Recommendation was endorsed by Council on its Conclusions of 13 November 2006. These Conclusions contain an indicative timetable that should clearly be taken into account in your reporting of progress.

Please note that particular attention should be given to the new developments in the reference period 2008-2010, and to the four key areas deserving special attention as indicated in the first implementation report by the Commission (COM 2008 513 final of 11.08.2008):

- *Financial resources and quantitative targets for digitisation;*
- *Solid support from the Member States for Europeana;*
- *Legislative and practical mechanisms facilitating the digitisation and accessibility of orphan works, and measures to encourage voluntary agreements on works that are out of print or out of distribution;*
- *Financial and organisational aspects of digital preservation.*

The reading of the Commission Communication "Europeana - next steps" (COM 2009 440 of 28.11.2009) might also be useful to place this reporting exercise into a broader context.

Besides your factual report, you are encouraged to raise any implementation problems or success cases to which you think special attention should be paid at national and/or European level. Where implementation is not fully reached, please describe how you plan to continue your work.

To check (X) boxes (choice "yes vs no"), please right click with the mouse, then "properties" and choose "checked". Please feel free to expand you reply and provide details in both cases ("yes" or "no")

All reports will be published on the Commission's Digital Libraries website.

DIGITISATION AND ONLINE ACCESSIBILITY

(1) Progress on the systematic gathering of information about current and planned digitisation of books, journals, newspapers, photographs, museum objects, archival documents, audiovisual material and the availability of overviews of such digitisation in order to prevent duplication of efforts and promote collaboration and synergies at European level.

- Is a national overview available? yes no

- If yes, please provide details and references of the overviews (inventories, databases, etc.), and of the overall digitisation achievements (number of digitised objects).

The DEN (Digitaal Erfgoed Nederland) Foundation is responsible for the “Knowledgebase”, which is the national resource on ongoing and planned digitisation activities by cultural heritage institutions. By the end of 2009, over 300 heritage institutions provided information about their digitisation plans and projects.

DEN is also the national coordinator of the Dutch contribution to the Numeric Survey, in which information about size, costs and use of digital heritage collections is recorded. In 2009 this contribution was published; de Digitale Feiten (the digital facts.)

In the past years, several attempts at a national level have been taken come to an overview of digitisation results: Michaelplus, Collectiewijzer, Musip, Memory of the Netherlands, but none of these provides a complete overview of digitised material.

For the future the National Library has indicated in its strategic plan 2010-2013 that it will establish a national registry of digitised printed material and ongoing or planned projects and activities in this field.

- Is a national coordination mechanism for digitisation activities in place?

yes no

- If yes, please provide details and references of the coordination mechanisms (organisation, procedure, etc.).

DEN also coordinates a set of national quality guidelines (based on self regulation) that apply to all heritage institutions that digitise their collections. Institutions that require additional funding from the national government are obliged to submit their data to this Knowledgebase. This initiative includes for example, a national survey of newspaper digitisation projects.

- Do cultural institutions in your country monitor the usage of digital cultural heritage (statistics about number of visits, downloads, etc.)? Yes

- Do studies exist about the economic value and the social and cultural impact of digital cultural content in your country? **Yes**
- In 2008 a study was published by the Dutch Social and Cultural Planoffice (Sociaal Cultureel Planbureau) about the use and users of digital cultural resources.¹
- SEO (Social Economic Research) Foundation has studied the (possible) economic impact of digitisation of cultural heritage for two mass digitisation projects, Images for the Future and Dutch Digital Heritage. (The first project is operational; the second one is a proposal)² A mid term review of the project Images for the Future was started in 2009. It includes an impact assessment. The results will be available by July 2010.
- The Utrecht Polytechnic has published two studies on the relationship between cultural heritage and crossmedia, and as such analysed the cultural impact of digitisation.
- In 2009, Kennisland and DEN ran a research project on business model innovation for cultural heritage institutions. Various scenario's were presented to help institutions to build and exploit their digital collections in a more business like way, in order to increase efficiency in both organisation and services. The result is the publication Business Model Innovation Cultural Heritage (available in English and Dutch) (www.den.nl/kennis/thema/businessmodellenn)³

(2) Progress on the development of quantitative targets (plans) for the digitisation of analogue material in archives, libraries and museums, indicating the expected increase in digitised material which could form part of the Europeana and the budgets allocated by public authorities.

- Are quantitative targets in place? yes no
- Are qualitative targets in place? yes no
- If yes, please describe the targets.

First of all, it should be mentioned that the national government has supported cultural heritage institutions actively since 2005 to create digitisation policy plans as management tool for their digitisation activities.

As for the qualitative targets, the digitisation activities of Dutch cultural heritage institutions are based on minimal quality requirements that have been agreed on a national level (self regulation). Currently minimal requirements have been installed for the creation, description, findability, digital preservation and presentation of digital heritage. The institutions are expected to comply to these national quality criteria (called DE BASIS / THE BASICS) or else explain if they choose to

¹ *The virtual culture buff. Public interest in cultural websites.* (SCP, 2008). This study was preceded by: *Visit our site, the digitisation of culture.* (SCP, 2006)

² Images for the Future: Baten in Beeld. (SEO, 2006)

³ Business model innovatie cultureel erfgoed (Business model innovation Cultural Heritage) DEN/Kennisland OCW, 2009)

implement other quality criteria. DE BASIS counts as basic practice for the national infrastructure for digital heritage and leaves room for institutions to become a best practice on more specialised digitisation activities.

The Dutch contribution to the Numeric Survey is relevant. De Digitale Feiten, published in 2009, was the first national heritage wide survey on the size of digital heritage collections. Based on the estimates of the 130 participants in the survey, the report shows that an average of 26% of their collections already has been digitised. It should be noted that, there is a difference between museums on the one hand and libraries and archives on the other hand, due to differences in size of their collections. According to the institutions, 42% of the total heritage collections in the Netherlands does not need to be digitised.

Besides this national survey, the large heritage institutions have the following targets.

National Library of the Netherlands

The strategic plan 2010-2013 of the National Library states the following numbers:

- 10% of all Dutch books, newspapers and periodicals should be digitised (60 million pages by the KB, 13 million by third parties).
- The National Library aims to have over 50% of all Dutch *born digital* publications (20 million objects).
- The National Library harvests 10 000 Dutch websites.
- The image collection from and about the Netherlands has grown from 400.000 to 600.000 images.

Images for the Future:

The project Images for the Future will digitize 137.200 hours of video, 22510 hours of film, 123.9000 audio and 2.0 million photographs. Furthermore services will be developed to increase the accessibility of digital audiovisual collection for schools, the general public and mediaprofessionals. Images for the Future is a project in which six heritage institutions work together; including the Film Institute Netherlands – Eye; National Institute Sound and Vision and the National Archive.

Up until 2009, 47.087 hours of video have been digitized; 40.626 hours of audio and 50.065 photo's.

The National Archive:

The National Archives strategic plan 2010-2013 states:

5 -10 percent of the total collection is digitised and online available in 2015-2020. this means approx. 63 million pages (manuscripts), 25.000 maps and 1,3 million photo's.

- Please indicate the expected increase.

The Digitale Feiten (Digital Facts) survey asked for the expected increase of the digital collections in the period 2009-2012. There are big differences between collection types: for instance, the digital collections of photographs and drawings will increase to almost 50% of the entire analogue collections, video collections will increase to 62%, paintings to almost 20%, archives to 2% and old imprints (books until 1850) to 1%.

- Please indicate the amount of the budgets.

In the Digital Facts project, it has been calculated that the average annual budget for digitisation by a cultural heritage institution in the Netherlands is just over 100.000 euro (this includes budget for staff, activities and hardware/software). This number is based on the input of 32 cultural institutions about their digitisation budgets. However, there are huge differences in budget (with the largest annual budget being over 14 million euro). The median of all budgets is just over 50.000 euro per year. On average, 68% of this budget is drawn from the own resources of the institutions.

The budgets for some of the national mass digitisation projects are:

Images for the Future: 154 M (2007-2014)

Memory of the Netherlands: 2 M annually.

Project of the Royal Library to digitalize Dutch newspapers: 10,5 M (2007-2016)

Metamorfoze: 6,5 M annually (preservation and digitisation)

Heritage of World War II: 15 M (2007-2010)

Cultural heritage institutions participate in national innovation programmes, such as:

PRIMA (programme for implementation of the national ICT agenda) 6 mln. (2008-2009)

IMD

Funding scheme of the Ministry of culture for innovation and digitisation in 2009: 4 M

(3) Progress on partnerships between cultural institutions and the private sector in order to create new ways of funding digitisation of cultural material.

- Are PPPs (including also partnerships with non-EU partners) for digitisation or for facilitating the access to digital cultural heritage in place?

yes no

- Please provide details of the partnerships, including contact details of the cultural institution involved.

Most digitisation projects are publicly funded. These are experiments and pilots at local level and public private partnerships. The Digital Facts survey shows that on average, the funding by private companies for digitisation amounts to 6% of the entire digitisation budgets in the Netherlands. Libraries and museums appear to be more successful than archives in acquiring external funding.

Audio Visual: The national digitisation programme in the AV-sector 'images for the future' has several connections with private partners. These partners procure assignments to preserve and or digitise parts of the collection. The project is furthermore unique in that one of the conditions for public funding was the obligation to generate income through added value user services for digitised content. From 2014 tot 2025 € 64 mln has to be generated and returned to the Treasury. This type of public funding is experimental and is currently being evaluated (see above section 1)

Libraries: The national library performs sometimes smaller digitisation projects with private companies. An example is a digitisation project of pamphlets.

- Is legislation on PPPs in place (e.g. fiscal benefits, public procurement provisions)?

yes no

- If yes, provide details and references.

The Dutch authorities comply with EU regulations (translated into national regulations) on public procurements. (aanbestedingsregels)

(4) Progress on the setting-up and sustaining of large scale digitisation facilities, as part of, or in cooperation with, competence centres for digitisation in Europe.

- Please provide details about the largest digitisation facilities in your country, including data about their digitisation capacity, annual budget and staff.

Libraries: The national library continues to develop its expertise through some large scale digitisation projects on a. newspapers, b. 18th century printed books (together with 2 university libraries); c. journals and conversions from material that was preserved in the past on microfilm to digital media. Most of this is done with national and international commercial digitisation scanning companies. The digitised material will be stored in the digital infrastructure of the National Library.

The National Library is also coordinating IMPACT (Improving Access to text). This project started in January 2008. The objective of this project is to improve electronic access to historical printed texts and therefore facilitate the mass digitisation of the European printed cultural heritage.

The project Images for the Future creates expertise on the digitisation and preservation of the audiovisual heritage. This expertise is used to assist smaller institutions with audiovisual collections through the Audiovisual Archives Network. The knowledge and expertise gained through the Images for the Future project is also fed into the international PrestoPrime project. This EU-funded project, which is coordinated by the Netherlands Institute for Sound and Vision, aims at developing a competence centre for the digitisation and digital preservation of audiovisual heritage is installed.

- Are they part of European networks/collaborative efforts?

yes no

- If yes, which ones?

The programme Presto Prime aims at developing practical solutions for the long-term preservation of digital media; of ways to increase access by integrating with digital libraries (eg Europeana) and at developing a range of tools and services, delivered through a networked Competence Centre. The Presto Prime research is driven by user scenarios, focusing at: audiovisual preservation strategies; implementing audiovisual preservation; digital access metadata and the development of services.

(5) Progress of cultural institutions, as well as publishers and other rightholders to make their digitised material searchable through Europeana.

- Is a national aggregator in place to make your country's content available to Europeana?

yes no

The Netherlands contributes 6.4 % of the total content of Europeana, which makes it the fourth largest content provider. The Netherlands does not have national aggregators as such. Several institutions such as Sound and Vision, and the National Library are currently studying the possibilities to become aggregator.

In MICHAELplus descriptions of digital collections were gathered and published, not only to be an access point for Dutch collections but also to deliver the descriptions to Europeana.

Memory of the Netherlands could be seen as a kind of aggregator, because it collects collections from over 30 institutions, normalises the metadata and give them trough to Europeana..

One of the barriers for the sector as a whole is the lack of a common infrastructure for digital heritage. A consortium of ten cultural institutions wrote an action plan (Netherlands Heritage! Digital) for mass digitisation. The creation of a common infrastructure and aggregation platform for the cultural heritage sector was identified as one of the main issues . A government funded project to develop a proof of concept for this infrastructure was started in 2009 and will be finalised in 2010.

The regional project “Thuis in Brabant” (home in Brabant) is a partner in EuropeanaLocal

- Please provide details of national/sector specific aggregators.

The Dutch National Archives are partner in APENET, the Filmmuseum is a partner in the European Film Gateway.

- What collections were provided/will be provided to Europeana by cultural institutions in your country? When?

The National Library is providing its own material via The European Library. Over 60 cultural heritage institutions are providing material via ‘Memory of the Netherlands/Het Geheugen van Nederland’, the Dutch national digitisation programme coordinated by the National Library (Koninklijke Bibliotheek). This programme is connected to Europeana.

- Please provide details/contacts of the cultural institutions/publishers/rightholders providing content to Europeana, including the overall number of objects provided/to be provided by each organisation.

The National Archive of the Netherlands is involved in the European project APENet. APENet (Archives Portal Europe) is a best practice network. Its objective is to build an Internet Gateway for Documents and Archives In Europe in close cooperation with the Europeana initiative. It will create a common access point to European archival descriptions, digital collections and at the same time it acts as an aggregator for Europeana for the Archival domain.

The National Archive of the Netherlands is responsible for work package 3 of the APENet project which will take care of the interoperability between the Archives Portal Europe and Europeana. As a result of this, the National Archive will provide its own material through the Archives Portal Europe.

Dutch Audiovisual archives in Europeana

The two main aggregators in the audiovisual domain are EUScreen (television heritage) and the European Film Gateway. These projects have their own specificities with regards to content submission. They are collecting information and data that are more diverse than the Europeana specifications. Europeana deals mainly with issues surrounding accessibility of the content while these projects are also dealing with digitisation, providing guidelines for example, on how to publish contents online, etc.

EUScreen will create access to over 30,000 items of programme content and information, and by developing a number of interactive functionalities and dynamic links with Europeana it will prove valuable to the widest range of cultural, educational and recreational users. EUScreen started in October 2009 and the project, which includes 27 partner institutions from around Europe, is being co-ordinated by Utrecht University. Technical coordination is done by the Netherlands Institute for Sound and Vision. EBU and FIAT/IFTA are partners in this project. The European Film Gateway was launched in September 2008 and works towards the development of an online portal offering integrated access to more than 700,000 digitised objects from Europe's film archives and cinémathèques. The EFG consortium consists of 21 partner institutions, including 15 film archives and cinémathèques, from 15 European countries. The European Film Gateway project is supported by ACE (Association des Cinémathèques Européennes) and the EDL Foundation and it is co-ordinated by the Deutsches Filminstitut - DIF (Frankfurt). Eye Institute Netherlands (the former Filmmuseum) is one of the members of the EFG.

Natural heritage

STERNA is a digital library and search service on birds on the Internet. It currently contains content from different European organisations, including natural history museums, multimedia archives, and organisations concerned with biodiversity and conservation. STERNA's vision is to create a networked information space, supported and sustained by a member network of autonomous content organisations that serves a worldwide audience with a special interest in birds. STERNA will link its content to Europeana. Naturalis, Sound and Vision and Teylers museum are contributing to

Europeana V1.0 and EuropeanaConnect

These two best practice networks built the operational Europeana service. Several Dutch partners are member, notably, KB, Sound and Vision, IVIR, VU University and Knowledgeland.

Several Dutch organizations take part in Europeana content projects like Europeana Travel and EuropeanaLocal.

- Please indicate the common digitisation standards applied.

The DEN Foundation (Digitaal Erfgoed Nederland) promotes the use of common standards and performs quality control of digitisation and access to digital heritage. Via its knowledgebase it provides information about standardisation. Quality assurance of digitisation in the Netherlands is based on self regulation. A set of minimal quality requirements have been identified (DE BASIS). More and more funding agencies and digitisation projects use these minimal requirements.

These are the recommended standards, but as part of the self regulatory system, institutions are expected to comply or, in case of deviations, explain.

2K ; 2K
 Audio Interchange File Format ; AIFF
 D10 ; D10
 Dublin Core Metadata Element Set ; Dublin Core
 European Color Initiative Red Green Blue ; ECIRGB
 Extensible Markup Language ; XML
 Geography Markup Language ; GML
 Hypertext Transfer Protocol ; HTTP
 Joint Photographic Experts Group file format ; JPEG, JPG
 JPEG2000 ; JPEG2000
 Kodak Greyscale 013 ;
 MacBeth Colorchecker ;
 Moving Pictures Expert Group, MPEG-2 ; MPEG-2, mpg, mpeg
 Moving Pictures Experts Group MPEG-4 ; MPEG-4, MP4
 MPEG 1-Layer 3 ; MP3
 Normaal Amsterdams Peil ; NAP
 Open Archives Initiative Protocol for Metadata Harvesting ; OAI-PMH
 QuickTime ; MOV, QT
 Reference Model for an Open Archival Information System ; OAIS
 Rijksdriehoekmeting ;
 Search and Retrieve URL Service ; SRU
 Tagged Image File Format ; TIFF
 Text Encoding Initiative ; TEI
 Trustworthy Repositories Audit & Certification ; TRAC
 Unicode Transformation Format 8-bit ; UTF-8
 Uniform Resource Identifiers ; URI
 Waveform Audio File Format ; WAVE, WAV

Other Standards:

EAD
 EAC-CPF
 EAG
 METS

(6a) Progress on mechanisms to facilitate the use of orphan works.

- Are mechanisms for orphan works in place? yes no

- If yes, please provide details and references (legal text, actual use of the mechanism, impact).

For lack of a legal solution in the Netherlands, the National Library is exploring self-regulation (as an interim solution) for its Newspaper project by negotiating with collective rights management organisations about a warranty for the use of orphan works. This approach resembles the Extended Collective Licensing laid down in the Danish and Norwegian copyright acts. For the long term, the National Library has high hopes of harmonised legal solutions for orphan works and large scale digitisation coming from the European Commission. The National Library therefore provided the Commission with information about its experiences on these issues, and took part in JISC's international survey on orphan works.

(6b) Progress on mechanisms to facilitate the use of works that are out-of-print or out-of-distribution.

- Are mechanisms for out-of-print/out-of-distribution works in place?

yes no

- If yes, please provide details and references (description, actual use of the mechanism, impact).

Libraries: National Library is negotiating with association of publishers to work out agreements for freelancers. Publishers are cooperative. Organisations of right holders are more reluctant, but parties keen on negotiating.

Libraries: In the context of its Newspaper project (which includes newspapers until 1995) the National Library is negotiating with collective rights managements organisations to work out an agreement for freelancers and orphan works.

The initiative 'Ditigi@e' was launched recently to negotiate between libraries and collective rights management organisations. Archives and museums have been invited to participate in a consultation group to see if this platform could provide options for the clearing of rights for other types of heritage collections. Ditigi@e strives to develop payment criteria for internet use by cultural heritage institutions of copyrighted works in their collections.

The Netherlands Institute for Sound and Vision launched the website FONOS seven years ago. On this website people can order copies of Dutch songs that are not available in regular music stores anymore.

- What are the planned actions in this area?

Libraries: The National Library has started its programme to guarantee that every book and article printed in the Netherlands will become digitally available within a few decades, in so far as permitted by copyright legislation. Part of this activity is to clarify and solve where possible and feasible, copyright issues

The so-called FOBID commission researches and proposes legal solutions for copyright issues in library and (only recently) archives. It is also part of European forums for copyright issues.

(6c) Progress on the availability of lists of known orphan works and works in the public domain.

- Are such lists/databases in place?

yes no

No, part from list and (not public) database at rightholders organisations. Also initiatives such as Nationale fotografendatabase could be regarded as initiatives helping to detect orphan works and out-of-copyright works.

- If yes, please provide details and references (number of works listed).

- What are the planned actions in this area?

No such plans have yet been initiated, but the national library is in the process of considering how to handle the orphan works and works in the public domain, because of its large scale book digitisation initiative.

(6d) Progress on the identification of barriers in your legislation to the online accessibility and subsequent use of cultural material that is in the public domain — and the steps taken to remove them (e.g. licensing or fees requested by public bodies for the use of public domain material).

- Have you identified any possible barriers of this type? yes no

Copyright legislation: copyright in reproductions (e.g. photograph) of public domain objects.

Legislation on portraits

Database right legislation

Legislation on privacy rights

- Please provide details and references of the legislative measures constituting a barrier, possibly with examples - Please indicate what steps have been taken/will be taken to remove these barriers.

A large group of Dutch Heritage Institutions worked together to write a common response to the European Green Book on copyright.

DIGITAL PRESERVATION

- (7) **Progress on national strategies for the long-term preservation of and access to digital material. Describe the organisational approach, indicating the roles and responsibilities of the parties involved as well as the allocated resources. Describe the specific action plans outlining the objectives and a time-table for the specific targets to be met.**

- Is a national strategy for digital preservation in place? yes no

There is no specific national strategy, but the Dutch Coalition for Digital Preservation in which the major players in the public domain work together to develop a strategy have recently published their recommendations for further actions. Further policy steps are under review pending the government reaction to the Council for Culture's recent report on digital culture.

For publications, audiovisual media and for archeological resources national e-deposits are currently in use and/or under development. The National Archive is in collaboration with Regional Historic Centres and some of the major municipal archives (Amsterdam, Rotterdam and Utrecht) preparing an e-deposit for archival materials. For other digital heritage (museum collections, monuments etc), no national solution is currently at hand.

In 2008 the Netherlands Coalition for Digital Preservation (NCDD) was established, with the specific aim of building a national infrastructure for digital preservation. To underpin its strategy, the NCDD carried out a national digital preservation survey in 2009. The survey was funded by the Ministry of Education, Culture and Science. The resulting report, *A future for our digital memory* (<http://www.ncdd.nl/en/documents/Englishsummary.pdf>) identified major gaps in long-term management of digital information resources and concluded that efforts to improve collaboration between stakeholders *within* information chains should be prioritised to secure the type of cradle-to-grave care digital data require. As a consequence, the NCDD is developing a strategy whereby four prime mover organisations take the initiative to identify and implement infrastructural measures within their sector. The prime movers are: the Koninklijke Bibliotheek (scholarly publications), The National Archives (public records), Data Archiving and Networked Services (research data) and Netherlands Institute for Sound and Vision (audiovisual data). A prime mover has yet to be assigned to the cultural heritage sector (museums). The NCDD itself will concentrate its efforts on knowledge sharing between sectors.

- What are the specific targets and the time-table to be met?

In 2010 the NCDD strategy will be further developed in close consultation with the Ministry of Culture, Science and Education, and more specific targets will be set.

NCDD (<http://www.ncdd.nl/en>)

KB (<http://www.kb.nl/en>)

National Archives (<http://www.nationaalarchief.nl/>),

Sound and Vision (<http://portal.beeldengeluid.nl/>),

DANS (<http://www.dans.knaw.nl/>)

(8) Progress on exchange of information with other Member States on your strategies and action plans.

- Besides the exchange taking place in the context of the Member States Expert Group on digitisation, is your country regularly exchanging information on digital preservation strategies and plans at technical level?

yes no

- Please indicate the means for this exchange of information, if applicable.

Libraries:

Knowledge Exchange (Surffoundation);
 common European project (Planets, Keep, ParseInsight, DriverII,)
 Alliance for Permanent Acces.
 International (European and worldwide) congresses and workshops.
 Publications (both hardcopy and web.)
 PrestoPrime
 Digital Preservation Europe
 WePreserve

(9) Progress on legal provisions for multiple copying and migration of digital cultural material by public institutions for preservation purposes.

- Are multiple copying and migration as described above allowed in your national legal system (implementation of exception ex Directive 2001/29/EC)?

Multiple copying allowed for preservation purposes but only if there is a ‘real danger for decay’. Real danger for decay is not defined in legislation so subject to multiple interpretations. Because making multiple copies and giving access is based on the legitimacy of a copy, it is not legal to do this until the notion ‘danger for decay is clear.

yes no

- Please provide details and references of applicable legislation.

(10) Progress on policies and procedures for the deposit of born-digital material. Please note how you are taking into account developments in other Member States in order to prevent a wide divergence in depositing arrangements.

- Are “digital legal deposit” provisions in place in your country?

yes no

These apply to public archives only. There is no Dutch legal deposit legislation for the National Library.

- If so, please provide details (compulsory vs voluntary deposit; type of media covered; actual size of the deposited material, legal deposit organisations).

The Netherlands has a voluntary deposit function for printed material (e-deposit in the National Library). It is not limited to copies issued in The Netherlands. For scientific material the national library is one of the biggest storing places in the world with over 15 mil. of scientific articles. The NL is now developing measures to cover the sustainability of born digital 'printed' material. For governmental information there are regulations by law, that state out what should be preserved and what can be neglected. The Institute for Sound and Vision has taken the responsibility for Audio visual material. Scientific data will be preserved by DANS (Digital Archiving and Networked Services). Some smaller institutions take care of art-objects.

The Netherlands has a compulsory deposit function for governmental archival material and a voluntary deposit function for private owned archival material. The e-Depot of the National Archives is assigned to take custody of archival material of the central government. Provisions for other governments are being developed. There are no restrictions on media types although mostly documentary media is expected.

The deposit function is defined by archives legislation (Archiefwet 1995). Archival legislation and regulation does not differentiate between digital-born or reborn material. Archival regulation (Archives Regulation 2010 www.nationaalarchief.nl/archiefbeheer/nieuwe_archiefregeling/) sets requirements on:

- metadata;
- conversion, migration and emulation;
- format types: open formats are mandatory if applicable.

In addition regulation is in place on substitution. "Substitution" refers to the replacement of archival documents with (digital) reproductions where originals are destroyed. The reproductions entirely replace the originals and must therefore meet the requirements laid down in archive regulations. Permission to substitute must be obtained from the State Secretary for Education, Culture and Science.

The e-Depot of the National Archives will be taken in production in 2010.

(11) Progress on legal provisions for the preservation of web-content by mandated institutions.

Is web harvesting provided for by legislation? yes no

- If so, please indicate the details and references of the applicable legislation (compulsory vs

The National library is preserving (cultural) Dutch websites. 3.000 in 2009, growing onto 10.000 in 2013. There is no legal deposit legislation for this activity. NL uses the opt-out method after asking permission from the website owner by letter.

Smaller institutions take care of the preservation of websites on a thematic field (e.g. political parties).

There is no legislation on web harvesting for long term preservation and access (also regarding privacy aspects); this is expected to cause problems in the future.