Full Length Research

Legal Deposit Law Enforcement and Legal Deposit Compliance in Nigeria

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The study evaluated the Influence of legal deposit law enforcement and compliance with legal deposit law in Nigeria. The study adopted a survey design with a study population of four hundred and eightyfour (484) professional librarians, para-professional librarians and library officers working in the thirtytwo (32) branches of the NLN and the headquarters in Abuja (NLN staff list April 2020), total enumeration was used because the population was very few. A structured and validated questionnaire was used for data collection. Data was analyzed using the SPSS software, frequency distribution and percentages. The findings revealed that the depositing these publications statutorily within thirty (30) days of publication as stipulated in the legal deposit law was low (mean = 2.10) Compliance is not complete if it is not done timely, within the 30days stipulated period. Deposit of publications is one aspect, but compliance is only complete when done within 30days after publication. The study concludes that the Legal deposit law enforcement has a strong positive influence on legal deposit compliance, which indicates that legal deposit law enforcement determines the degree publishers comply with legal deposit law in Nigeria. However, improving legal deposit enforcement on monitoring of publishers will result in better legal deposit law enforcement. The study also recommendation the NLN should use the ISBN issued to publishers to monitor and enforce the collection of legal deposit copies after publication.

Keywords: legal deposit law, enforcement, compliance, legal deposit law in Nigeria

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INTRODUCTION

The library, as an institution, is established with the mandate to collect, organize, store, preserve and disseminate information materials to the academic and the general community of users. The library is developed also to conserve and preserve information resources as well as grant access to them. Libraries are categorized into academic libraries, school libraries, special libraries, public libraries and national libraries. Academic libraries are libraries and Polytechnics. School libraries are libraries are libraries and Polytechnics. School libraries are libraries are libraries and Polytechnics. School libraries are libraries are libraries and Polytechnics.

secondary schools. Public libraries are owned by the government and provided as a form of social infrastructure for the citizens while the national library serves as the apex or the highest library in any country. The national library stores and preserves the national information heritage of a country. The national library is a library that is specially established by the government of a country to serve as the main repository of information resources for that country. National Libraries are larger libraries that attempt to stock all literature of their own country and other resources. The library preserves information resources in response to the policies and laws guiding its activities. One of these laws is described as the legal deposit law in Nigeria.

Legal deposit is an obligation on publishers, authors and distributors to deposit their publications in the National library for the purpose of maintaining an archival record of the published materials. It is also a term used to describe the activities of statutory submission of publications by publishers in a country. It involves the collation of printed materials in an approved facility for the primary purpose of storage for present and future use. It is a mandatory obligation which publishers and authors must abide with as it presents great advantages to the authors, publishers, researchers and the general public. This is because publications are made available to readers in the society, they are also preserved for the benefit of future generations which becomes a part of the national heritage. If a publisher fails to adhere to a legal deposit law in Nigeria, the National Library of Nigeria (NLN) may apply to the court for an order requiring the publisher to comply with the obligations stated in the National Library Act. The National Library of Nigeria 1970 Act stipulates that publishersin Nigeria are to deposit certain number of copies, depending on the category of the publisher with the National Library of Nigeria, within one month (30 days) of the publication at the expense of the publisher. If the publisher is unable to comply, the court may convict the publisher by making sure the publisher pays a fine of fifty pounds or serves a prison sentence of not more than three months. Iabal. Qutab and Soroya (2015) established that legal deposit facilitates the documentation of intellectual heritage of a country which is critical to national development.

Historically, the legal deposit law in Nigeria had its origin in the publication ordinance of 1950. The ordinance gave the University College Ibadan library and the Secretariat library in Lagos the right to collect two copies each of every book published in Nigeria. In 1964, the National Library Act establishing the National Library of Nigeria was enacted. This gave birth to the legal deposit law in1970 in which emphasis was placed on the obligations of the deposit law and bibliographic functions. According to Nwosu (2013) and Aina (2018) the section 4, no. 29 of the National Library Act accords the National Library the depository obligation of the nation with the implication that resources published in the country must be deposited with the National Library of Nigeria. Hence, the legal deposit law prescribes that three (3) copies of commerciallyproduced books, three (3) copies of privately published books, 10 copies of publications by State or local governments, and 25 copies of Federal government publications must be deposited with the National Library. With this law in place, the National library is to ensure thatpublishers must deposit their materials within 30 days of its publication.

In pursuance of the law, legal deposit is maintained to preserve and benchmark the country's developmental

history and contribution to knowledge. It can be deduced that the major goals of legal deposit are the development of a nation's publication collection, preservation of the collection for the benefit of future generations as well as the creation of national bibliographic and preservation for research and related purposes. Nicholson (2015) highlighted the importance of legal deposit as an internationally recognized practice within the global library community which ensures that cultural heritage of a nation is collected, accessioned, stored, protected, preserved and made accessible for the benefit of the citizens. Akintunde (2019) asserted that legal deposit stabilizes and promotes the cultural heritage of a nation as well as its intellectual outputs. Iqbal, Qutab and Soroya (2015) established that legal deposit facilitates the documentation of intellectual heritage of a country which is critical to national development. The benefit of legal deposit cannot be overemphasized for authors, publishers, the public and researchers. Authors have their work catalogued, classified, and accessible thereby increasing their visibility nationally and internationally. Publishers have their trademark on deposited and accessible publications, thereby increasing their public profile. The nation maintains a comprehensive aggregation of a national heritage. The public can access the national heritage and the researchers can as well use the materials for research purposes. Therefore, the mentioned benefits cannot be made possible without legal deposit compliance.

Kyobe (2009) asserted that compliance is a state in which someone acts in accordance with established guidelines, specifications or legislation. Compliance emphasizes agreement with rules, regulations and laws that govern the practice of an institution. In the context of this study, the concept of compliance with legal deposit law means conforming to the rules and regulation including obedience to the legislations on matters surrounding legal deposit. Furthermore, compliance with legal deposit law implies that authors deposit copies of information materials such as books that are privately or commercially produced with a depository library. The State government will as well deposit with the national library copies of their publications and the federal government will have to deposit specifiednumber of copies of their publications as enshrined in the legal deposit act. Hence, authors, researchers and publishers are bound to comply with the law. However, there is little or no success when it comes to compliance with legal deposit law as both the government, private and commercial publishers default in their legal deposit obligations. People will comply because the law is legitimate and fair and there are economic benefits to be derived, while on the other hand failure to comply with the law may be due to the fact that it is not deterrent enough or those bound by the Act might not see any benefits

arising from compliance.

Legal deposit law compliance in Nigeria has been faced with various challenges. As a mandate backed by law requiring publishers to deposit their publications with the National Library, they hardly comply with this legislative provision. According to Adedapo (2019), publishers in Nigeria do not comply with legal deposit law as a result of attitude and lack of stringent enforcement of penalty. Akidi (2012) noted that publishers comply with legal deposit law only because they receive awareness and encouragement through seminars and workshops. Akidi and Omekwu (2019) reported that the effectiveness of legal deposit compliance in the National Library of Nigeria is low and that publishers comply only when visited by members of the institution. Furthermore, Rotimi and Ja'e (2019) reported that the low level of compliance with legal deposit law and by extension ISBN/ISSN in Nigeria is caused by the non-enforcement of penalty on publishers. Adimorah in Akidi (2008) observed that not all the information resources published in Nigeria are deposited with the National Library. In corroboration, Aina (2017) reported that the statistics of legal deposits received by the National library of Nigeria cannot be compared with the number of International Standard Book Numbers (ISBN) assigned. This means that the legal deposit collected is far less than the ISBN issued to publishers and authors, owing to the low level of compliance to legal deposit law. It is crucial to assert for compliance to legal deposit law there has to be some level of enforcement.

The effectiveness of legal deposit compliance requires enforcement of the law to pressurize publishers to (2007) reported comply. Penzhorn that issues surrounding the monitoring and enforcement of legal deposit legislation directly affects the implementation of legal deposit law by depository institutions and the manner in which publishers will comply with legislation. Enforcement is an important issue with regard to the implementation oflegal deposit. Therefore, in order to be able to mountpressure on a publisher to comply with the law, it is generally recommended that the legislation should include a penalty for non-compliance. This will enable the National Library to know to what extent publishers comply with the legal deposit law. In support of the establishment of penalty as a means to compel enforcement is the work of Mmejin (2018) who establishes that the enforcement of legal deposit law through pressurizing the publisher to comply by means of a penalty structure for contravening the law is a major factor that can facilitate compliance with legal deposit law. Publishers, the government and the National Library are the key players in legal deposit process. Publishers are primarily responsible for delivering their publications to the National Library of Nigeria. In other words, there is need to enforce the law on publishers for compliance to

take place. This presupposes that legislation of the legal deposit lawcannot guarantee compliance if there are problems that are associated with its enforcement.

Ainaand Mamman(2020) posit that apart from being the legal depository of Nigeria, the NLN is the only organizationin Nigeria that is mandated to issue the International Standard Book Number (ISBN) and the International Standard Serial Number (ISSN) to authors and publishers of books and serials respectively. This is in conformity with the international standards of publications principles. Umoh(2017) and Akintunde (2019)assert that many publishers in Nigeria after collecting the ISBN, refuse todeposit their publications due to lack of monitoring. Other reasons may be because the publishers regard the deposit law as an unnecessary bureaucratic interference in their business and an unjustified disciplinary measure to reduce their sales and profits. Hence, this reason for non-compliance by publishers in Nigeria negates the purpose of legal deposit as a statutory requirement for publishing organizations and authors to deposit copies of their publications in the National Library. Consequently, the implementation of appropriate monitoring might ensure compliance with legal deposit law. Apart from the issue of poor monitoring, lack of orientation programs put in place by the national library is a major factor which may hinder compliance. It is believed that with proper orientation on the mandate of the National Library coupled with what is expected of publishers and authors compliancemay be achieved. The literature indicates that orientation can take the form of seminars, training and workshops for publishers, authors and researchers, for them to know what is expected of them as it relates to the deposit of their publications as mandated by law.

Statement of the problem

The legal deposit law stipulates that all literary works such as books, pamphlets, sheets of music, maps, charts, plans, tables, compilations, dramatic works, encyclopedias, newspapers, dictionaries, magazines, periodicals and all forms in which documentary or oral records are published must be deposited in the National Library of Nigeria (National Bibliography of Nigeria, 2014). Legal deposit compliancedeals with conforming with the law surrounding deposit of publications by publishers and authors.

Legal deposit compliance by publishers and authorsis beneficial to the society, it permits comprehensive, standardized cataloguing and recording of publications to the benefit of publishers, authors, booksellers, libraries, scholars and the general public. Through legal deposit, authors, publishers and other creators of legal deposit materials are immortalized as their publications are preserved permanently. It alsoenables the National Library to serve as the national reference and information center for study and research on all facets of national documentary heritage (IFLA,2011).The National Library also protects the interest of publishers and authors that deposited their publications by responding to subpoena in cases of litigation. Legal deposit further serves as a source of statistical data on publication output in Nigeria and as a measure of the Human Development Index (HDI) of the country.

However, in spite of these benefits, existing literature and documented evidence indicate unsatisfactory level of compliance in Nigeria(Opara, 2020; Oyadong&Kakiri,2019; Akidi & Omekwu 2019; Rotimi, 2019).The failure of publishers to deposit their publications has affected the operations of NLN as the current edition of NBN (2014) was updated and published retrospectively in 2018 (Aina, 2018). The implication is that authors, publishers and their publications will remain unknown nationally and internationally.

These aforementioned variable may have the capacity to influence compliance with the legal deposit law. However, the researcher discovered from observation and previous studies that little or no attention has been paid to legal deposit law enforcement as determinants of legal deposit compliance in Nigeria. Moreso, no empirical study has focused on enforcement of legal deposit lawand compliance with legal deposit law in Nigeria, this leaves a gap that the researcher intends to fill.

Objective of the Study

The main objective of the study is to investigate the influence of legal deposit law enforcement on legal deposit compliance in Nigeria. The specific objectives are to:

- 1. establish the extent of legal deposit law compliance in Nigeria;
- **2.** determine the degree of legal deposit law enforcement in Nigeria;

Research Questions

The study was guided by the following research questions:

- 1. What is the extent of legal deposit law compliance in Nigeria?
- 2. What is the degree of legal deposit law enforcement in Nigeria?

METHODOLOGY

The survey research design will be adopted for this study. The population of this study comprised a total of four hundred and eighty-four (484) professional librarians, para-professional librarians and library officers working in the thirty-two (32) branches of the NLN and the headquarters in Abuja (NLN staff list April 2020). There will be no sampling technique involved in this study because the researcher is interested in the total population, therefore total enumeration or census method will be adopted for this study. This is because the researcher considered the population as not too large to manage and that the use of the total enumeration can eliminate any potential bias that may occur if a sample is selected and allowed for the generalization of the findings from the study. The instrumentfor data collection of this study is a self-structured questionnaire. The data gathered from the field were collated and subjected to Descriptive and inferential statistics were analysis. employed respectively in analyzing the quantitative data.Descriptive analyses (frequency, percentage, mean and standard deviations) were used to analyse extent of legal deposit law compliance, degree of legal deposit law enforcement and the challenges facing legal deposit law compliance in Nigeria in tabular forms. The descriptive statistics of frequency and percentage was used in analyzing the demographics. The descriptive statistics of frequency count, percentages, mean, and standard deviation were used in answering all the research questions.

DATA ANALYSIS, RESULTS AND DISCUSSION OF FINDINGS

Analysis of Research Questions

The data shown in Tables 1 - 2 were collated to enable the researcher provide answers to the research questions raised in the study.

Research Question One: What is the extent of legal deposit law compliance in Nigeria?

Research question one was analyzed with frequency counts, percentage, mean and standard deviation statistics. The result f the analysis is reported in Tables 1

Statements Please indicate the extent of compliance with	Very High Extent (4)	High Extent (3)	Low Extent (2)	Very Low Extent (1)	Mean	Std.				
Three copies of privately published books are deposited in the National Library	205(94.5)	08(3.7)	03(1.4)	01(0.5)	3.92	0.36				
Three copies of commercial publications are deposited in the national library	201(92.6)	12(5.5)	02(0.9)	02(0.9)	3.90	0.41				
The legal deposit law is not out- of-dated	46(21.3)	158(73.1)	07(3.2)	05(2.3)	3.13	0.57				
Twenty-five copies of federal government publications are deposited in the national library	21(9.7)	189(87.1)	07(3.2)		3.06	0.35				
Ten copies of State publications are deposited by state government in the national library	19(8.8)	189(87.1)	07(3.2)	02(0.9)	3.04	0.40				
Publishers compulsorily deposit copies of their publications in the national library	14(6.5)	194(89.4)	09(4.1)		3.02	0.33				
Authors and publishers exhibit knowledge of the legal deposit law	13(6.0)	188(86.6)	14(6.5)	02(0.9)	2.98	0.40				
Publishers deposit their publications with the national library within 30 days of publication	10(4.6)	05(2.3)	199(91.7)	03(1.4)	2.10	0.46				
There is a proliferation of registered publishing houses in Nigeria	07(3.2)	07(3.2)	196(90.3)	07(3.2)	2.06	0.44				
There is a proliferation of ISBN and ISSN from outside NLN	07(3.2)	04(1.8)	196(90.3)	10(4.6)	2.04	0.44				
Extent of Compliance with copies of publications deposited (Weighted Mean = 2.93; Std. = 0.27)										

 Table 1. Extent of legal deposit law compliance in Nigeria

Source: Researcher's Field Survey, 2021

Decision Rule:1.0-1.74 = Very Low Extent; 1.75-2.49 = Low Extent; 2.50-3.24 = High Extent; 3.25-4.00 = Very High Extent.

Librarians were asked to rate the extent of compliance with legal deposit law in Nigeria using a rating scale of 1–4, with 4 being Very High Extent; 3 High Extent; 2 Low Extent and 1 indicating Very Low Extent in Table 4.3. On the general level, the extent of legal deposit law compliance in Nigeria with regards to the number of copies deposited was high (Weighted mean= 2.93), on a scale of 4. However, depositing these publications statutorily within thirty (30) daysof publication as stipulated in the legal deposit law was low (mean = 2.10) Compliance is not complete if it is not done timely, within the 30days stipulated period. Deposit of publications is one aspect, but compliance is only complete when done within 30days after publication. Areas such as proliferation of ISBN and ISSN from outside NLN (mean = 2.04), andproliferation of registered publishing houses in Nigeria (mean = 2.06)

Research Question Two: What is the degree of legal deposit law enforcement in Nigeria?

Tables 2. Degree of legal deposit law enforcement in Nigeria

Statements To what degree is	Very High Degree (4)	High Degree (3)	Low Degree (2)	Very Low Degree (1)	Mean	Std.
Orientation					3.57	0.58
There is adequate sensitization of publishers and authors about legal deposit law	193(89.4)	16(7.4)	04(1.9)	03(1.4)	3.85	0.50
Conferences / workshops are organized for publishers and authors	188(87.0)	15(6.9)	04(1.9)	09(4.2)	3.77	0.68
Regular meetings between the national library and publishers are carried out monthly	187(86.6)	05(2.3)	13(6.0)	11(5.1)	3.70	0.80
Seminars are conducted for publishers on the mandate of legal deposit	188(86.6)	15(6.9)	05(2.3)	09(4.1)	3.68	0.79
There is a regular conference involving government ministries and parastatals on the need to comply with the national deposit law	03(1.4)	189(87.5)	12(5.6)	12(5.6)	2.85	0.52
Penalties					2.64	0.44
Publishers that do not comply with deposit law are sanctioned	06(2.8)	188(87.0)	13(6.0)	09(4.2)	2.88	0.49
Industry license are withdrawn from publishers who do not comply with legal deposit obligation	04(1.9)	186(86.1)	08(3.7)	18(8.3)	2.81	0.60
Fines charged on erring publishers and authors are enforced	04(1.9)	186(86.1)	08(3.7)	18(8.3)	2.81	0.60
Penalty for violation of legal deposit law is enforced	09(4.2)	03(1.4)	193(89.4)	11(5.1)	2.05	0.48
Monitoring					2.33	0.35
The national library knows the number of registered publishers in the country	193(89.4)	04(1.9)	09(4.2)	10(4.6)	3.76	0.74
The national library carries out legal deposit drive monthly	188(87.9)	05(2.3)	10(4.7)	11(5.1)	3.73	0.78
There are special task forces set up to monitor the degree of compliance with legal deposit law by publishers	02(0.9)	07(3.2)	190(88.0)	17(7.9)	1.97	0.38
The national Library monitors publishers only at book fairs	05(2.3)	04(1.9)	07(3.2)	200(92.7)	1.14	0.54
Monitoring publishing houses is done on a weekly basis	03(1.4)	01(0.5)	06(2.8)	206(95.4)	1.08	0.41
Legal deposit law e	nforcement (Average Weigh	ted Mean = 2.	.84; Std. = 0.4	2)	

Source: Researcher's Field Survey, 2021

Decision Rule:1.0-1.74 = Very Low Degree; 1.75-2.49 = Low Degree; 2.50-3.24 = High Degree; 3.25-4.00= Very High Degree.

The result indicates high degree of legal deposit law enforcement in Nigeria (average weighted mean = 2.84), on a scale of 4. Legal deposit law enforcement was divided into three dimensions namely orientation, monitoring and penalties. The average mean values for each of the legal deposit law enforcement dimensions were also calculated. Of the three dimensions of legal deposit law enforcement, orientation was3.57 mean score. Using the 3.57, it can be said that the respondents indicated that orientation is on the very high degree (mean = 3.57); monitoring was at low degree(mean = 2.33) by the respondents, while penalties was on a high degree (mean = 2.64). High degree of legal deposit law enforcement could be that the National Library of Nigeria performed well in the aspects of adequate sensitization of publishers and authors about legal deposit law (mean = organization of conferences/workshops for 3.85), publishers and authors (mean = 3.77), monthly regular meetings between the National Library and publishers (mean = 3.70), conducting of seminars for publishers on the mandate of legal deposit (mean = 3.68), familiarization with the number of registered publishers in the country (mean = 3.76) and execution of legal deposit drive monthly (mean = 3.73).

However, the result clearly points out certain areas of concern regarding legal deposit law enforcement. These areas recorded low measurement scores from the participants, and they are as follows: monitoring publishing houses on a weekly basis (mean = 1.08) and monitoring publishers only at book fairs (mean = 1.14), and failure to set up special task force to monitor the degree of legal deposit law compliance (mean = 1.97). This suggests that serious consideration has not been given to the aforementioned issues that could hamper legal deposit law enforcement. This result suggests the need to give more attention to monitoring, as it is one of the indices to measure enforcement of legal deposit law. Though conversely, penalty as one of the indices to measuring penalty has a high mean score (mean = 2.64).

CONCLUSION

The study has succeeded in investigating the influence of legal deposit law enforcementon legal deposit compliance in Nigeria. It was found out in the study that legal deposit compliance guarantees the aggregation of all published works in Nigeria for access and preservation, for the present and future generation. The effectiveness of legal deposit compliance in terms of depositing prescribed number of copies of publications is high, while timely statutory deposit of these publications is low. This low level of legal deposit compliance affects the bibliographic activities of NLN, as the NBN will be published retrospectively. Also, copies of current legal deposit publications cannot be accessed by researchers in the NLN and incase of litigation, NLN will have no copy to tender in court as sopena.

Conclusively,

1.Legal deposit law enforcement has a strong positive influence on legal deposit compliance, which indicates that legal deposit law enforcement determines the degree publishers comply with legal deposit law in Nigeria. However, improving legal deposit enforcement on monitoring of publishers will result in better legal deposit law enforcement.

RECOMMENDATIONS

Based on the findings from the study, the following recommendations are suggested:

- 1. There is need for the National Library of Nigeria to improve legal deposit compliance by ensuring that publishers and authors deposit their publications statutorily within 30 days of publication as stipulated by the law, by sending emails, reminder notices and regular visits to publishing houses.
- 2. The NLN should use the ISBN issued topublishers to monitor and enforce the collection of legal deposit copies after publication.

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