Appendices:

# Appendix A: JCLD Publishers Questionnaire











# Appendix B: Independent Arbitrators Report

The initial implementing arrangements of the Non-Print Legal Deposit Regulation 2013 foresaw the appointment of an Independent Arbitrator in the event of disputes between the two parties represented in JCLD; the deposit libraries and the publishers. This was initially foreseen as a likelihood whereby certain individual publishers might object to aspects of the non-print legal deposit arrangements. Arrangements were agreed in JLCD in the summer of 2012 to go out to tender through the British Library for a candidate for that role. I was appointed pursuant to that process with the full agreement of the JCLD in September 2012.

Immediately after appointment I had meetings with both publishers and libraries and an induction into non-print legal deposit with a day spent at the British Library at Boston Spa. Since that time I have attended the majority of JCLD meetings as an observer, intervening as requested. This has given me a unique opportunity to become familiar with the issues surrounding Non-Print Legal Deposit and the potential areas of dispute between the deposit libraries and the publishers.

During the period of the PIR it was agreed by the parties that it would be helpful and appropriate if I took over the chairing of the JCLD meetings relevant to that process. I have accordingly taken on that role and the facilitation of the process and some related discussions between the parties.

I believe the parties were correct in identifying the need for such an independent arbitral role at the outset although I suspect it has developed in a rather different manner to the original concept in that the anticipated individual disputes have not materialised. Instead the role has developed rather more into that of an accompanying conciliator within JCLD. This has I hope been rather more useful than merely having access to someone who was solely available to be called on in the event either an individual or a full-blown dispute. I would hope that the mere presence of a neutral third party has had both a positive and preventative affect.

I believe the PIR process is evidence of the good working relationship within JCLD, there is a sense of working towards a common goal to make a success of non-print legal deposit. The PIR process itself has been at times challenging but undoubtedly instructive for both parties in achieving a fuller understanding of the others interests and concerns which should assist future work and progress. In this way there would appear to be requirement for a continuing arbitral role going forward.

**Diana Wallis, Accredited Mediator, MICArb, Solicitor (Non-Practising)**

# Appendix C: Digital Preservation and Non-Print Legal Deposit



