

## e-Repositories and the Law - Deposit Checklist



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**Please note:** this guidance has been prepared by **JISC Legal** for information purposes only and is not, nor is intended to be, legal advice. This information is not intended to constitute, and receipt of it does not constitute, a contract for legal advice or the establishment of a solicitor-client relationship.

This document is a checklist of relevant questions to be asked of a requestor prior to accepting their material for use in an e-repository, in order to minimise the risk of non compliance with the law. It is to be used alongside the title “Legal Aspects of e-Repositories and e-Collections” and users are advised to read it prior to using this check list.

1.	Copyright permission from the copyright holder of the material has been obtained for depositing the material in the e-repository.	[ _ ]
2.	The content submitted is not a slavish copy of any printed matter.	[ _ ]
3.	The publishing arrangement with a previous publisher does not prohibit submission and publication of the material in the e-repository.	[ _ ]
4.	Both copyright and performance rights in any audio visual resource has been cleared	[ _ ]
5.	Permission has been obtained from the copyright owner for the adaptation and archival of the content in the e-repository.	[ _ ]
6.	At least one of the makers of the e-repository database is from the UK or the European Economic Area (EEA).	[ _ ]
7.	The content submitted does not include substantial data extracted in an unauthorised manner from an e-repository or insubstantial data extracted through a repeated and systematic process.	[ _ ]
8.	The content does not include any statement which is defamatory.	[ _ ]
9.	The content does not include material in textual, media, audio or any other format that is considered as obscene under the law.	[ _ ]
10.	The material provided is in a format that is accessible even to disabled people and it will not create barriers that exclude or will be of disadvantage to people with a disability.	[ _ ]
11.	Permission has been obtained from the sound recording and film copyright owners for making copies in an accessible format for the disabled people.	[ _ ]
12.	The proposed content does not contain the personal data of individuals.	[ _ ]
13.	If the proposed content does contain the personal data of individuals, consent has been obtained from them for processing their personal data in manual or electronic format in an e-repository.	[ _ ]
14.	Explicit consent from the individuals has been obtained for publishing their sensitive data in an e-repository.	[ _ ]
15.	Consent has been obtained to publish the email addresses including addresses, telephone numbers and other details in an e-repository.	[ _ ]

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