AFRICAN PUBLISHERS’ ASSOCIATION DIRECTORY
AFRICAN PUBLISHERS’ ASSOCIATION DIRECTORY

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PREFACE FROM THE NATIONAL LIBRARIAN

On behalf of the National Library of South Africa and in accordance with our mission to promote creative, effective and efficient universal access to information, I would like to present to you this directory prepared for the African Publishers Association. This user friendly directory is a tool and a resource for the literary community of South Africa and all those who are involved with book and publishing sector.

The aim of the directory is to provide more information on what you need to know about the African Publishers Association (APA). We are also positive that with this directory we will be able to engage more effectively with the role players including African Publishers Association strategic partners.

The National Library of South Africa, (NLSA) being the custodian of national documentary heritage also continues to consistently provide support and maintain professional relationship with all Publishers Associations in South Africa. We hope that this directory will play a pivotal role to enhance the culture of reading and writing in South Africa.

We trust that this directory will be a useful resource to appreciate the achievements of African Publishers Association. I sincerely believe that booksellers, provincial and local librarians as well as other related institutions will find this tool handy to utilize.

I would like to thank the staff at National Library of South Africa and Mr Isaac Shabangu, the APA Chairperson who were very helpful during the development and production process of this directory.

The National Library of South Africa commits to working closely with authors, publishers and their associations to encourage, promote and support a viable and sustainable publishing in South Africa.

John Kgwale Tsebe
CEO/National Librarian
message by

Isaac S Shabangu
Chairperson
African Publishers’ Association
MESSAGE FROM THE AFRICAN PUBLISHERS’ ASSOCIATION
CHAIRPERSON

The African Publishers’ Association (APA) was established in 2007 with the sole aim of bringing together emerging publishers, particularly from the historically disadvantaged background, so that they can coordinate their efforts to participate effectively in the publishing sector. Our vision is to make this industry a community-rooted, national collaboration by reaching out to young budding authors, spear-heading the serious study of literature so that we move away from the traditional untutored approaches, promoting readership from its present insular classroom confines towards its widest societal spectrum covering as many spheres as possible, conducting and promoting literary award competitions, developing dramatic art beyond the classroom to the broader channels of the radio and television.

Since its inception APA has grown tremendously in membership and has made giant strides in making itself known by forging relationships with key role players — like various writers’ associations, sister associations, the Department of Education (DoE), the Department of Arts and Culture (DAC), the National Library of South Africa (NLSA) and the South African Book Development Council (SABDC) — in the publishing industry. It is our fervent hope that through the support of all these stakeholders, APA will grow to be a responsive body.

This booklet has initiated and sponsored by the NLSA with an aim giving APA more leverage and publicity. The booklet contains very helpful information of all APA members. As a result we would like to take this opportunity to express our heartfelt gratitude to the NLSA for this sterling gesture of support. Their role is absolutely indispensable and formidable in our course. We would also like to thank the SABDC that, as from last year, has embarked upon an Indigenous Language Publishing Programme (ILPP) in which small publishers are being supported in publishing new literary materials in African languages. We say bravo to them. We are deeply convinced that together with institutions like the NLSA, the SABDC and others we can champion, chart out and plot forward the way towards a new era in which South Africa can realize its full potential in this sphere.

In conclusion, we cordially invite all interested parties, particularly budding authors and small independent publishers, to join hands with us so that together we can prevail.

Isaac S Shabangu
Chairperson
The National Library of South Africa was constituted in 1999, in terms of the National Library of South Africa Act, 1998 (Act No. 92 of 1998). This new institution was formed by amalgamating the State Library in Pretoria and the South African Library in Cape Town, and includes a specialist unit, the Centre for the Book. We are well positioned to make a positive impact on the lives of all South Africans.

**KNOWLEDGE FOR THE NATION**
The National Library of South Africa is a custodian and provider of the nation’s key knowledge resources. We are mandated by the National Library of South Africa Act to collect and preserve published documents and make them accessible. We ensure that knowledge is not lost to posterity and that information is available for research. The National Library’s collections contain a wealth of information, and include rare manuscripts, books published in South Africa, periodicals, government publications, official foreign publications, maps, technical reports, Africana and newspapers. Many of these are available on CD or microfilm, in digital format or on the Internet.

**SPECIALISED SERVICES**
The National Library renders a number of specialised services to the public and to the Library and Information Services (LIS) sector.

**LEGAL DEPOSIT ACT**
In terms of the Legal Deposit Act, 1997 (Act No. 54 of 1997), South African publishers must supply the National Library (as well as other places of legal deposit) with one copy of every book, journal, newspaper or any other document published in South Africa. According to the Act, a document is any object which is intended to store or convey information in textual, graphic, visual, auditory or other intelligible format through any medium.

**SPECIAL COLLECTIONS**
The National Library of South Africa is a treasure house of Africana and other items which reflect the indigenous and colonial history of the country. These are all available for consultation and research.

**INFORMATION AND DOCUMENT SUPPLY**
The National Library has reference sections in Pretoria and Cape Town for use by researchers, students, the general public, organisations and government departments.
Items from the collections are generally not lent out to individuals. Books and periodicals can be requested on behalf of users by other libraries on interlibrary loan. Photocopies can also be made within the constraints of copyright.

**BIBLIOGRAPHIC SERVICES AND COLLECTIONS MANAGEMENT**

The Bibliographic Services Programme is the national bibliographic agency, providing leadership to the South African library and information service community. Specialist librarians create national bibliographic databases providing easy access to and retrieval of South African materials.

**Its key activities are:**

- Standards work (BibSA)
- Index to South African periodicals (ISAP)
- South African National Bibliography (SANB).

**PRESERVATION SERVICES PROGRAMME**

The National Library is responsible for safeguarding the national documentary heritage. The programme strives to ensure the long-term availability and accessibility of South African knowledge resources using conservation techniques that include the reformatting of materials. Documents too fragile to be photocopied are reformatted by the Library onto photographic film, microfilm or microfiche, or in digital format. Despite new technological developments, microfilm is still central to the preservation strategy, and is used extensively to copy South African newspapers and manuscript material. The Library maintains a comprehensive database of its microfilm and microfiche master copies. Participation in national advisory and coordinating service projects, are offered to other libraries and cultural institutions.

**Services include:**

- Reprographic services
- Digitisation, conservation and restoration
- Stack management
- De-acidification of material.
CENTRE FOR THE BOOK

MISSION AND CORE FUNCTION
The Centre for the Book (the Centre) is a special unit of the National Library of South Africa. It is responsible for the promotion of a culture of reading, writing and publishing in all local languages, and promotes easy access to books for all South Africans. The Centre’s core functions are briefly introduced below.

INFORMATION AND ADVICE
The Centre gathers and distributes information, provides advice and guidance on matters pertaining to books, publishing, creative writing and reading strategies on a continuous bases by means of website, brochures, pamphlets, booklets, newsletters and on consultancy basis.

COMMUNITY PUBLISHING PROGRAMME
The Centre is responsible for supporting and nurturing South African budding writers through capacity building workshops that are conducted countrywide. The topics are mostly covered at these workshops and include creative writing (different genres), editing, manuscript development and book marketing. In this way young writers are equipped with relevant skills to hone their talent. Through the Community Publishing Grant (CPG), small grants are offered to those seeking to publish their own works.

CHILDREN’S LITERATURE PROGRAMME
Isiqalo (The first words in Print Literature Project) offers very young South African children (0-7 years), the pleasure and stimulation of picture books and story books written, illustrated, and published by South Africans in their home languages. The project contributes to literacy and a literary heritage, and targets children mostly in rural areas. The aim is to encourage children to have access and to own books.

OUTREACH AND ADVOCACY PROGRAMME
The Centre coordinates the World Book Day celebrations annually. Working together with publishers, bookstores, booksellers, a poster with a theme depicting the role and importance of books is designed. To sensitise communities the posters are distributed nationally to schools, libraries, community arts centres, bookshops. The Centre further donates books to needy institutions, organizations, libraries and individuals and thus contributes to the nation’s reading culture.
VENUE HIRE
The Centre prides itself as a national monument, with an elegant Edwardian venue for meetings with writers, seminars, weddings, and so forth. For more information, please call 021-423-2669 (t), send an email to cbreception@nlsa.ac.za, visit us at 62 Queen Victoria Street, Cape Town, 8001/ PO Box 15254, Vlaebreg 8018, or at our website: www.nlsa.ac.za/NLSA/centreforthebook.
The national ISN Agency – dealing with ISBN and ISSN - is based at the National Library of South Africa. South Africa joined the ISBN system in 1971. Presently, South Africa is one of the 160+ national ISBN Agencies worldwide of which 29 countries are from the African continent.

Through the ISN Agency, the NLSA is encouraging and promoting a viable publishing industry in the country and thereby also ensuring a sustainable legal deposit culture in South Africa. The ISN Agency in South Africa liaises with the South African publishers - including self publishers, publisher associations (i.a. PASA, APA), publishing organizations (e.g. SABDC), GS1 South Africa (bar coding), copyright organizations, author associations, booksellers and the ISBN IA (International Agency), which is the global authority for the ISBN system and located in London, UK.

The ISN Agency is responsible for assigning international standard numbers:

- International Standard Serial Number (ISSN) for serials
- International Standard Book Number (ISBN) for monographs

ISNs and codes are used for published documents in various physical formats, in order to identify any South African published document worldwide, and record simultaneously accurate information on South African publishers for national and international bibliographic utilization.

**CONTACT DETAILS:**

<table>
<thead>
<tr>
<th>The National Library of South Africa - ISN Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attn.: Ms. Magret Kibido</td>
</tr>
<tr>
<td>P.O. Box 397, Pretoria, 0001</td>
</tr>
<tr>
<td>Tel. (+27 (012) 401 9718</td>
</tr>
<tr>
<td>Fax: (+27 (012) 325 5984</td>
</tr>
<tr>
<td>E-mail: <a href="mailto:Magret.Kibido@nlsa.ac.za">Magret.Kibido@nlsa.ac.za</a>, or <a href="mailto:ISN.agency@nlsa.ac.za">ISN.agency@nlsa.ac.za</a></td>
</tr>
</tbody>
</table>
ACADEMIC AND NON-FICTION AUTHORS’ ASSOCIATION OF SOUTH AFRICA (ANFASA)

Launched in 2004, after extensive consultation with authors around the country, ANFASA aims to give voice to the interests and concerns of all academic and non-fiction authors, whether or not their works have appeared in print. This is South Africa’s first national association specially for authors of general non-fiction works, textbooks and academic books, dedicated to promoting their works and their status in society, sharing information and offering advice.

ANFASA’s vision is to be a member-driven association aiming to uphold and enhance the profile and status of academic and non-fiction authors in South Africa, through advocating for the recognition of their works and protection of their rights, in collaboration and cooperation with all stakeholders in the book value chain.

ANFASA’S MISSION

- To promote the recognition and fair remuneration of authors, and respect for their rights
- To facilitate the creation, publication and dissemination of quality works by both published and aspiring authors
- To make and maintain links with and encourage cooperation between authors and others in the book value chain.

ANFASA’S OBJECTIVES

- To promote and protect the intellectual property rights of its members and of all academic and non-fiction authors in South Africa, and to inform authors about their rights
- To promote sound professional and legal relationships between authors and publishers and to assist authors in negotiating fair publishing contracts
- To offer advice and assistance to authors of academic and non-fiction works
- To encourage the personal development of aspiring and emerging academic and non-fiction authors and to offer guidance in all aspects of such writing
- To provide a forum for debating issues of interest to academic and non-fiction authors and to provide support and solidarity in interacting with other writers, in South Africa and abroad
• To facilitate interaction, exchange and collaboration between writers across the different media and with artists in other disciplines
• To liaise and cooperate with local, national, regional and international bodies involved in the funding, promotion, distribution and development of writing
• To promote members’ publications, both nationally and internationally
• To promote and protect freedom of expression.

CONTACT DETAILS:

Academic and Non-Fiction Authors’ Association of South Africa

PO Box 31134
Braamfontein
2017

4th Floor, SAMRO Place
20 De Korte Street
Braamfontein
2001

Tel: (011) 712 8008, Fax: (011) 403 0027
info@anfasa.org.za, www.anfasa.org.za
SOUTH AFRICAN BOOK DEVELOPMENT COUNCIL (SABDC)

Formerly known as the Print Industries Cluster Council (PICC), the SABDC is the representative body of the South African Book Sector. Its members include all key stakeholders in the book value chain in South Africa.

MEMBERS OF THE COUNCIL

- Academic & Non-Fiction Authors’ Association of South Africa (ANFASA)
- South African Writers’ Association (SAWA)
- Alliance of Language and Media Practitioners (LAMP)
- Paper Manufactures’ Association South Africa (PAMSA)
- Printing Industries Federation South Africa (PIFSA)
- Publishers’ Association of South Africa (PASA)
- African Publishers’ Association (APA)
- South African Booksellers’ Association (SABA)
- Library and Information Association of South Africa (LIASA)
- National Library of South Africa (NLSA)
- South African Library for the Blind (BLINDLIB)

VISION

To provide strategic leadership in the South African Book Sector.

MISSION

- A viable, sustainable book sector
- Promote the power of reading and writing in all South African languages
- To ensure the book sector is part of national policies & priorities.

MAJOR PROJECTS

- NATIONAL BOOK WEEK (NBW)

National Book Week (NBW) is a project of the Department of Arts and Culture (DAC) and the South African Book Development Council (SABDC). NBW aims to celebrate the book and the love of reading and serves as a reading promotion platform for all stakeholders. NBW is a national project that anyone can participate in and takes place in September each year.
• **INDIGENOUS LANGUAGES PUBLISHING PROGRAMME (ILPP)**

The South African Book Development Council, in partnership with the National Department of Arts & Culture, is launching the Indigenous Publishing Programme with the objective of assisting publishers to produce indigenous language books.

The SABDC invites registered publishing companies to submit applications for the publishing of general creative works (including novels, short stories, poetry, drama, children’s literature, etc.) Each submission should be an original work written in one of the nine African languages as enshrined in the constitution.

For more information please visit our website at www.sabookcouncil.co.za, call us on

Tel: (021) 914-8626/7  
Fax: 021 914-8615

or eMail us to admin@sabookcouncil.co.za
## PUBLISHERS’ ADDRESS LIST

<table>
<thead>
<tr>
<th>Number</th>
<th>Publisher Name</th>
<th>Address</th>
<th>Telephone Numbers</th>
<th>Email Addresses</th>
<th>Authors</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Century -Turn Book Publishers</td>
<td>PO Box 41, Garankuwa 0208</td>
<td>T 018 384-0413</td>
<td>C 082-703-667</td>
<td><a href="mailto:manfred@pansalb.org.za">manfred@pansalb.org.za</a> Manfred Molebaloa</td>
</tr>
<tr>
<td>2.</td>
<td>Day-2-Day Publishing</td>
<td>778 Park Street, Arcadia 0083</td>
<td>T 012 344-5969</td>
<td>F 012 344-5979</td>
<td><a href="mailto:Thandi.S@gmail.com">Thandi.S@gmail.com</a> Thandi Mabunda</td>
</tr>
<tr>
<td>3.</td>
<td>Ditlou Publishers</td>
<td>C21 Golgota, Thohoyandou 0950</td>
<td>T 011 290-3236</td>
<td>C 074-609-0530</td>
<td>F 086-502-4943 <a href="mailto:ditloup@webmail.co.za">ditloup@webmail.co.za</a> Levi Leloalo</td>
</tr>
<tr>
<td>4.</td>
<td>Imisebe Publishers &amp; Printing</td>
<td>PO Box 2817, Houghton 2041</td>
<td>T 011 215-0000</td>
<td>C 083-515-2682</td>
<td>F 011 486-2539 <a href="mailto:imisebe@khula.co.za">imisebe@khula.co.za</a> <a href="mailto:ksibiya@mweb.co.za">ksibiya@mweb.co.za</a> Esther Sibiya</td>
</tr>
<tr>
<td>5.</td>
<td>Itepa Publishers</td>
<td>PO Box 389, Vhufuli 0971</td>
<td>T 015 963-6174</td>
<td>C 082-560-4317</td>
<td><a href="mailto:itepa@yahoo.com">itepa@yahoo.com</a> Dr I.P Demana</td>
</tr>
<tr>
<td>6.</td>
<td>Kalahari Productions &amp; Books Sellers</td>
<td>116 ERF Mphaphuli, Makwarela Road, Exel Sibasa 0971</td>
<td>T 015 963-1529</td>
<td>C 087-151-1525</td>
<td>F 086-514-2563 <a href="mailto:info@kpb.co.za">info@kpb.co.za</a> Dr Mogale</td>
</tr>
<tr>
<td>7.</td>
<td>Kobela Publishers</td>
<td>205 Grobler Street, Fauna Park 0700</td>
<td>T 015 296-2095</td>
<td>C 072-236-7637</td>
<td>F 015 296-2095 <a href="mailto:ngwako.mogale@ul.ac.za">ngwako.mogale@ul.ac.za</a> Eddy Phaswana</td>
</tr>
<tr>
<td>8.</td>
<td>Lingua Franca Publishers</td>
<td>PO Box 3922, Giyani 0826</td>
<td>T 015 812-2762</td>
<td>C 083-436-8658</td>
<td>F 015 812-2936</td>
</tr>
</tbody>
</table>
9. Mangalani Publishing Pty Ltd
PO Box 12262
Vorna Valley 1686
T 011 315-4310 | C 072-400-695
F 011 315-5439
info@mangalanipublishing.co.za
Thiathu Nemutanzhela

10. Management, Education and Training Consultancy (METC)
204 Rinaldo Road
Glenhills 4091
T 031 563-1301
C 083-782-2020
F 031 563-4831
metc@telkomsa.net
Dr Chandra Shah

11. M V Molele Publishers
2114 Kine Centre,
Commissioner Street
Johannesburg 2001
C 082-622-9044
F 011 331-5939
mvmolele@gmail.com
Victor Molele

12. Nev Productions
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F 015 962-1703
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Robert Nevhutalo

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newgen@netactive.co.za
Razia Aziz | Fay Moosa

14. Remmogo Publishers
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Midrand 1685
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C 082-818-3865
F 011 315-6559
remmogopublishers@gmail.com
Ken Makhubela

15. Ringas Enterprise & Projects
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C 082-2342-4548
F 086-662-4548
vmaringa@webmail.co.za
Victor Maringa

16. Safraeli Trading and Projects
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Seshego 0742
T 015 223-1365
C 072-447-9494
C 015 297-1553
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Joseph Tauatsoala

17. Sasavona Publishers
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Giyani 0826
T 015 812-0340
C 083-399-1322
F 015 812-3689
meehleketo@giyani.co.za
Thomas Khosa
18. Scorpions Publishers
293 Block K
Soshanguve 0152
T 012 799-8859
C 072-292-9488
F 012 799-8859
ileauxcerf@telkomsa.net
Dr Thomas Madau

19. Sharp Shoot Publishing
Shop 3, Devenish Street
Polokwane 0700
T 015 297-8414
C 072-667-7717
F 015 296-2349
sharpshootpublishing@gmail.com
Peter Maidi

20. Skydew Publishers
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Malamulele 0982
T 015 962-8303
F 015 962-8416
elisabeth.chauke@univen.ac.za
Isaiah Ndhambi

21. Soul Of Africa
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Grobelaar Street
Polokwane 0700
T 015 295-4684
C 082-734-8886
F 015 291-424
soulofafrica@telkomsa.net
Samuel Chauke

22. Tau Ya Twako Publishers
Po Box 520, Sekhukhune 1124
T 011 838-1383
C 073-593-2474
F 086-516-1424
andrew@nac.org.za
Andrew Nkadimeng

23. Umbila Publishers
PO Box 70
Wits 2050
T 011 982-3180
C 072-431-6857
F 011 934-0221
info@sowetodiary.com
Sipho Mahlobo

24. Zambezi Books
Po Box 567
Makhado 0920
T 015 516-1956
C 079-531-0708
F 087-151-1525
mbofhop@yahoo.com
Ms Mbofholowo

25. Zebra Publishing
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The Tramshed, 0126
T 012 767-8760
C 083-744-8499
molope.mathete@kzntreasury.gov.za
Molope Mathete
THE NATIONAL LIBRARY OF SOUTH AFRICA ACT 92 OF 1998

[ASSENTED TO 20 OCTOBER 1998][DATE OF COMMENCEMENT: TO BE PROCLAIMED]

(English text signed by the President)

ACT

To provide for the National Library of South Africa; for collecting, preserving, making available and promoting awareness of the national documentary heritage; and to provide for matters connected therewith.

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INTRODUCTION

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INTRODUCTION (s 1)
1 Definitions

In this Act, unless the context indicates otherwise-

'bibliographic service' means-

(a) the creation of bibliographic records and the compilation of catalogues, bibliographies, indexes and other bibliographic databases;

(b) the compilation and dissemination of relevant statistics;

(c) the exchange, sale, dissemination or making available of the records and compilations referred to in paragraph (a);

'Board' means the Board of the National Library, constituted in terms of section 6;

'document' means any object which is intended to store or convey information in textual, graphic, visual, auditory or other intelligible format through any medium, and any version or edition of a document which is significantly different from that document in respect of its information content, intelligibility or physical presentation, is considered to be a separate document: Provided that public records as defined in section 1 of the National Archives of South Africa Act, 1996 (Act 43 of 1996), or in provincial legislation pertaining to records and archives, other than published records, are not considered to be documents for the purposes of this Act;

'documentary heritage' means the total of published documents emanating from South Africa or relating to South Africa;

'medium' means any means of recording or transmitting information intended for subsequent reading, listening or viewing;

'Minister' means the Minister of Arts, Culture, Science and Technology;

'National Librarian' means the person referred to in section 9 (1) (b);

'National Library' means the National Library of South Africa, referred to in section 2;

'prescribe' means prescribe by regulation;

'published' means produced to be made available in multiple copies or at various locations to-

(a) any member of the public, whether through purchase, hire, loan, subscription, licence or free distribution; or
(b) the members of an association or a society, whose membership is open to any qualifying member of the public;

'record' means recorded information regardless of form or medium;

'this Act' includes any regulation made under section 15.

CHAPTER 1
THE NATIONAL LIBRARY OF SOUTH AFRICA (s 2-4)

2 National Library of South Africa

(a) The South African Library and the State Library referred to in section 2 of the National Libraries Act, 1985 (Act 56 of 1985), are hereby amalgamated to form the National Library of South Africa.

(b) The National Library is situated in Pretoria and Cape Town and may have agencies and departments in such other places as the Minister may determine by notice in the Gazette.

(c) The location of the office of the National Librarian is determined by the Minister after consultation with the Board.

3 Objects of National Library

The objects of the National Library are to contribute to socio-economic, cultural, educational, scientific and innovative development by collecting, recording, preserving and making available the national documentary heritage and promoting an awareness and appreciation thereof, by fostering information literacy, and by facilitating access to the world's information resources.

4 Functions of National Library

(1) The functions of the National Library are-

(a) (i) to build up a complete collection of published documents emanating from or relating to South Africa;

(ii) to maintain and extend any other collections of published and unpublished documents with the emphasis on documents emanating from and relating to Southern Africa;

(iii) to promote the optimal management of collections of published documents held in South African libraries as a national resource; and
(iv) to supplement the national resource contemplated in subparagraph (iii) with selected documents;

(b) (i) to record the documents contemplated in paragraph (a); and

(ii) to render a national bibliographic service and to act as the national bibliographic agency;

(c) to promote optimal access to published documents, nationally and internationally;

(d) to provide reference and information services, nationally and internationally;

(e) to act as the national preservation library and to provide conservation services on a national basis;

(f) to promote awareness and appreciation of the national published documentary heritage; and

(g) to promote information awareness and information literacy.

(2) In order to achieve its objects and promote the development of library and information services in South Africa, the National Library must, in relation to the functions referred to in subsection (1)-

(a) provide appropriate information products and services;

(b) provide leadership, guidance and advice to South African libraries and information services;

(c) undertake planning and co-ordination in co-operation with other library and information services;

(d) present, in consultation and co-operation with appropriate educational institutions and professional bodies, courses of training and education relating to the functions referred to in subsection (1);

(e) undertake research and development; and

(f) liaise with libraries and other institutions in and outside South Africa.
(1) The National Library is a juristic person, and may, subject to subsection (2), perform any act which, in the opinion of the Board, is necessary for or incidental to the performance of its functions.

(2) The National Library may not without the prior approval of the Minister granted with the concurrence of the Minister of Finance-

(a) lease or sell, exchange or otherwise alienate its movable or immovable property: Provided that the Minister may prescribe categories of movable property which may be alienated by the National Library at the sole discretion of the Board: Provided further that any alienation of the collections contemplated in section 4 (1) (a) (i) must be dealt with in accordance with section 7 (5) of the Legal Deposit Act, 1997 (Act 54 of 1997);

(b) as long as a guarantee furnished in terms of section 35 of the Exchequer Act, 1975 (Act 66 of 1975), is in force in respect of a loan granted to the National Library-

(i) mortgage or otherwise encumber its immovable property acquired through that loan;

(ii) lease or sell, exchange or otherwise alienate, or hypothecate or otherwise encumber its movable property acquired through that loan;

(c) borrow money.

6 Board of National Library

(1) The affairs of the National Library are controlled by a Board consisting of-

(a) at least seven but not more than nine members appointed by the Minister in the prescribed manner: Provided that the regulations prescribing the manner of appointment must apply the principles of transparency and representivity: Provided further that at least one of the members must have financial expertise;

(b) the chief executive officer of the National Library, who is ex officio a member of the Board; and

(c) the heads of the Pretoria and Cape Town components, who are ex officio non-voting members.

(2) A member of the Board must vacate the office if-
the member's estate is sequestrated or assigned for the benefit of, or if the member compounds with, the creditors of the member;

(b) a competent court finds that the member is of unsound mind;

(c) the member is convicted of an offence and sentenced to imprisonment without the option of a fine;

(d) the member is absent from three consecutive meetings of the Board without the leave of the Board; and

(e) the member is elected as a Member of the National Assembly or a provincial legislature, or appointed as a permanent delegate to the National Council of Provinces by a provincial legislature in accordance with the Constitution and the National Council of Provinces (Permanent Delegates Vacancies) Act, 1997 (Act 17 of 1997).

(3) The Minister may after consultation with the Board remove a member of the Board from office if in the opinion of the Minister there are sound reasons for doing so after hearing the member on those reasons.

(4) If a member of the Board dies, or resigns by written notice to the Minister, or vacates that office or is removed from office, the Minister may appoint a person in the prescribed manner in that member's place for the remaining part of the term of office.

(5) (a) A member of the Board holds office for a period not exceeding three years, subject to subsections (3) and (4), and may be reappointed.

(b) No member may serve more than two consecutive terms.

7 Functions and allowances of members of Board

(1) The functions of the Board are-

(a) to formulate the policies of the National Library in consultation with the Minister;

(b) to approve the budget of the National Library;

(c) to approve the financial statements of the National Library;

(d) to advise the Minister with regard to matters with which the National Library is concerned; and

(e) to furnish the Minister with such information as the Minister may require.
(2) The Board may pay to a member of the Board who is not in the full-time employ of the State or who is not in the employ of the National Library such allowances as the Minister with the concurrence of the Minister of Finance may determine.

8 Meetings of Board

(1) The Board must meet at least twice a year at such times and places as the Board may determine.

(2) (a) The Minister must appoint a chairperson for the Board from among the members of the Board.

(b) The chairperson or, in the chairperson's absence, a member of the Board elected by the members present, presides at meetings of the Board.

(3) The quorum for a meeting of the Board is a majority of its members.

(4) A decision of the Board is taken by resolution of the majority of the members present at any meeting of the Board, and, in the event of an equality of votes on any matter, the person presiding at the meeting has a casting vote in addition to a deliberative vote as a member of the Board.

9 Employees of National Library

(1) (a) The Board may appoint such employees as are necessary to perform the functions of the National Library.

(b) (i) The Board must appoint a chief executive officer who must be responsible for the management of the affairs of the National Library and who must report on those affairs to the Board as the Board may require.

(ii) The chief executive officer is also the accounting officer charged with the responsibility of accounting for all money received and the utilisation thereof and is responsible for the property of the National Library.

(iii) The chief executive officer of the National Library is known as the National Librarian.

(2) The Board determines the remuneration, allowances, conditions of service, subsidies and other benefits of the employees of the National Library in consultation with the Department of Public Service and Administration and with the approval of the Minister granted with the concurrence of the Minister of Finance.

(3) An employee may be discharged only in terms of a decision of the Board, and the employee concerned may in the prescribed manner and within the prescribed time
appeal against the discharge to the Minister, who may confirm, vary or set aside that decision, or give such other decision as the Board in the opinion of the Minister should have given.

(4) (a) An employee may, with the employee's consent and on such conditions as the Board may determine, be seconded, either for the performance of a particular service or for a period of time, to the service of the State, another state or some other person.

(b) While seconded an employee remains subject to the laws and conditions of service that apply to the employee while in the employ of the National Library.

10 Transfer of certain persons to employ of National Library

A person who is in the full-time employ of the State or of an institution receiving financial aid from the State may, subject to the laws governing the public service and the approval of the Board, be transferred or seconded to the employ of the National Library.

11 Transfer of certain assets to National Library

Subject to section 2 of the State Land Disposal Act, 1961 (Act No. 48 of 1961), the Minister may, in consultation with the Board and with the concurrence of the Minister of Public Works, the Minister for Agriculture and Land Affairs and the Minister of Finance, and on such conditions as the Minister may determine, transfer to the National Library any immovable property belonging to the State in order to enable the National Library to perform its functions.

12 Minister may entrust certain property to care of National Library

The Minister may, in consultation with the Board and in such manner and on such conditions as the Minister thinks fit, entrust any movable property or part thereof which has been donated or bequeathed to the Republic or its inhabitants or which has been donated or bequeathed for the use or benefit of the Republic or its inhabitants, to the care of the National Library, unless the donor or testator has made other provisions for the care thereof.

13 Financing of National Library

(1) The funds of the National Library consist of-

(a) money appropriated by Parliament;

(b) money borrowed by the National Library;

(c) revenue obtained by virtue of subsection (3);

(d) fees or royalties paid to the National Library;
(e) donations or contributions received by the National Library;

(f) money accruing to the National Library from any other source, including remuneration for services rendered in terms of this Act.

(2) Subject to this section, the National Library must use its funds to defray expenditure in connection with the performance of its functions.

(3) The Board may invest any money not required for immediate use or as a reasonable operating balance with the Public Investment Commissioners or in such other manner as the Minister with the concurrence of the Minister of Finance may determine.

(4) The Board may establish and operate a reserve fund and may deposit therein such amounts as become available from time to time.

(5) (a) The National Library-

(i) must in each financial year, at a time determined by the Minister, submit a statement of its estimated income and expenditure projected over the following three financial years for the approval of the Minister; and

(ii) may in any financial year at any time submit supplementary statements of its estimated expenditure for that financial year to the Minister for the Minister's approval.

(b) The National Library may not enter into any financial commitment beyond its approved budgets and its accumulated reserves.

14 Auditing and annual report

(1) The financial year of the National Library ends on 31 March.

(2) The National Library must keep a proper record of its assets and financial transactions.

(3) The accounts of the National Library must be audited annually by the Auditor-General.

(4) (a) The National Library must furnish to the Minister such information in connection with the functions and financial position of the National Library as the Minister may require, and must within three months of the end of the financial year submit to the Minister an annual report, including a balance sheet and a statement of revenue and expenditure in respect of the financial year, certified by the Auditor-General, as well as such other particulars as the Minister may require.
(b) The Minister must table the report in Parliament within 14 days after receipt thereof if Parliament is in ordinary session or, if Parliament is not in ordinary session, within 14 days after the commencement of its next ordinary session.

CHAPTER 3
GENERAL PROVISIONS (s 15-18)

15 Regulations

(1) The Minister may make regulations regarding-

(a) matters which are required or permitted to be prescribed in terms of this Act;

(b) (i) the investigation of a charge of misconduct or inefficiency against a person in the employ of the National Library, or of any alleged irregularity in connection with the affairs of the National Library, conduct constituting misconduct, the procedure to be followed at such an investigation, the summoning and attendance of witnesses, and the sanction that may be imposed upon or other steps that may be taken against such a person;

(ii) the procedure for the investigation of an alleged grievance of an employee;

(c) the keeping of records;

(d) the times when, the form in which and the persons to whom financial statements and reports in respect of the National Library must be submitted;

(e) research at the National Library;

(f) the establishment of professional advisory committees; and

(g) generally, any matter in respect of which regulations are regarded necessary or expedient in order to achieve the objects of this Act.

(2) Regulations made under this section may prescribe a fine or a period of imprisonment not exceeding one year for a contravention thereof or a failure to comply therewith.

(3) The Minister must publish any regulations made under this section in the Gazette.

16 Transitional provisions
(1) (a) The boards of the State Library and the South African Library must dissolve at the commencement of this Act.

(b) The members of those boards must function jointly as an interim board which must dissolve at the constitution of the Board of the National Library in terms of section 6.

(c) The interim board must elect a chairperson from among its members.

(2) (a) A person who immediately before the commencement of this Act was in the employ of the State Library or the South African Library is transferred to the employ of the National Library with the retention of the salary, allowances and other benefits which then applied in respect of the person.

(b) Such a person is regarded as having been appointed under section 9.

(c) The salary, allowances, conditions of service and other benefits of such person is regarded as having been determined under that section, and any leave, pension or other benefits which have accrued in the person's favour by virtue of the person's service with the said library is regarded as having been accrued in the person's favour by virtue of service with the National Library.

(d) The Director of the State Library must act as the chief executive officer of the National Library until the Board appoints a chief executive officer in terms of section 9 (b) (i).

(3) Any movable property which was in the possession or under the control of the State Library or the South African Library immediately before the commencement of this Act vests in the National Library, including-

(a) money standing to their credit in the accounts of those libraries or held by the State for the purposes of those libraries;

(b) claims of the State in connection with those libraries;

(c) rights and privileges of the State in connection with those libraries in terms of an agreement entered into by or on behalf of the State or those libraries.

(4) The liabilities and obligations of the State in respect of the State Library and the South African Library become liabilities and obligations of the State in respect of the National Library.

(5) Any reference in any law or document to-
(a) the State Library must be construed as a reference to the Pretoria component of the National Library;

(b) the South African Library must be construed as a reference to the Cape Town component of the National Library.

17 Amendment and repeal of laws

The laws mentioned in the Schedule are hereby amended or repealed to the extent set out in the third column thereof.

18 Short title and commencement

This Act is called the National Library of South Africa Act, 1998, and comes into operation on a date fixed by the President by proclamation in the Gazette.

Schedule

LAWS AMENDED OR REPEALED

<table>
<thead>
<tr>
<th>Number and year of law</th>
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<td>National Libraries Act, 1985</td>
<td>Repeal of the whole</td>
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<td>Central Library Service Act, 1991</td>
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To provide for the preservation of the national documentary heritage through legal deposit of published documents; to ensure the preservation and cataloguing of, and access to, published documents emanating from, or adapted for, South Africa; to provide for access to government information; to provide for a Legal Deposit Committee; and to provide for matters connected therewith.

(Afrikaans text signed by the President.)
(Assented to 6 November 1998.)

Be it enacted by the Parliament of the Republic of South Africa, as follows:–

Definitions

1. In this Act, unless the context indicates otherwise-

   'Committee' means the Legal Deposit Committee referred to in section 8;

   'Department' means the Department of Arts, Culture, Science and Technology;

   'document' means any object which is intended to store or convey information in textual, graphic, visual, auditory or other intelligible format through any medium, and any version or edition of a document which is significantly different from that document in respect of its information content, intelligibility or physical presentation, is considered to be a separate document;
'medium' means any means of recording or transmitting information intended for subsequent reading, listening or viewing;

'Minister’ means the Minister of Arts, Culture, Science and Technology;

'official publication' means a document published by an organ of national, provincial or local government, a parastatal organisation or any other institution listed as a public entity in terms of section 3 of the Reporting by Public Entities Act, 1992 (Act 93 of 1992);

'official publications depository' means a place of legal deposit designated in accordance with section 6;

'place of legal deposit' means a library or institution referred to in section 6;

'prescribed' means prescribed by regulation made under section 12;

'published' means produced to be generally available in multiple copies or locations to-

(a) any member of the public, whether through purchase, hire, loan, subscription, licence or free distribution; or

(b) the members of an association or a society, the membership of which is open to any qualifying member of the public;

'publisher' means the person who or body, whether public or private, which-

(a) publishes and distributes a document;

(b) authorises and accepts the financial risk of the production, whether by that person or body or by another, of a document which is intended to be generally available;

(c) imports a document produced abroad for a South African publisher or a document specially adapted for the South African market to make it generally available;

'this Act' includes the regulations made under section 12.

Deposit of documents and information

2. (1) A publisher shall for each published document supply to the prescribed places of legal deposit the prescribed number of copies in the format and of the quality prescribed for each version and type of medium: Provided that the prescribed number of copies of documents other than official publications shall not exceed five.
(2) A publisher shall for each published document furnish the State Library with the prescribed information pertaining to that document.

Cost

3. The cost of documents supplied in terms of section 2 (1) and of the information furnished in terms of section 2 (2) and of the supply and furnishing of such documents and information shall be borne by the publisher.

Time Of Deposit

4. Unless otherwise prescribed, the publisher shall dispatch a document contemplated in section 2 (1) and furnish the information contemplated in section 2 (2) within 14 days of the day on which the document is published.

Exemptions

5. (1) (a) If, owing to the high unit cost of publishing any particular document, or its unique or labour-intensive production method, the publisher of such document is likely to suffer serious financial or other hardship should he or she supply a copy of the document free of charge to every place of legal deposit in terms of section 2 (1), the Minister may, upon application from the publisher and after consultation with the Committee, exempt such publisher from the obligation to supply a copy of such document to such place or places of legal deposit as may be specified by the Minister.

   (b) The Minister shall not exempt a publisher under paragraph (a) from his or her obligation to supply a copy of a document to the South African Library or the National Film, Video and Sound Archives, as the case may be, and to furnish the State Library with the information contemplated in section 2 (2).

   (c) The Minister may, after consultation with the Committee, grant financial relief to publishers who suffer serious financial hardship as a result of their obligation to supply certain documents to the South African Library or the National Film, Video and Sound Archives, as the case may be: Provided that such relief shall not exceed the cost of producing an additional copy of such documents.

   (2) If a place of legal deposit does not require a particular document, or a particular category of documents, to which the provisions of section 2 (1) apply, the head of such place of deposit may exempt the publisher in writing from the obligation to supply a copy of such document or category of documents to that place of legal deposit.
(3) If a publisher is exempted under this section from the obligation to supply a copy of a document to the State Library, such publisher must nevertheless furnish the State Library with the information contemplated in section 2 (2) relating to that document.

(4) An exemption granted under subsection (1) (a) or (2) in respect of a particular document or any particular category of documents may be withdrawn in writing by the Minister or the head of the place of legal deposit in question, as the case may be.

Places of legal deposit

6. (1) The places of legal deposit shall be-

(a) the City Library Services, Bloemfontein;
(b) the Library of Parliament, Cape Town;
(c) the Natal Society Library, Pietermaritzburg;
(d) the South African Library, Cape Town;
(e) the State Library, Pretoria;
(f) the National Film, Video and Sound Archives, Pretoria, for purposes of certain categories of documents as prescribed; and
(g) any other library or institution prescribed by the Minister for purposes of certain prescribed categories of documents.

(2) (a) The Minister shall, on the recommendation of the Member of the Executive Council responsible for libraries in each province, designate at least one place of legal deposit in each province to serve as an official publications depository, which shall be entitled to receive a copy of every official publication but not of other categories of documents.

(b) Except in the case of subsection (1) (b), an official publications depository may be designated in an existing place of legal deposit if the Minister deems this advisable: Provided that such a place of legal deposit shall retain its right under section 2 (1) also to receive documents other than official publications.

(3) The Minister or the relevant Member of the Executive Council for each province shall, from funds voted for that purpose by Parliament or the relevant Provincial Legislature, as the case may be, disburse such sums as are necessary to places of legal deposit to enable them to fulfil their obligations.
Duties of places of legal deposit

7. (1) A place of legal deposit shall, subject to such limitations as may be prescribed-

(a) receive, accession, retain and preserve;

(b) catalogue or inventorise; and

(c) ensure freedom of access to,

the documents supplied in terms of section 2 (1).

(2) The State Library shall, with the assistance of other places of legal deposit and other appropriate libraries or institutions, compile-

(a) a national bibliography; and

(b) statistics of the South African production of published documents on the basis of the documents supplied in terms of section 2 (1) and the information furnished in terms of section 2 (2).

(3) The South African Library and the National Film, Video and Sound Archives shall, with the assistance of other places of legal deposit, preserve at least one copy of each document supplied in terms of section 2 (1) for current and future use.

(4) An official publications depository shall-

(a) serve as a centre for promoting public awareness of, and access to, official publications and information held by the government and the institutions listed in terms of section 3 of the Reporting by Public Entities Act, 1992 (Act 93 of 1992); and

(b) provide public access to databases and other information sources to which the public may gain access under any law.

(5) Notwithstanding subsections (1) and (2), the head of a place of legal deposit may, on the recommendation of the Committee-

(a) dispose of;

(b) omit from catalogues or inventories;

(c) omit from a national bibliography; or

(d) impose restrictions on access to,
certain categories of documents, supplied in terms of section 2 (1) to one or more places of legal deposit.

(6) If a place of legal deposit persistently fails to comply with subsection (1), (2), (3) or (4), the Minister may, upon the recommendation of the Committee, by notice in the Gazette exempt all publishers from the obligation to supply to that place of legal deposit the documents contemplated in section 2 (1).

Legal Deposit Committee

8. (1) There is hereby established a committee called the Legal Deposit Committee, consisting of-

(a) the heads of the places of legal deposit referred to in section 6 (1);

(b) the head of the Government Printing Works;

(c) one representative for all provincial official publications depositories, designated by the Minister in the prescribed manner; and

(d) two representatives of the publishing industry, designated by the Minister in the prescribed manner:

Provided that the regulations prescribing the manner of designation shall apply the principles of transparency and representivity.

(2) The Minister may appoint no more than four additional members to the Committee in the prescribed manner to represent other interested parties, including representatives of library and information services.

(3) The Minister shall, in consultation with the various interest groups, such as the publishers and the library and information services sector, appoint one of the members in the prescribed manner as chairperson of the Committee to serve for a renewable term of three years.

(4) The object of the Committee is to coordinate and promote the implementation of this Act.

(5) The Committee shall-

(a) advise the Minister on any matter dealt with in this Act;

(b) make recommendations to the Minister concerning any regulations which the Minister may make under this Act;
(c) co-ordinate the tasks carried out by the various places of legal deposit in respect of legal deposit;

(d) advise any place of legal deposit regarding any matter dealt with in this Act;

(e) establish subcommittees or working groups when necessary to investigate any matter dealt with in this Act and to execute any tasks relating to the implementation of this Act and to co-opt persons to such subcommittees or working groups for the duration of the investigation or task; and

(f) report to Parliament on the activities and financial affairs of the places of legal deposit in accordance with the provisions of the Reporting by Public Entities Act, 1992 (Act 93 of 1992).

(6) No remuneration shall be payable to the members of the Committee or the members of its subcommittees or working groups other than such reasonable travel and subsistence costs as the Minister with the concurrence of the Minister of Finance may determine within the limits of the approved budget of the Committee, its subcommittees and working groups.

Offences

9. Any publisher who fails to comply with section 2, 3, 4 or 5 (3) shall be guilty of an offence and liable on conviction to a fine not exceeding R20 000.

Action to remedy non-compliance

10. (1) (a) If a publisher fails to supply the documents contemplated in section 2 (1) to one or more places of legal deposit, an officer authorised thereto by the Minister may in the prescribed manner demand that such documents be supplied to such place or places of legal deposit within 30 days.

(b) If, on the expiration of that period, such documents have not been received by the place or places of legal deposit in question, such officer may forthwith by purchase acquire the documents or, if copies are no longer available, cause a reproduction of acceptable quality to be made thereof and recover the cost of that purchase or reproduction from the publisher.

(2) If the officer is unable to acquire or reproduce the documents or recover the cost thereof under subsection (1), the Department may, in consultation with the Committee, institute civil proceedings against such publisher.
Delegation of powers

11. (1) The Minister may delegate any power conferred upon him or her by this Act to an officer in the Department.

(2) A delegation under subsection (1) shall not prevent the exercise of the power in question by the Minister himself or herself.

Regulations

12. The Minister may make regulations regarding-

(a) any matter which is required or permitted to be prescribed under this Act; and

(b) generally, any matter which is necessary or expedient to be prescribed in order to achieve the objects of this Act.

Act binds State

13. This Act, except section 9, shall bind the State.

Repeal of laws

14. The laws mentioned in the Schedule are hereby repealed to the extent set out in the third column thereof.

Short title and commencement

15. This Act shall be called the Legal Deposit Act, 1997, and shall come into operation on a date fixed by the President by proclamation in the Gazette.
## Schedule

### Laws repealed

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FREQUENTLY ASKED QUESTIONS ABOUT THE ISBN SYSTEM

WHY SHOULD I USE AN ISBN? If you are a publisher or bookseller, it may be in your own interest to do so since you want to sell books. If your books cannot be ordered and distributed by using an ISBN and if they are not included in bibliographic data products, you may find that your books do not sell. People will assume your books do not exist, and even if they do know they exist they may consider it too much of a bother to handle them in a non-industry way.

DO I HAVE TO HAVE AN ISBN? From the point of view of the international ISBN system there is no legal requirement to have an ISBN, and it conveys no legal or copyright protection. In a number of countries, though, the use of ISBN is prescribed by law.

DO BOOKS NEED AN ISBN IF THEY ARE NOT GOING TO BE SOLD? It is desirable that all books are identified by ISBNs.

SHOULD AN AUCTION CATALOGUE BE ASSIGNED AN ISBN? WHAT ABOUT EXHIBITIONS AND CATALOGUES? Where a catalogue is produced to provide background information on items available for sale at auction, it should not be assigned an ISBN. Effectively, the catalogue is regarded as marketing material (even if it does not include prices) and is outside the scope of ISBN assignment. By contrast, catalogues that accompany exhibitions and provide textual information on particular artists or themes are applicable for ISBNs.

WHO ASSIGNS ISBN REGISTRANT ELEMENTS? Only a registration agency appointed by the International ISBN Agency can assign ISBN registrant elements to individual publishers. Neither these registrant elements, nor any of the corresponding ISBNs, can be sold or given to any other publisher.


I AM PUBLISHING A BOOK IN A FOREIGN LANGUAGE. SHOULD IT HAVE AN ISBN OF THE COUNTRY IN WHOSE LANGUAGE THE BOOK IS WRITTEN? No. It is the country where the publisher is based that determines the group identifier, not the language of the text itself.

I AM REVISING A BOOK. DOES IT REQUIRE A NEW ISBN? A significant change of text requires a new ISBN. If revisions have been made it should state on the verso of the title page that the book is a revised edition and the new ISBN should be printed there.

DOES A REPRINT WITHOUT CHANGE OF TEXT OR BINDING REQUIRE A NEW ISBN? No. The original number must be retained, provided the publisher and imprint remain the same.

I WOULD LIKE TO ISSUE A NEW ISBN FOR MARKETING REASONS. IS THIS PERMISSIBLE? No, not if there is no change of text, format, or binding that would justify a new ISBN.

I AM REPRINTING A BOOK AND CHANGING THE PRICE AT WHICH IT IS AVAILABLE. IS A NEW ISBN REQUIRED? No. A reprint, whether or not the price has been changed, does not require a new ISBN.

I AM PUBLISHING A BOOK WITH ANOTHER PUBLISHER. WHOSE ISBN SHOULD APPEAR ON THE BOOK? In the case of a joint publication, both publishers are entitled to have an ISBN on the book. It should be made clear which number identifies which publisher. However, if only one publisher is to hold stock and distribute the publication, then it is recommended that the ISBN of the publisher who is responsible for distribution should appear in bar coded form on the back cover of the book.

IS IT POSSIBLE TO REASSIGN ISBNS WHEN THE BOOKS TO WHICH THEY WERE ALLOCATED ARE OUT-OF-PRINT? No. An ISBN identifies a given title, and its edition and binding, for all time. Even if out-of-print, it will still exist in some shops and will certainly still exist in libraries.
HOW ARE ISBNs ALLOCATED TO MULTI-FORMAT/MULTI-VOLUME WORKS? An ISBN must be allocated to the whole set of volumes of a multi-volume work; also, if the individual volumes of the set are sold separately, each volume must have its own ISBN. Even when each volume is not sold separately, the allocation of an ISBN to each volume is advisable. It facilitates the handling of returns (damaged volumes), and eliminates the possibility of confusion over specific publications. Each volume should list all ISBNs. Similar rules apply to kits (e.g., a CD-ROM with an accompanying booklet). If any part is available separately, a separate ISBN must be allocated to each part, and to the kit as a whole.

I AM PUBLISHING A SERIES OF PUBLICATIONS. DO I NEED AN ISBN OR AN ISSN? The series should receive an ISSN while the individual publications should receive ISBNs.

DO I NEED A NEW ISBN WHEN I AM REPRINTING A BOOK WITH A NEW TITLE? Yes, a new title requires a new ISBN.

I AM TAKING OVER ANOTHER FIRM, WHICH ALREADY HAS AN ISBN REGISTRANT ELEMENT. ALL FUTURE BOOKS WILL BE PUBLISHED UNDER MY NAME. CAN I RENUMBER ALL THE OTHER FIRM’S TITLES? When the publications are reprinted under your own imprint thus carrying your own name, you may assign new ISBNs from your own registrant element.
COPYRIGHT AND PUBLISHING ISSUES FOR AUTHORS

SAMRO Place
20 De Korte Street, Braamfontein
Johannesburg 2001

P O Box 31134, Braamfontein, 2017
Tel: 011 712 8008  Fax: 011 403 9094
E-mail: info@anfasa.org.za
www.anfasa.org.za
Among authors’ reasons for joining a professional association such as ANFASA, the need to know more about copyright and publishing contracts stands out as one of the most compelling.

What is ‘intellectual property’?

The term ‘intellectual property’ refers to the intangible products of the mind. Patents, trademarks, designs and copyright are the four forms of intellectual property (the first three are sometimes also known as industrial property).

What is copyright?

It is the right of the creator of a work embodying intellectual property to control the use and exploitation, or management, of that work. Simply put, copyright includes the right to protect one’s intellectual property from unauthorised usage.

To explain ‘intangible’: a book is a physical object, but embodied in it is something intangible, the ideas of the author as expressed in the words on the page. The expression of these ideas is what the author owns, and has a right to protect.

Is there a statute governing copyright?

Yes, the Copyright Act 98 of 1978, as amended, governs copyright.

What kinds of works are eligible for copyright protection?

Literary (written), musical and artistic works; cinematograph films; sound recordings; broadcasts; program-carrying signals; published editions and computer programs.

How long does copyright last?

In South Africa, the duration of copyright is the life of the author plus 50 years from the end of the year in which the author dies. Intellectual property, like other forms of property, devolves on a person’s heirs, so when an author dies his or her beneficiaries become the owners. When copyright expires, the work falls into the public domain, and may be freely used and exploited by anyone. In many other countries, notably Europe and the United States, the duration of copyright is life of the author plus 70 years.

How do I get copyright in my book?

In South Africa one does not register copyright (apart from in cinematograph films). Copyright arises automatically, as you express your ideas on the page – or computer screen.
How can I protect my work?

Strictly speaking, you don't have to do anything, as your work is automatically protected. But if someone copied it, and you challenged them, you would have to prove in court that you are the owner of copyright. When sending a manuscript out to be published you should always claim ownership of it with the copyright symbol, your name, and the year – as you will see at the end of this booklet.

If I tell someone my idea for a plot, and they subsequently write a book using it, how can I prove the idea was mine?

It is said that there is no copyright in ideas, partly because the law cannot protect something as ephemeral, and sometimes fleeting, as an idea. Once the idea has been written down, however, it enjoys copyright protection. If your story's plot was copied you would have to prove that the idea was yours – which would be very difficult to do if you had not written anything down.

What are moral rights?

The author of a work has the right to claim authorship and to object to any distortion, mutilation or other modification of the work where such action is or would be prejudicial to his or her honour or reputation. This means that the author has the right to be identified as the author (the right of paternity) and the right to object to any adaptation of the work which would reflect badly on him or her (the right of integrity).

What is plagiarism?

If someone passes off your work as his or her own this is plagiarism. It is also plagiarism if someone lifts ideas and expressions, without acknowledgement, from your work.

What is copyright infringement?

Only the copyright owner may do, or authorise the doing, the following in respect of his or her work: reproduce it in any manner or form; publish it; perform it in public; broadcast it; transmit it in a diffusion service; or adapt it. Anyone who performs any of these actions without permission in respect of the work has infringed copyright.
What can I do if someone has plagiarised my work?

There is no criminal offence called 'plagiarism', but plagiarism may also amount to copyright infringement (which is against the law) if the form of your work (i.e. the actual words) has been copied as well as the content. In academia, the mere exposure of an author as a plagiarist is shameful.

If you suspect that your work has been plagiarised, or your copyright infringed, your first port of call should be your publisher, who will take action on your behalf.

If only I, the author, may publish my work, how do publishers operate?

By signing a contract with a publisher, you give him or her an exclusive licence to publish your work. An exclusive licence means that only the publisher with whom you have contracted may publish your work.

My publisher wants me to assign my copyright. What does this mean?

Copyright is a 'bundle' of rights which includes the right to publish the book in a certain language, or in a certain territory, or for a certain period of time. You are entitled to license your publisher to manage the exploitation of your work according to the extent of the rights you grant. Some publishers, however, require an assignment – that is, complete ownership of all the rights in the 'bundle'. An educational publisher, for instance, may publish a textbook in several languages and territories, adapting the text as necessary, and would have good reason to control it in its entirety.

An assignment of copyright must be in writing, and signed by the copyright owner, to take effect.

Journals often require an assignment before publication. If you have assigned copyright in your journal article this means that you no longer own it and may not make multiple copies of it for your students. Strictly speaking, you may not even quote extensively from it without the permission of the copyright owner, who is now the publisher – not you.

Authors should be aware of the implications of assignment.

A few publishers also require a 'waiver' of moral rights. No author, unless he or she is the ghost-writer of an autobiography, should agree to this, for it means that you may not be acknowledged as the author or – if you are acknowledged – that the text may be so altered that it could reflect badly on you – and you have no recourse. There is no justification for a textbook publisher to demand a waiver of moral rights.
If I am commissioned to write a book, or an article, does the publisher automatically own copyright?

No! The publisher owns copyright only if you assign it.

Does my employer own copyright in my work?

That depends on the nature of your work and on your employment contract. According to the Copyright Act, the author of a work owns the copyright except in certain circumstances, the relevant one here being if the author is under a 'contract of service or apprenticeship'. In the academic context this could mean that what the lecturer writes as part of his teaching or research duties, as specified in his contract of employment (for instance, study guides), belongs to the university.

Authors should clarify with their employers who owns copyright in their works.

What about the Internet?

Everything that appears on your computer screen is protected by copyright, as a literary or an artistic work as the case may be. The underlying program is protected as a computer program. The law allows you to download and print out for your own use, but you may not on-copy without the permission of the copyright owner. Most websites state clearly who owns copyright in the content on the site or page.

What is 'open access', and what is the 'creative commons'?

Some authors – and some publishers – have no wish to restrict the use and/or exploitation of their intellectual property, and they grant the right to copy it freely without authorisation or payment.

The underlying principle may be that all knowledge is built on prior knowledge and that authors – of scholarly and academic works in particular – should consider the public good and desist from restricting the copying of their intellectual property. Or it may be that the author’s motive is merely to make his or her work better-known so that the rights conveyed by copyright are unimportant.

The 'creative commons' offers types of licences which partially restrict use and exploitation of a work. Usually, the work may be freely copied as long as it is not commercially exploited.

Every author is entitled to choose whether to exercise his or her right of copyright, and no author should be pressured to assign it against his or her will or to offer it gratis for public consumption.
My contract has a 'competing works' clause which prevents me from writing anything else on the same subject as the book being published. What can I do?

The competing works clause in a contract is sometimes rather poorly expressed. It's certainly not intended to prevent you from writing anything else on the same topic as your book but, rather, to stop you from writing another work on the same subject and intended for the very same readership. For instance, if you write a biology textbook for Grade 12 you may not write another for Grade 12 and have it published by another publisher, but there should be nothing to stop you from writing one for Grade 5. The operative word here is competing, and it only stands to reason that you ought not to cheat your publisher in this way. If you are unhappy with the wording of this clause – if you think it is ambiguous – ask the publisher to alter it, but not to remove it.

How do I find a publisher?

First, you need to identify a publisher of books which have some similarities to yours. Check out the locally published books in a bookshop, or the Publishers' Association of South Africa (PASA) website. Do not send the full manuscript. Send a letter containing a brief summary of the contents; something about yourself and your knowledge of, or experience in, the subject; and a clear exposition of the potential readership. Include a few pages of the text and offer to send the full text on request. An excellent reference work, erudite and amusing as well, is Get Your Book Published in 30 (Relatively) Easy Steps by author and publisher Basil van Rooyen, published by Penguin Books (South Africa) in 2005.

Should I seek a publisher in South Africa or one abroad?

Very few local authors achieve foreign publication and the market for most books written here allows for better prospects of getting published locally.

Should I self-publish my book?

ANFASA cannot make such a decision for authors because all depends on the type of book, the market and the abilities of the author as well as his or her financial situation and the risks he or she is prepared to take. There are stories of great success and of devastating failure. One word of advice, however, is that although it is not particularly difficult to publish a book in terms of editing, proof-reading, designing and printing it, distribution (i.e. actually selling it) can be very difficult if you do not know the ropes.
And finally:

Authors sometimes feel that they are being 'ripped off' by publishers when it comes to the payment of royalties. Some have been known to say "My publisher offered me a royalty of 10%, and took the remaining 90% for himself!"

The determination of an appropriate royalty is up to each individual author and publisher in the negotiation of the publishing contract, but in the interest of clarity on the cost of publishing, the following provides a rough and ready calculation. Let's say that the book in question is an academic textbook, the retail selling price is R200 and your royalty as author is 10% of net receipts, i.e. the actual sums received by the publisher after booksellers' discounts.

On each copy of the book sold through a bookshop, the discount averages 35% (for academic works). The publisher receives R130, and you therefore receive R13. The publisher's costs, however, continue. Print costs depend on the number of copies printed, but for simplicity's sake let's say that each printed book costs the publisher R30. The publisher's share is now R87. Let's assume that the illustrations, which were commissioned, have cost around R10 a book, and the cover design was in the region of R5 a book. The publisher's return is now R72. The publisher's overheads (including salaries for editorial, marketing and accounting staff, rent, warehouse and electricity) might be calculated conservatively at 30% of the retail selling price, or R60. Without going any further, we can see that the publisher's share is now R12, or a rand less than yours!

You might, on the basis of this, ask why publishers go into business, and how they can possibly make money. The answer is that publishers score when a title sells in large quantities and unit costs drop dramatically. Publishers also make money from the continuing success of titles in their backlists, from the sale of rights to foreign language editions, and from the sale of subsidiary rights.

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USEFUL PUBLISHING CONTACT DETAILS AND LINKS

**African Publishers Association of South Africa**
Mr Isaac Shabangu tel: 015 812 2762 | 083 436 8658
fax: 015 812 2936 | 086 635 4589
e-mail: isaac@linguafrancapublishers.co.za

**Centre for the Book** (Community publishing program)
tel: 021 423 2669; fax 021 424 1484;
e-mail: mandla.matyumza@nlsa.ac.za

**GS1** (bar coding magazines)
Consumer Goods Council- tel: 0861 242 000; fax 0866 749 929

**ISBN International Agency:**
URL: www.isbn-international.org

**ISN Agency**
tel: 012 401 9718; fax 012 325 5984
e-mail: ISN.Agency@nlsa.ac.za,
URL: www.nlsa.ac.za;

**ISSN International Centre:**
URL: www.issn.org

**Live Writing**
tel: 021 782 0303
e-mail: info@livewriting.co.za
URL: www.livewriting.co.za

**Magazine Publishers Association of South Africa:**
Melony Boucher tel: 011 551 9800, 082 456 7494
fax 011 551 9810  086 544 2287;
e-mail: melonyb@printmedia.org.za;
URL: www.mpasa.org.za

**SPASA (Self Publishers Association of South Africa)**
083 501 7550
e-mail: info@adeanup.co.za
LEGAL DEPOSIT LIBRARIES

Physical Address: 228 Proes Street, Pretoria, South Africa, 0002
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Narios.Mpholefole@nlsa.ac.za

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* The National Librarian, National Library of South Africa – Cape Town Campus (NLSA-CT), PO Box 496, Cape Town 8000; or 5 Queen Victoria Street, 8001; Tel: (021) 424 6331 Fax: (021) 424 4848; e-mail: david.slamet@nlsa.ac.za

The Manager, Legal Deposit Section, Mangaung Library Services (MLS), PO Box 1029, Bloemfontein 9300; or c/o Charles- and West Burger Street, 9301; Tel: (051) 405 8244; Fax: (051) 405 8604; e-mail: Doret.dutoit@mangaung.co.za

The Manager, Msunduzi Municipal Library (MML), PO Box 415, Pietermaritzburg 3200; or 260 Churchill Square, Church Street, 3201; Contact Person Jenny Phoenix. Tel: (033) 392 2630/(033) 392 2683; Fax: (033) 394 0095; e-mail: nomvula.kuzwayo@msunduzi.gov.za

The Chief Librarian, Legal Deposit Section, Library of Parliament (LP), PO Box 18, Cape Town 8000; or Parliament Building, Parliament Street, 8001; Tel: (021) 403 2140 x2863; Fax: (021) 403 2756; Miss Sarah Jonas ; e-mail: sjonas@parliament.gov.za

The Head, Legal Deposit Section, National Film, Video and Sound Archives (NFA), Private Bag X236, Pretoria 0001; or 239 Vermeulen Street, Pretoria, 0001; Tel: (012) 441 3150; Fax (012) 441 3199; e-mail: danie.dewaal@dac.gov.za
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* this place of legal deposit takes priority if only ONE copy of a document must be supplied
# South African National Bibliography – Information sheet

Publishers are requested to submit this form with each publication that is sent to the National Library of South Africa, Pretoria Campus, PO Box 397, Pretoria 0001, in terms of the Legal Deposit Act, 1997. A copy of the completed form will be returned to the publisher as proof of receipt of publication.

## TITLE OF PUBLICATION

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## ISBN

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## PUBLISHING DETAILS

Name and address of publisher(s)

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## Availability

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## Number of copies printed

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## Date of publication

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## Price

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## Edition

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## Impression

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## Subject covered

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## LANGUAGE OF PUBLICATION (if in a language other than English or Afrikaans)

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## English translation of title

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## AUTHORSHIP, EDITORSHIP, ETC.

NB If authorship or editorship is shared, the full names and addresses of the first three authors or editors are required. If the space on this form is insufficient, a separate sheet of paper with the information may be attached.

Confidential if pseudonym is used

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## SERIES TITLE

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## TRANSLATIONS (details of edition from which the translation was made)

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(1) This information is treated as strictly confidential
(2) When a book is published for the first time, it is described as a first edition. If it is republished and changes are made to the contents or layout, it is described as a revision or second edition. A change of publisher also constitutes a new edition.
(3) If a work is republished and no changes are made to the content or preservation (apart from limited alterations to spelling and corrections of printing errors), it is described as a reprint or a new impression and not as a new edition. For example, if the second edition, first impression is reprinted and republished without significant change, the second edition, second impression will result.

SANB information sheets are available free of charge from the SANB, National Library of South Africa Pretoria Campus, PO Box 397, Pretoria 0001. Tel: (012) 401 9700, Fax: (012) 325 5984, e-mail: legaldep@nlsa.ac.za

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AFRICAN PUBLISHERS’ ASSOCIATION DIRECTORY
**PUBLICATION INFORMATION ASSOCIATED WITH ISBN**


2 ISSN: International Standard Serial Number

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