National Library of Scotland

Copyright, collections, and visitor photography
24 million items

5 million books
2 million maps
8 million manuscripts
45,000 films and videos

4,000 new items each week
80% under legal deposit
Copyright

The National Library of Scotland respects intellectual property rights. We make all reasonable efforts to ensure that any reproduction, both digital and analogue, which is carried out by or within the library, is in accordance with copyright legislation.

On this page
- About copyright
- Exceptions to copyright
- Copyright in our collections
- Copyright in our websites and non-collection material
- Takedown Policy
- Contact and further guidance

About copyright
Copyright is an intellectual property right that protects original works, including written, dramatic, musical, and artistic works. Many items in our collections are protected by copyright. Protection varies depending on the country, the creator, and the nature of the work. The first owner of the copyright is usually the creator or author of the work. The owner of the work continues to own the copyright.

On this page
- Copyright in our websites and non-collection material
- Takedown Policy
- Contact and further guidance

Exceptions to copyright
Exceptions to copyright allow limited use of the work protected by copyright. The copyright owner’s permission is not required, but you need to be certain that your use does not infringe copyright.

Copyright in our collections
Many of the works we hold are protected by copyright. We are unable to provide on-site access to copyrighted material and some use of works may be possible under exceptions to copyright. If you would like to use material in our collections that is protected by copyright, you must contact the copyright owner. Copyright protection varies across jurisdictions, and copyright ownership is not always clear. You may need to ask the copyright owner for permission to use the materials.

Copyright in our websites and non-collection material
Copyright protection may extend to non-collection material such as unpublished works, such as archival material, oral history, and oral traditions. Copyright protection may also extend to non-collection material, such as unpublished works, such as archival material, oral history, and oral traditions. Copyright protection may also extend to non-collection material, such as archival material, oral history, and oral traditions.
<table>
<thead>
<tr>
<th>Exception</th>
<th>Type of work</th>
<th>Short explanation</th>
<th>Applies to published works?</th>
<th>Applies to unpublished works?</th>
<th>Fair dealing exception?</th>
<th>Fair dealing exception applies to non-commercial works?</th>
<th>Section of the Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research and private study</td>
<td>Any type of work</td>
<td>Fair dealing with a work for the purposes of non-commercial research or private study does not infringe copyright, as long as acknowledgment is provided.</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>29</td>
</tr>
<tr>
<td>Text and data analysis for non-commercial research</td>
<td>Any type of work</td>
<td>A work may be copied so that a person who has lawful access to it may carry out computational analysis for the purposes of non-commercial research. Acknowledgement must be provided, unless this would be impossible.</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td>29A</td>
</tr>
<tr>
<td>Criticism, review and quotation</td>
<td>Any work that has been made available to the public (i.e. published)</td>
<td>Fair dealing with a work for the purposes of criticism, review or quotation does not infringe copyright, provided the work has been made available to the public. Acknowledgement must be provided, unless this would be impossible.</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>Reporting current events</td>
<td>Any type of work except for a photograph</td>
<td>Fair dealing with a work, other than a photograph, for the purposes of reporting current events does not infringe copyright, as long as acknowledgment is provided.</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>Caricature, parody or pastiche</td>
<td>Any type of work</td>
<td>Fair dealing with a work for the purposes of caricature, parody or pastiche does not infringe copyright.</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td>30A</td>
</tr>
<tr>
<td>Disability copies for personal use</td>
<td>Any type of work</td>
<td>Copyright is not infringed by the making of an accessible copy of a work for a disabled person, where that person has lawful access to the work and their disability prevents them from enjoying the work to the same degree as a non-disabled person. If an accessible copy is commercially available on reasonable terms, this exception may not be relied on. The copy may be made by the disabled person or by another person on behalf of the disabled person.</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td>31A</td>
</tr>
<tr>
<td>Illustration for instruction</td>
<td>Any type of work</td>
<td>Fair dealing with a work for the purpose of illustration for instruction for a non-commercial purpose does not infringe copyright. Fair dealing must be by a person giving or receiving, or preparing to give or receive, instruction (including setting exam questions). Acknowledgement must be provided, unless this would be impossible.</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td>32</td>
</tr>
<tr>
<td>Parliamentary and judicial proceedings, Royal Commissions and statutory inquiries</td>
<td>Any type of work</td>
<td>Copyright is not infringed by anything done for the purposes of parliamentary or judicial proceedings, Royal Commissions or statutory inquiries, or for the purpose of reporting such proceedings.</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td>45-46</td>
</tr>
</tbody>
</table>
When considering whether your use is fair, you may want to consider:
• How would a fair-minded and honest person deal with the work(s)?
• Will your actions affect the market for the original?
• Is the amount you are using no more than is necessary for your specific purpose?
• Are you using a reasonable, appropriate, and limited amount of the work?

General guidelines:
• The less of a work that you use, the more likely it is that your use may be considered fair
• Clear attribution of the item, author, and source may help your use to be considered fair
• Uses that do not compete with the copyright owner’s use of the work and the copyright may be more likely to be considered fair.
Donations & deposits
PART 4
NATIONAL LIBRARY OF SCOTLAND NORMAL PRACTICES

Policy framework

The work of the National Library of Scotland is grounded in the National Library of Scotland Act 2012, which defines the Library as a national resource for reference, study, research and bibliography, having particular regard to Scotland.

While the context that we work within may change rapidly, the main purpose of the Library does not change radically from year to year - we collect information, knowledge and creative outputs; we preserve these collections for future use; and we make them accessible to people in order to stimulate research and creativity.

Key to delivering the Library mission and values is widening access to knowledge and it creates opportunities for everyone to learn and discover. The Library is committed to enabling people to make the best possible use of its collections, while ensuring that these collections are preserved for future generations. It aims to provide access to all its collections to all those who wish to use them.

The Library may place restrictions on access where the physical wellbeing of the original artefact will be at risk, or for security reasons.

The Library has a legal responsibility to balance freedom of information to collections with the protection of data relating to living individuals. It operates within current legislation to meet these responsibilities. The legislative framework defines the limits within which the Library can acquire collections under conditions of restricted access, and the limits within which individuals may be permitted access to consult collections containing material relating to living persons. The Library operates within the laws relating to copyright and reproduction of material.

Access to information contained in the Library’s collections is normally free at point of use for researchers. The Library charges for some additional services, and at times there is a legal requirement for it to recover costs in providing users with surrogates and reproductions of its collections.

Normal Practices

Material donated to or deposited in the National Library of Scotland is subject to the same conditions of use and consultation as materials with similar physical, security or descriptive needs in its collections. Methods of use and consultation change over time, subject to changes in technology, legislation, and the needs of users.

The key elements of the Library’s normal practices are:

- Provision and publication of appropriate finding aids and catalogue data.
- Consultation and access by individuals and groups on Library premises.
- Authorised and/or licensed exhibition of originals and/or surrogates, as appropriate, outside Library premises.
- Reproduction of surrogates of original materials for private research by individuals, within copyright legislation.
- Digitisation of content and provision of remote access through Library websites and sub-licensed agents.
- Recovery of reproduction costs, and application of permissions fees for certain types of content use.
- Content licensing for publication, broadcast and related, both commercial and non-commercial.
“In the UK, public exhibition is not an act restricted by copyright. This means that it is not an infringement of copyright to put a literary, dramatic, musical or artistic work on public display (for example, in a display cabinet in a museum or gallery).”

Photography
NO PHOTOGRAPHY

CCTV cameras are in operation in this area.

Photography is not permitted in the exhibition. Items on deposit and short-term loan to
the National Library of Scotland are displayed in the exhibition alongside items from our
permanent collections. Since deposited and loaned items are not owned by the
National Library, we may not have permission to allow them to be photographed.
Thank you for your cooperation.

CCTV cameras are in operation in this area.

CCTV images are being monitored and recorded for the purposes of crime prevention and public
safety. For more information contact the security manager on 0131 623 3702 or email
security@nls.uk.

Photography encouraged

Photographs can be taken in the exhibition spaces for personal, non-commercial use

Please avoid using flash, tripods or selfie sticks

Any items marked with a cannot be photographed

due to loan and deposit restrictions

Note that many items on display are in-copyright, even if they are very old

You are responsible for ensuring your photography does not infringe copyright. Guidance is available:

www.nls.uk/copyright | www.gov.uk/copyright | copyright@nls.uk

It is good practice to cite the author and source of works you capture.

CCTV cameras are in operation in this areas

CCTV images are being monitored and recorded for the purposes of crime prevention and public safety. For more information contact the security manager on
(0)131 623 3702 or email security@nls.uk.

#natlibscot | @natlibscot | facebook.com/NationalLibraryOfScotland | www.nls.uk
Photography is encouraged

☑ Non-commercial  ☑ Respect copyright
☑ #natlibscot  ☑ Commercial photography
☑ Flash, tripods, selfie sticks  ☑ Items marked

You are responsible for complying with copyright when you take photos. Guidance is available: www.nls.uk/copyright | copyright@nls.uk

CCTV cameras are in operation in this area.
CCTV images are being monitored and recorded for the purposes of crime prevention and public safety. For more information contact the security manager on (0131) 623 3762 or email security@nts.uk
Taking photographs and filming

Many works in our collections and exhibitions may be photographed for personal, non-commercial purposes and in compliance with copyright and other restrictions.

Photography is normally permitted in the reading rooms, as well as in the public display spaces in the George IV Bridge building in Edinburgh and at Kelvin Hall in Glasgow. Due to staffing levels, photography may not always be permitted in the reading rooms.

We do not permit photography of certain works, for example because of physical condition or terms of deposit.

Please do not use flash, extendable lenses, tripods, selfie sticks, or other items that can get in the way of visitors or that can pose risks to the collections. Staff may ask you to stop taking photographs or to stop using certain equipment. Please respect the collections, other visitors, and Library staff when taking photographs.

You are responsible for the images that you capture. We often display works in our exhibitions that are in-copyright. We advise that you consider copyright before taking or sharing photographs of material.

You need permission from copyright owner(s) to take or share images of in-copyright works, or you need to rely on a valid exception to copyright. You are responsible for ensuring your photographs do not infringe copyright.

Commercial photography and filming is not permitted without specific authorisation. Please contact marketing@nls.uk.
Permission for self-service photography

Terms of Use and User Agreement

1. General terms of use
   - Before undertaking any self-service photography you must provide the Library with a signed copy of the User Agreement below.
   - You will be given a yellow permission card to display on your desk when taking photographs. Please ensure the card is always visible.
   - Only certain materials may be photographed. Various materials may not be photographed because of copyright or licensing restrictions, terms of ownership or deposit, privacy restrictions, conservation issues, or for other reasons.
   - Because of electronic resource licensing restrictions, computer screens may not be photographed.
   - You may only use compact cameras, mobile phones or tablets.
   - You may not use large cameras, hand-held scanners, tripods or removable lenses.
   - You may take still images only. You may not record video or moving images.
   - Flash must be switched off and devices must be silenced.
   - Please respect other reading room users and Library staff and be aware of actions that may disturb others.
   - Do not take photographs of other people in the reading room.
   - If a member of staff asks you to stop taking photographs, please do so. You may be asked to stop because of the impact on other users, because activities appear to be breaching the terms of this agreement or for another reason.

The Library fully reserves the right, at its discretion, to require that you stop taking photographs or to remove your self-service photography privileges.

2. Copyright
   - Many items are protected by copyright, even if they are very old; most manuscripts are in copyright until 2039.
   - Please consult library staff before photographing any original photographs or photocopied material.
   - Exceptions to copyright allow you to make limited copies from works that are protected by copyright in general. It is permissible to make limited copies of parts of works for the purposes of non-commercial research, private study or illustration for instruction, or for quoting from a work for the purposes of caricature, parody or satire, or for news reporting (excluding photographs). For more information see the Library’s Copyright Guidance posted beside self-service photocopyers or visit www.nls.uk/copyright.
   - Your photographing should be limited and you may not distribute or pass on your photographs of copyright protected items to anyone else.
   - You are responsible for ensuring any copies you make are lawful. The Library is not responsible for any infringement of copyright that you undertake.

Privacy and Data Protection
   - Many items contain personal or sensitive data, particularly manuscripts.
   - You must comply with the terms of the Data Protection Act 1998. Always consider the rights of data subjects and assume a timespan of 100 years. For more information on the Data Protection Act visit ico.org.uk.

3. Collections care
   - You must follow the Library’s Collections care guidelines as these are outlined overleaf or as advised by a member of staff.

User Agreement for self-service photography at the National Library of Scotland

I hereby agree to follow the Library’s terms of use for self-service photography as outlined above. I agree to comply with relevant regulations, including copyright law and the Data Protection Act 1998. I acknowledge that I am responsible for any photographs that I take.

Signed:

Print name: __________________________

Data: __________________________

Library Card No.: __________________________

A copy of this form and the data on it will be retained by the National Library of Scotland and used for the purposes of administering the reading rooms. Personal data will be processed in accordance with the Data Protection Act 1998.

Can be used

- Compact Cameras
- Mobile Phones
- Tablets

Cannot be used

- Bridge Cameras
- DSLR Cameras
- Manual Cameras
- Compact System Cameras with removable lens
- Handheld Scanners

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   - Because of electronic resource licensing restrictions computer screens may not be photographed.
   - You may use only compact cameras, mobile phones or tablets.
   - You may not use large cameras, hand-held scanners, tripods or removable lenses.
   - You may take still images only; you may not record video or moving images.
   - Flash must be switched off and devices must be silenced.
   - Please respect other readers and Library staff and be aware of actions that may disturb others.
   - Do not take photographs of other people in the reading room.
   - If a member of staff asks you to stop taking photographs, please do so. You may be asked to stop because of the impact on other users, because activities appear to be breaching the terms of this agreement or for another reason.

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   - Please consult library staff before photographing any original photographs or photocopies.
   - Exceptions to copyright allow you to make limited copies from works that are protected by copyright. In general, it is permissible to make limited copies of parts of works for the purposes of non-commercial research, private study or illustration for instruction, or for quotes from a work, for the purposes of caricature, parody or satire, or for news reporting (excluding photographs). For more information see the Library's Copyright Guidance posted beside self-service photocopying desks or visit www.g inaccurate.

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Signed: ___________________________
Print name: _______________________
Date: ____________________________
Library Card No.: _________________

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Causewayside: Alan Murray-Rust, CC BY-SA 2.0, https://www.geograph.org.uk/photo/3520486
THANK YOU

Fred Saunderson
Intellectual Property Specialist
f.saunderson@nls.uk

/NationalLibraryofScotland

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