



Legal Affairs Alert on the New Zealand National Library

UPDATE 12/3/2021: The NZ National Library has announced that they will be reconsidering their plans for this archival deal "in light of concerns raised by the various interested parties, including issues associated with copyright. The National Library will not export any of the OPC until it considered its next steps." The full press release from the NZ National Library [is here](#). The SFWA Legal Affairs committee will continue to follow further developments closely.

SFWA's Legal Affairs Committee is issuing an alert to inform writers of a situation in which the government of New Zealand has decided to ship more than 400,000 books they are de-listing from their catalogs to the Internet Archive for digitization and inclusion in its Open Library. These are for the most part older books, but many are still in copyright. New Zealand is allowing authors who do not wish their books to be digitized to opt out, but time is running short: **the deadline for doing so is December 1.**

For a spreadsheet of affected books, instructions on how to opt out, and more information, see the New Zealand Overseas Published Collections page here: <https://natlib.govt.nz/about-us/strategy-and-policy/collections-policy/overseas-published-collection-management>.

We recommend downloading and searching the spreadsheet rather than relying on the alphabetical listing, which may not show all entries.

This alert is also a reminder that although the Internet Archive is currently being sued by four major publishers, it is still accumulating copyrighted books from various other sources and making them available on their website. Even if you have already asked to have your books removed, there is no guarantee that they haven't been added again. The SFWA Legal Affairs Committee issued two previous infringement alerts concerning the Internet Archive's massive digitization project, which affects many more authors. The first on the Open Library [is here](#). The second on the now defunct National Emergency Library is [here](#).

It is still possible to directly contact the Internet Archive to have them remove your books from their website; both of our prior alerts include instructions on how to do just that. Books that are included in the New Zealand donation are no exception, if you miss the December 1 deadline.

If you have any questions, please contact the SFWA Legal Affairs Committee at legallaffairs@sfga.org.