

## National Library of Scotland

### Takedown Policy

The National Library of Scotland is committed to providing online access to the collection whenever possible. We take all reasonable precautions to ensure that nothing that we publish online will cause harm or concern to content creators, content owners, or persons otherwise associated with the material. We strive to act at all times in good faith and in accordance with legislation.

However, we recognise that material may be made available that is subsequently found to be objectionable. It is possible that material made available in good faith may later be shown to be infringing copyright, displaying sensitive personal data, or containing obscene or defamatory content. Where this may be the case, we operate this takedown procedure.

If you believe material on our websites or material we have otherwise published online has been made available erroneously or incorrectly, please submit a takedown request.

### Reasons for objection

Availability of material on our websites may be objected to on certain grounds, including that the material:

- Is in copyright and has been made available without the rights holder's permission
- Contains personal data about living individuals and has been processed in contravention of the Data Protection Act 1998
- Contains content which violates rights afforded under the Human Rights Act 1998
- Contains confidential or embargoed content
- Is defamatory, libellous, or obscene.

### Making a request

You should email [copyright@nls.uk](mailto:copyright@nls.uk) or write by post to Copyright, National Library of Scotland, George IV Bridge, Edinburgh, EH1 1EW.

Please provide the following information in support of your objection:

- Your name and contact details
- Details of the material concerned, including an item-specific URL, title, and name of the author where relevant
- The reason for your objection (see list above)
- An assertion that your request is accurate and made in good faith
- If your objection concerns intellectual property (e.g. copyright), confirmation that you are the rights holder or an authorised representative of the rights holder

- If your objection concerns libel, defamation, confidentiality, personal data, or human rights, confirmation that you are either the publisher or the subject of the material or an authorised representative of the publisher or the subject of the material.

## **Objection process**

We will acknowledge receipt of your request. Communication will be by email except where you have not supplied an email address, in which case communication will be by post.

Upon receipt of your request, we will make an initial assessment. We may reach an immediate decision or we may require time for more investigation. We may on occasion remove material from our websites or other platforms pending a full review of your objection.

We may ask you to provide further information. We may also contact and consult with the material's depositor or donor, if relevant, and inform her/him/them that an objection has been raised. We aim to review all objections and provide a definitive reply within 20 working days of receipt of a request. However, in certain cases we may require more time. When this is the case, we will inform you in writing within 20 working days of receipt of your request.

## **Outcomes**

If we determine your objection to be well-founded the material will be removed from our websites and/or other platforms until such a time that it may be made available fairly.

If we determine your objection to be misplaced, and you do not raise a further objection, the material will be retained on our websites and/or other platforms.

If the parties (including, where relevant, the donor or depositor) are unable to reach an agreed outcome material may be retained or may be removed from our websites and/or other platforms until a resolution can be reached.

Takedowns may be recorded publicly on our websites.

We only have the power to remove content from websites that we control. We will not be able to remove material that has been used elsewhere and/or by external parties.