

[CZ] New Press Law

IRIS 2000-3:1/31

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The Parliament of the Czech Republic has approved the proposal for the new Press Act (Act on Rights and Obligations in Publishing of Periodical Press and on Amendment of some other Acts). This act contains *inter alia* the following provisions: the obligatory data (imprint) and the obligatory copies, which the publisher has to deliver to certain libraries. The registration of all periodical press is done by the Ministry of Culture.

New to the Czech legislation is the right to reply. The right to demand the publication of a reply is introduced in accordance with the requirements of section 23 of Directive No. 89/552/EEC in the wording of Directive No. 97/36/EC (Directive). It also respects the recommendations made in Resolution No. 74/26 of the Committee of Ministers of the Council of Europe on the right to reply, passed on 2 July 1974. The right to reply is also envisaged in the Convention on Transfrontier Television of the Council of Europe.

Another novelty in Czech legislation is the "subsequent statement". If a statement has been published in the periodical press about criminal proceedings, about proceedings in cases of tort conducted against a natural person or proceedings in cases of administrative delinquency conducted against a natural or a legal person, the person concerned has the right to request that the publisher provides information about the final outcome of the proceedings as a subsequent (additional) statement.

The new provisions concerning the right to reply and the subsequent statement relate also to radio and television broadcasting.

Finally, the Act establishes the standard of information-source protection in Czech legislation concerning information published in newspapers and magazines. Such protection is provided for parties sharing the acquisition and possession of information. It applies not only to reporters in an employment relationship, but also to freelance journalists. These persons have the right to refuse the disclosure of their source of information published in periodical press.

Regarding the former proposal of the Act (see IRIS 1999-7: 13), provisions concerning penalties or bans on publishing periodical press in the case of contravention of the constitution (see IRIS 1999-7:13) have been removed from the Act. The wording of the provisions concerning the right to reply was slightly

changed in order to comply with the above-mentioned Directive.

Zákon o právech a povinnostech pøi vydávání periodické tisku a o zmìnì nìkter ých dal'ích záklonù.

Act on Rights and Obligations in Publishing of Periodical Press and on Amendment of some other Acts. Coll. of Laws No. 46/2000.

