[SK] Draft Media Act

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The Slovak Ministry of Culture is expected to submit a new draft of the Media Act to the Parliament by the end of June. In cooperation with publishers, the Slovak Syndicate of Journalists has also participated in the drafting.

The Minister of Culture of the Slovak Republic and the Chairman of the Slovakian Syndicate of Journalist have informed members of the Parliament concerning the urgency and necessity of the approval of such an Act. The purpose of the new Act is to regulate the exercise of the constitutional principle of freedom of speech and the right for information in the mass media, who are intended to serve the public as a source of information. The draft Act specifies in more detail the constitutional prohibition of censorship and stipulates the rights and duties of journalists relating to the collection, processing and propagation of pieces of information and opinions through the mass media. The act will regulate the relationship between the mass media, publishers, operators, state agencies, municipalities, public entities and other legal entities and natural persons. The articles of the new Act are expected to lay down the publishing rules for the periodical press and to regulate relationships between editors, publishers of periodical press and operators of radio programming, video broadcasting, as well as news agencies and electronic broadcasters transmitting via internet.

Once adopted, the Act will consist of the following parts: (1) object, purpose and scope of application; (2) definition of certain details relating to journalistic work e.g. the right to information, the immunity and conscience clause, the right of correction; (3) legal protection of citizens, including the protection of personal data and the right for the correction of published false information in the mass media, and the right for additional notice in cases where information was published about criminal procedures or criminal investigations in relation to a natural person; (4) rules on duties of operators of the mass media such as transparency in the ownership of mass media, the disclosure of ownership structures of mass media and antimonopoly rules; (5) distribution and registration of the (periodical) press; (6) sanctions for the violation of the Act.

The submitted draft of the Media Act should lay down modern rules for the operation of the media and is intended to replace the Media Act of 1966. The right to privacy of (personal) data and, in particular, the confidentiality of information sources together represent distinctive innovations in the Slovak legal system. Under this draft, in some substantial cases, the courts may oblige the disclosure

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of the identity of information sources. It should also be noted that the media should have a right of clarification. If a mass medium publishes information with reference to a reliable and credible source, the referred subject and not the mass medium is liable for this information. If the source is credibly considered as being incorrect, the relevant mass medium is obliged to inform the public and to correct the reference. In any case, the subject liable for the violation of the Act would just be the information source itself.

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