[SI] The Right of Reply Discussed in the Media Act Amendment Process

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The Slovenian Ministry of Culture has set in motion a process of amendment of the Slovenian Media Act. As became apparent in the previous amendment proceedings to the Media Act in 2006, one of the most important and publicly relevant topics is the right of reply.

The most distinctive stipulations of the amended Media Act (*Zakon o medijih, ZMed - 1*), which are still valid, comprise:

- An addition to the previous Media Act stipulations as regards the definition of communication (*obvestilo*), which can be the subject of reply (“communication is every content, which may encroach the rights or interests of the a person, organization or institution, whether being published as news, commentary or in any other form");

- The right to present different or contradictory facts related to the problematic media item (Article 26, paras. 3 and 4);

- The definition of when and where the reply has to be published or broadcast;

- The definition of the modus of publishing or broadcasting the reply aiming to reach the same audience, readership or internet users as the problematic media item did;

- The obligation of the editor to explain in written form a rejection of the reply in due time (Article 27, paras. 2-9; Article 31, para. 2).

In the public discourse rejections of the described new stipulations were accompanied by several arguments, the main two of which related to the weakening of editorial competence and the lack of place and time in printed and audiovisual media. Both could be dealt with by insisting on giving the reply exactly the same place and form as the problematic media item had.

As these public debates are still remembered, the present Minister of Culture issued a statement during an interview where she pointed out that the right of reply has the status of an integral part of the Media Act as it is an element of the Constitution. The amendment of the existing stipulations relating to the right of

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reply is going to be articulated by an expert group of legal advisers. Besides, the Minister stressed the importance of the empowerment of self-regulation in the media sector which could not be proscribed by law.

Zakon o spremembah in dopolnitvah zakona o medijih

http://www.uradni-list.si/1/objava.jsp?urlid=200660&stevilka=2536

Act on the amendment to the Media Act

Zakon o medijih

http://www.uradni-list.si/1/objava.jsp?urlid=200135&stevilka=2043

Media Act

Zakon o medijih (uradno prečiščeno besedilo) (ZMed-UPB1), Stran 11328

http://www.uradni-list.si/1/objava.jsp?urlid=2006110&stevilka=4666

Amendment to the Media Act

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