[SK] Development and Progress in the Field of Media

IRIS 2011-4:1/36

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On 18 February 2011 the Minister of Culture of the Slovak Republic (SR) welcomed representatives of the Executive Board of the International Press Institute (hereinafter: "IPI Executive Board") to a meeting, the aim of which was to provide the latter with information on developments in the Slovak media sector.

These developments particularly concern the Draft Bill amending Act No. 167/2008 Coll. on Periodicals and News Agency Services and the Amendment and Supplementing of Certain Acts (hereinafter referred to as "Press Act"; see IRIS 2008-5/29), the Act No. 308/2000 Coll. on Broadcasting and Retransmission and on Amendments to the Act No. 195/2000 Coll. on Telecommunications, as amended (hereinafter: "Amendment"), as well as other important changes in the field of media in the SR, in particular the merger of the Slovak Television and Slovak Radio into a single public institution called Radio and Television of Slovakia ("RTS") proposed by the Minister of Culture (see IRIS 2011-2/39).

The relevant Amendment to the Press Act proposed by the Ministry of Culture introduces several changes to the current regulation. Most importantly it shall restrict the right of public officials to reply, in accordance with a statement relating to the performance of their function (s. 8 (2) of the relevant Amendment). In order for clarity and exactness to be achieved, the Amendment provides a legal definition of the term "public official" for the purposes of the relevant Act. In accordance with the Explanatory Memorandum of the Amendment the term "public official" includes representatives of political power elected either directly by citizens or appointed to office on the grounds of parliamentary election results, as well as head representatives of political parties and movements specifically enumerated in s. 8 (3) of the Amendment, namely the President of the SR, Members of the National Council of the SR, Members of the European Parliament elected in the SR, Members of the Government of the SR, mayors of municipalities, etc. However, "they (public officials) will have the right to reply as private individuals," said the Minister of Culture.

In this regard, pursuant to the respective Amendment, it shall be possible to request the publication of an answer to an untrue, incomplete or distorting factual statement concerning the honour, dignity or privacy of a natural person or the name or good reputation of a legal entity. It is interesting to note that, according to the current Press Act, any statement (i.e., either untrue or true relating to the

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particular natural person or legal entity) is a subject matter of the right to reply.

The right to monetary compensation in the case where a correction, answer or additional announcement is not published or some of the conditions necessary for its publishing are not met, shall be abolished under the Amendment. In addition, should the publishing of a correction, answer or additional announcement cause the commitment of a crime, offence or other administrative offence or be contrary to good manners or the interests of a third party protected by law, the publisher of periodicals and press agencies shall not be obliged to publish these. For the sake of completeness it is to be noted that the relevant Amendment has currently been sent to the Government for discussion.

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