[LV] Amended Law Requires Revealing Media Ownership and Confirms Editorial Independence

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The Latvian legislator has adopted amendments to the Likums Par presi un citiem masu informācijas līdzekļiem (Law on Press and Other Mass Media), which inter alia require the revealing of the true owners of media and confirm the objective to safeguard editorial independence.

As previously reported (see IRIS 2011-5/31) the Latvian Saeima (Parliament) is reviewing amendments to the Law, which would require printed and electronic media to reveal their true beneficial owners. On 22 September 2011 the Saeima adopted the amendments in the third and last reading. The final amendments to the Law include not only new requirements regarding the true owners, but also many other changes and clarifications. It should be noted that the Law was initially adopted in 1991, thus several of the amendments address technical and terminological issues.

The amendments ensure that the terminology is now the same in this Law as in the Law on Electronic Mass Media. It is also provided that an internet site may be registered as a mass medium.

The rights to establish a mass medium are provided for natural persons or for legal entities registered in Latvia. During the amendments process there was a suggestion to allow foreign legal entities too to establish a medium, arguing that at least legal entities registered in other member states of the European Union should have such rights. However, the suggestion was rejected by the majority of the Saeima.

As before, all mass media must be registered at the Company Register of Latvia, but the amendments provide more precise and clear information as to what must be submitted for the registration. Also, the registration procedure is clarified. The amendments provide an exhaustive list of cases where registration may be refused, as well as a procedure for the registration of any changes concerning registration information.

The duty to reveal the true media owners is specified by reference to the Commercial Law. The Latvian Commercial Law requests that legal entities registered in Latvia must inform the Commercial Register about their true beneficial owners. The duty applies to persons holding at least 25 percent of

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shares in the company for the benefit of another person.

Another important amendment is a clear and unequivocal statement in regard to editorial independence, which the previous reading of the Law implied only indirectly.

Finally, the Law indicates that in a case of conflict between the provisions of this Law and the Law on Electronic Mass Media, with respect to electronic media the norms of the latter shall prevail.

The amendments to the Law have been published in the Official Journal Latvijas Vēstnesis on 6 October 2011 and gained legal force 14 days after the publication.

Grozījumi likumā "Par presi un citiem masu informācijas līdzekļiem", Latvijas Vēstnesis, 06.10.2011

http://www.vestnesis.lv/?menu=doc&id=237253

Amendment to the Law on Press and Other Mass Media, Official Journal of 6 October 2011

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