

167

ACT

of 9 April 2008

**on periodicals and agency news service and the amendment and supplementing of
certain acts
(the press act)**

The National Council of the Slovak Republic has adopted the following act:

ARTICLE I

§ 1

Subject matter of the act

- (1) This act governs
- a) the rights and obligations of publishers of periodicals and the rights and obligations of press agencies in obtaining and distributing information,
 - b) the rights and obligations of persons exercising right of correction, right of reply and right of supplementary information in a periodical and the rights and obligations of persons in exercising right of correction, right of reply and right of supplementary information in an agency news service,
 - c) records of periodicals,
 - d) penalties imposed for breach of the obligations stipulated in this act.
- (2) This act does not apply to
- a) the Law Digest of the Slovak Republic, the Commercial Journal and other official journals,
 - b) periodicals intended solely for official, service or operational purposes or other internal use of a person or an entity, which are not distributed to the public,
 - c) periodicals published by a person solely for the purposes of their own promotion.

§ 2

Definition of certain terms

(1) A periodical is a newspaper, magazine or other publications issued under the same title with the same area of content and a unified graphic design at least twice in the calendar year.

(2) An issue of a periodical is a set of equivalent copies of the periodical, or a set which differs only in regional sections or language versions.

(3) The publisher of a periodical is a person who provides for the publication of a periodical at their own expense.

(4) An agency news service is a set of information distributed by a press agency.

(5) A press agency is a person or entity that seeks out and processes information for the purposes of communicating it to the public for a fee in an agency news service.

(6) For the purposes of this act, an advertisement is a notice published in a periodical for a fee or other remuneration. An advertisement is also advertising as defined in applicable regulations¹⁾ published in a periodical free of charge.

(7) A notice of urgent public importance is an order in a state of crisis,²⁾ an important announcement of a public authority published under an official order³⁾ or an urgent announcement of the Police Force published at its request during the performance of activities under applicable regulations⁴⁾.

§ 3

Right to Information

Public authorities, budgetary organisations and grant-funded organisations that they establish and legal entities established by law are obliged, on a basis of equality, to provide the publishers of periodicals and press agencies with information on their activities in order to supply true, timely and impartial information to the public; this shall not affect the provisions of applicable regulations.⁵⁾

Section 4

Protection of information sources and content

(1) The publishers of periodicals and press agencies must not disclose the source of information acquired for publication in a periodical or an agency news service or any part of the content of such information which would enable the identification of the source if requested not to do so by the natural person who provided the information, and must ensure that the disclosure of the content of the information does not breach the rights of third parties; they are obliged to take the necessary precautions in the handling of documents, printed matter and other media, in particular visual recordings, audio recordings and audio-visual recordings that could be used to identify the natural person who provided the information to ensure that the identity of the information source is not revealed.

(2) A publisher of a periodical or a press agency may be released from the obligation given in subsection 1 only by the consent of the natural person that provided the information;

¹⁾ Act no. 147/2001 on advertising and the amendment and supplementing of certain acts, as amended.

²⁾ Article 1 (4) of Constitutional Act no. 227/2002 on the security of the state in wartime, in a state of war, in a state of emergency and in a state of crisis.

³⁾ For example, section 17 of Act no. 478/2002 on air protection and the supplementing of Act no. 401/1998 on charges for air pollution as amended (the Air Act), section 5 of Act no 170/2001 on emergency supplies of oil and oil products and the solution of oil crises, as amended by Act no. 240/2006 , sections 3a and 3b of Act no. 42/1994 on civil defence of the population, as amended.

⁴⁾ Act no. 171/1993 on the Police Force, as amended.

⁵⁾ For example Act no. 215/2004 on the protection of secrets and on the amendment and supplementing of certain acts, as amended, Act no. 211/2000 on free access to information and on the amendment and supplementing of certain acts (the Act on Freedom of Information), as amended, Section 20 of Act no. 198/1994 on military intelligence, section 80 of Act no. 171/1993, as amended, section 23 of Act no. 46/1993 on the Slovak Information Service.

on the death of this person, the right to grant consent belongs to close persons⁶⁾ and if there are no such persons the right under subsection 1 expires.

(3) The obligation pursuant to subsection 1 shall also apply to any employee of a publisher of a periodical and any employee of a press agency; the obligation pursuant to subsection 1 shall cease to apply to such persons if it also ceases to apply to the employer. The obligation pursuant to subsection 1 applies with the same conditions to the person who provides information as defined in subsection 1 to the publisher of a periodical or a press agency under a commercial or civil contractual relationship with the publisher of the periodical in which the person undertakes to provide information as defined in subsection 1 to the publisher professionally.

(4) The obligation of non-disclosure shall not apply in cases where the law requires the prevention of the commission of a crime.

(5) The provisions of subsections 1 and 2 shall not apply to the notification duty of the publisher of a periodical in relation to advertising or promotions under applicable regulations.⁷⁾

§ 5

Responsibilities of publishers of periodicals and press agencies

(1) If this act does not stipulate otherwise, the publisher of a periodical shall be responsible for the content of the periodical and a press agency shall be responsible for the content of the agency news service.

(2) The publisher of a periodical and a press agency shall not be responsible for

- a) the content of information provided by a public authority, a budgetary organisation or grant-funded organisation established by them or a legal entity established by law, if this information is published in the periodical or agency news service in its original form and its processing for publication has not changed its original content,
- b) the content of a notice published in urgent public interest.

(3) The publisher of a periodical shall not be liable for the truth of information published in an advert or for false advertising or comparison advertising; this shall not apply to an advertisement in which the publisher of a periodical promotes their own person, activities, services or products.

(4) The right of correction, the right of reply and the right of supplementary information are not affected by subsections 2 and 3.

§ 6

Obligations of publishers of periodicals and press agencies

⁶⁾ section 116 of the Civil Code.

⁷⁾ For example, section 32 (10) of Act no. 511/1992 on the administration of taxes and charges and changes in the system of local financial authorities, section 19 (2) of Act no. 46/1999 on the method for the election of the president of the Slovak Republic, on popular election, on their recall and on the supplementing of certain other acts.

(1) Publishers of periodicals and press agencies are obliged to publish announcements of urgent public importance free of charge when requested to do so by a public authority, at the time set by the public authority or in the first issue of the periodical prepared after the delivery of the request for publication of the announcement of urgent public importance.

- (2) The publisher of the periodical must ensure that every issue of the periodical contains
- a) the name of the periodical,
 - b) the name of the regional or other language edition of the periodical and a notice that it is a regional or other language edition of the periodical, if the periodical is issued in a modified form according to the territory in which it is distributed or the language in which it is issued,
 - c) the frequency of issues of the periodical,
 - d) information on the publisher of the periodical as follows:
 1. the name, registered office and registration number of the publisher, if they are a legal entity,
 2. the business name, place of business and registration number of the publisher, if they are a natural person – entrepreneur,
 3. the name, surname and residential address on the territory of the Slovak Republic of the publisher, if they are a natural person,
 - e) the date of the issue, the number and the year of the issue of the periodical,
 - f) the price of a copy of the periodical,
 - g) the international standard serial number (ISSN), if assigned,⁸⁾
 - h) the registration number of the periodical; this shall not apply during proceedings for registration of the periodical in the register of periodicals (hereinafter referred to as “the register”) under Section 11.

(3) If the publisher of a periodical is a legal entity, in the first issue of the periodical issued in each calendar year they must publish information on the structure of ownership of the publisher as at 31 December of the previous calendar year in the scope specified in section 11 (4), in letter j).

(4) Press agencies must ensure that agency news services are marked with the name of the press agency and the date when they are issued.

§ 7

Right of correction

(1) If a periodical or agency news service contains a false statement of facts about a person from which the person or entity can be precisely identified, that person has the right to demand publication of a correction of the false statement of fact. The publishers of periodicals and press agencies must publish corrections free of charge.

(2) A demand for the publication of a correction must be delivered to the publisher of the periodical or the press agency within 30 days of the date of the issue of the periodical or the issue of the agency news service that contained the false statement of fact, otherwise the right of correction shall expire.

(3) A demand for publication of a correction must be delivered in written form and must be signed by the person making the demand. The demand for publication of a correction

⁸⁾ Section 8 of Act no. 212/1997 on compulsory copies of periodicals, non-periodical publications and the reproduction of audiovisual works, as amended by Act no. 182/2000

must include the proposed text of the correction in written form and must contain the name and date of the issue of the periodical or the date of the issue of the agency news service that contained the false statement of fact, a description of the false statement of fact stating where in the periodical or agency news service it was made, a declaration that the statement of fact is false and a statement of the true situation.

(4) The publisher of the periodical must publish the correction within eight days of the date of receiving the demand for publication of the correction or in the next issue of the periodical prepared after the delivery of the demand for publication of the correction. A press agency must publish the correction within eight days of the date of receiving the demand for publication of the correction.

(5) The publisher of the periodical or the press agency must publish the correction as it is proposed by or agreed with the person making the demand for correction, in the same periodical or agency news service, in an equivalent position and the same format as the false statement of fact was published in, and must be identified as a “correction”. No related text containing a value judgement may be published with the correction, nor in any other place in the issue of the periodical or the agency news service.

(6) The publishers of periodicals and press agencies are not obliged to publish a correction if

- a) the demand for publication of the correction does not have the particulars specified in subsection 3,
- b) they can prove the truth of the statement of fact whose correction has been demanded,
- c) the correction is directed against a statement of fact published with the demonstrable prior consent of the person demanding the publication of the correction,
- d) before receiving the demand for publication of a correction, they published a correction of their own initiative or at the request of any of the persons listed in section 10 (5) and complied with the conditions for the publication of a correction set in this act.

§ 8 **Right of reply**

(1) If a periodical or agency news service contains a statement of fact that impinges on the honour, dignity or privacy of a natural person, or the name or good reputation of a legal entity, from which the person or entity can be precisely identified, the person or entity has the right to demand publication of a reply. The publishers of periodicals and press agencies must publish the reply free of charge; right of correction is not affected hereby.

(2) A demand for the publication of a reply must be delivered to the publisher of the periodical or the press agency within 30 days of the date of the issue of the periodical or the issue of the agency news service that contained the statement of fact as defined in subsection 1, otherwise the right of reply shall expire.

(3) A demand for publication of a reply must be delivered in written form and must be signed by the person making the demand. The demand for publication of a reply must contain the name and date of the issue of the periodical or the date of the issue of the agency news service that contained the statement of fact pursuant to subsection 1, a description of the statement of fact stating how it impinges on the honour, dignity or privacy of the natural person, or the name or good reputation of the legal entity, and where this statement of fact

was located in the periodical or agency news service. The demand for publication of a reply must include the written text of the reply. The reply must be limited to the statement of facts that deny, complement, add detail to or explain the statement of fact pursuant to subsection 1. The reply must be proportionate in length to the text containing the statement of fact pursuant to subsection 1 and the value judgement arising from it.

(4) The publisher of a periodical must publish a reply within three days of the date of receiving the demand for publication of the reply or in the next issue of the periodical prepared after the delivery of the demand for publication of the reply. A press agency must publish a reply within three days of the date of receiving the demand for publication of the reply.

(5) Publishers of periodicals and press agencies must publish replies as written by the person demanding the publication of the reply, in the same periodical or agency news service, in an equivalent position and the same format as the published statement of fact and with the label “reply” followed by the name and surname of the natural person or the name of the legal entity demanding publication of the reply; the label “reply” and the name and surname of the person or the name of the entity demanding publication of the reply must be published in the same format as the title of the text containing the statement of fact. No related text containing a value judgement may be published with the reply, nor in any other place in the issue of the periodical or the agency news service.

(6) The publishers of periodicals and press agencies are not obliged to publish replies if

- a) the demand for publication of the reply does not have the particulars specified in subsection 3,
- b) the reply is directed against a statement of fact published with the demonstrable prior consent of the person demanding the publication of the reply,
- c) they published a reply at the request of any of the persons listed in section 10 (5) and complied with the conditions for the publication of a reply set in this act.

§ 9

Right of supplementary information

(1) If a periodical or agency news service contains a statement of fact relating to proceedings before a public authority conducted against a person, from which the person's identity can be precisely identified, and a final decision has been reached in the proceedings, this person has the right to demand publication of supplementary information on the final result of the proceedings. The publishers of periodicals and press agencies must publish supplementary information free of charge.

(2) A demand for publication of supplementary information must be delivered to the publisher of the periodical or the press agency within 30 days of the entry into force of the decision that terminated the proceedings, otherwise the right of supplementary information shall expire.

(3) A demand for the publication of supplementary information must be delivered in written form and must be signed by the person making the demand. A demand for publication of supplementary information must contain the proposed text of the supplementary information in written form, which must include the name and the date of the issue of the periodical or the date of the issue of the agency news service that contained the

statement of fact relating to the proceedings against the person before the public authority, a description of the proceedings stating where in the periodical or agency news service the statement of fact about the proceedings was located, a declaration that a final decision has been reached in the proceedings and a statement of the final decision in the proceedings.

(4) The publisher of the periodical must publish the correction within eight days of the date of receiving the demand for publication of the supplementary information or in the next issue of the periodical prepared after the delivery of the demand for publication of the supplementary information. A press agency must publish supplementary information within eight days of the date of receiving the demand for publication of supplementary information.

(5) The publisher of the periodical or the press agency must publish the supplementary information as it is proposed by or agreed with the person making the demand for publication of supplementary information, in the same periodical or agency news service, in an equivalent position and the same format as that in which the statement of fact relating to the proceedings before the public authority against the person was published, and must be identified as “supplementary information”. No related text containing a value judgement may be published with the supplementary information, nor in any other place in the issue of the periodical or the agency news service.

(6) The publishers of periodicals and press agencies are not obliged to publish supplementary information if

- a) the demand for publication of supplementary information does not have the particulars specified in subsection 3,
- b) they have published information on the final result of the proceedings before a public authority against the person of their own initiative or at the request of any of the persons listed in section 10 (5) and complied with the conditions for the publication of supplementary information set in this act.

§ 10

Common provisions on the right of correction, the right of reply and the right of supplementary information

(1) No change of the publisher of the periodical or press agency cancels the obligation to publish a correction, reply or supplementary information.

(2) If a publisher of a periodical or a press agency fails to publish a correction, reply or supplementary information entirely or fails to comply with any of the conditions for their publication, a court shall decide on the obligation to publish the correction, reply or supplementary information at the request of the person who demanded their publication by the publisher of the periodical or the press agency.

(3) A request under subsection 2 must be submitted to the court within 30 days of the expiry of the period for publication of the correction, reply or supplementary information, otherwise the right to claim publication of the correction, reply or supplementary information through the court shall expire.

(4) If the publisher of a periodical or a press agency fails to publish a correction, reply or supplementary information entirely or fails to comply with any of the conditions for their publication, the person who demanded their publication by the publisher of the periodical or

the press agency shall be entitled to proportionate monetary compensation from SKK 50 000 to SKK 150 000. A claim for proportionate monetary compensation can be submitted to the court together with a claim under subsection 2.

(5) After the death of a natural person, the right of correction, right of reply or right of supplementary information shall belong to close persons.⁶⁾

§ 11

Records of periodicals

(1) The Ministry of Culture of the Slovak Republic (hereinafter referred to as “the Ministry”) keeps records of periodicals by entering them in the register, changing their entry in the register and removing them from the register.

(2) The register is a public record of periodicals published on the territory of the Slovak Republic; anyone can study the register and order extracts or full entries from it. The register contains the registration number of the periodical assigned by the ministry, information on the registered periodical in the scope specified in subsection 4, the date of registration in the register, the date of any change of registration in the register and the date of removal from the register.

(3) An application for registration of a periodical in the register shall be requested by the person who intends to publish the periodical or the publisher of the periodical (hereinafter referred to as “the applicant for registration”) no later than the date of the first issue of the periodical.

(4) An application for registration in the register shall contain

- a) the name of the periodical,
- b) the name of the regional or other language edition of the periodical, if the periodical is published in a modified form according to the territory in which it is distributed or the language in which it is published,
- c) date of the first issue of the periodical,
- d) territory within which the periodical is distributed,
- e) the language in which the periodical is published,
- f) the frequency of publication of the periodical,
- g) the area of content covered by the periodical,
- h) the name of supplements, the frequency of publication of supplements and the area of content that they cover, if the periodical has a regular supplement,
- i) information on the publisher of the periodical as follows:
 1. the name, registered office and registration number of the publisher, if they are a legal entity,
 2. the business name, place of business and registration number of the publisher, if they are a natural person - entrepreneur,
 3. the name, surname and residential address on the territory of the Slovak Republic of the publisher, if they are a natural person,
- j) a declaration of the shares of the publisher of the periodical in the voting rights or the registered capital of a broadcaster,
- k) a declaration of the structure of ownership relations of the publisher of the periodical, if they are a legal entity; the declaration shall state the name, surname and place of residence or the business name and place of business or the name and registered office of

any shareholder or participant in the publisher of the periodical whose share of voting rights is at least 20%, or whose ownership interest is at least 20%.

(5) If an application for registration in the register does not contain all the information stipulated in subsection 4, the Ministry shall, within five days of the delivery of the application, instruct the applicant for registration to complete the information. If the applicant for registration does not complete the application for registration in the register within 15 days of the date of delivery of the instruction, registration in the register shall not take place; the applicant for registration shall be informed of this in the instruction to complete information.

(6) The Ministry shall create an entry in the register within 15 days of the date of delivery of the application for registration in the register containing all the information stipulated in subsection 4, or within 15 days of the date of delivery of the completed information for the application for registration in the register.

(7) The Ministry shall notify the applicant for registration of the assigned registration number within five days of the date of registration in the register.

(8) The publisher of the periodical is obliged to inform the Ministry of any change in the registration data, the suspension or termination of the issuing of the periodical within 30 days of the date when this situation arises.

(9) The Ministry will modify an entry in the register on receiving a written request from the publisher of the periodical; the provisions of subsections 5 and 6 apply *mutatis mutandis*. The provisions of subsection 4 apply to an application for a change to an entry in the register *mutatis mutandis*. An application for a change in an entry in the register due to a change in the publisher of the periodical must be accompanied by a notarised declaration of the original publisher of the periodical giving consent to this change.

(10) The Ministry removes an entry from the register based on notification from the publisher of the periodical of the termination of the issuing of the periodical.

(11) The Ministry removes an entry from the register of its own initiative, if

- a) the entry was created on the basis of false information,
- b) the first issue of the periodical is not issued within six months of its entry in the register,
- c) the issuing of a periodical issued at least five times a week is suspended for a period longer than six months or the issuing of another periodical is suspended for more than one year.

(12) The Ministry shall inform the publisher of the periodical in writing of a change in the entry in the register or the removal of an entry from the register within 15 days of the date when it is carried out.

(13) Records of periodicals are not subject to the general regulations on administrative proceedings.⁹⁾

§ 12 Administrative offences

⁹⁾ Act no. 71/1967 on administrative proceedings (the code of administrative procedure), as amended.

(1) The Ministry shall impose a fine of up to SKK 50 000 on publishers of periodicals or press agencies for a breach of obligations under section 6 (1).

(2) The Ministry shall impose the following penalties on publishers of periodicals
a) up to SKK 30 000 for a breach of obligations under section 6 (2) or (3),
b) up to SKK 10 000 for a breach of obligations under section 11 (8).

(3) The Ministry shall impose a fine of up to SKK 30 000 on a press agency for a breach of obligations under section 6 (4).

(4) The Ministry shall take into consideration the seriousness, method, duration and consequences of a breach of obligations when imposing a fine.

(5) Proceedings on the imposition of fines may be begun up to one year from the date when the Ministry becomes aware of a breach of an obligation though no later than two years from the date when the breach of the obligation took place.

(6) The imposition of a fine shall not cancel the obligation for breach of which the fine was imposed.

(7) Proceedings on the imposition of a fine are subject to the general regulations on administrative proceedings.¹⁰⁾

(8) Revenues from fines are state budgetary income.

§ 13

Transitional provisions

(1) A periodical registered under the current regulations shall be considered to be a periodical registered under this act. The publisher of a periodical registered under the current regulations must supply missing information under section 11 (4) by 31 October 2008.

(2) The register of periodicals kept by the Ministry is considered to be the register under this act. The Ministry will remove an entry from the registry by 31 December 2008 if the publisher of a periodical registered under the current regulations does not provide the missing information under subsection 1 or if a periodical registered under the current regulations does not satisfy the conditions for the registration of a periodical given in this act.

(3) Proceedings for the registration of a periodical begun before 1 June 2008 shall be completed under this act as registration of the periodical.

(4) Proceedings on the imposition of fines begun before 1 June 2008 shall be completed under the current regulations.

(5) In proceedings relating to the obligation to publish a correction begun before 1 June 2008, the current regulations shall apply.

(6) An application for the publication of a correction submitted before 1 June 2008 shall be assessed under the current regulations.

§ 14

Cancellation provisions

The following are cancelled:

1. Act no. 81/1966 on periodicals and other forms of mass information media as amended by Act no. 84/1968, Act no. 127/1968, Act no. 99/1969, Act no. 86/1990, Act no. 186/1997, Act no. 187/1998, Act no. 46/1999, Act no. 227/2000 and Act no. 535/2003,
2. Act no. 136/1991 on the division of powers between the Czech and Slovak Federal Republic and the Czech Republic and the Slovak Republic on matter of the press and other information media as amended by Act no. 494/1992 and Act no. 597/1992.

Article II

Act no. 145/1995 on administrative fees, as amended by Act no. 123/1996, Act no. 224/1996, Act no. 70/1997, Act no. 1/1998, Act no. 232/1999, Act no. 3/2000, Act no. 142/2000, Act no. 211/2000, Act no. 468/2000, Act no. 553/2001, Act no. 96/2002, Act no. 118/2002, Act no. 215/2002, Act no. 237/2002, Act no. 418/2002, Act no. 457/2002, Act no. 465/2002, Act no. 477/2002, Act no. 480/2002, Act no. 190/2003, Act no. 217/2003, Act no. 245/2003, Act no. 450/2003, Act no. 469/2003, Act no. 583/2003, Act no. 5/2004, Act no. 199/2004, Act no. 204/2004, Act no. 347/2004, Act no. 382/2004, Act no. 434/2004, Act no. 533/2004, Act no. 541/2004, Act no. 572/2004, Act no. 578/2004, Act no. 581/2004, Act no. 633/2004, Act no. 653/2004, Act no. 656/2004, Act no. 725/2004, Act no. 5/2005, Act no. 8/2005, Act no. 15/2005, Act no. 93/2005, Act no. 171/2005, Act no. 308/2005, Act no. 331/2005, Act no. 341/2005, Act no. 342/2005, Act no. 473/2005, Act no. 491/2005, Act no. 538/2005, Act no. 558/2005, Act no. 572/2005, Act no. 573/2005, Act no. 610/2005, Act no. 14/2006, Act no. 15/2006, Act no. 24/2006, Act no. 117/2006, Act no. 124/2006, Act no. 126/2006, Act no. 224/2006, Act no. 342/2006, Act no. 672/2006, Act no. 693/2006, Act no. 21/2007, Act no. 43/2007, Act no. 95/2007, Act no. 193/2007, Act no. 220/2007, Act no. 279/2007, Act no. 295/2007, Act no. 309/2007, Act no. 342/2007, Act no. 343/2007, Act no. 344/2007, Act no. 355/2007, Act no. 358/2007, Act no. 359/2007, Act no. 460/2007, Act no. 517/2007, Act no. 537/2007, Act no. 548/2007 and Act no. 571/2007 shall be amended as follows:

Item 12 of the price list of fees shall be as follows:

“Item 12

- a) Entry in the register of periodicals¹³⁾ SKK 300
- b) Change of an entry in the register of periodicals¹³⁾ in the event of a change in the publisher of a periodical
or the name of the periodicalSKK 200”.

Endnote 13 shall read:

“13) Section 11 of Act no. .../2008 on periodicals and agency news service , and the amendment and supplementing of certain acts (the press act).”.

Article III

Act no. 212/1997 on compulsory copies of periodicals, non-periodical publications and the reproduction of audiovisual works, as amended by Act no. 182/2000, Act no. 535/2003 and Act no. 343/2007, shall be amended as follows:

1. In endnote 2 the citation “Section 3 (1) of Act no. 81/1966 on periodicals and other mass information media.” shall be replaced by the citation “Section 2 (4) of Act no. .../2008 on periodicals and agency news service, and the amendment and supplementing of certain acts (the press act).”.

2. In endnote 9 the citation “Act no. 81/1966, as amended” shall be replaced by the citation “Act no. .../2008.”.

3. Section 6, including the title, shall read:

„Section 6
Cooperation in custody

The Ministry of Culture of the Slovak Republic (hereinafter referred to as “the Ministry”) shall provide one copy within three years of its acquisition to the relevant archive¹¹⁾ under annex 4.”.

Endnote 10 shall be omitted.

Endnote 11 shall read:

“11) Act no. 395/2002 on archives and registries and the supplementing of certain acts, as amended.”.

4. In section 10 letter a) the words “registration body¹⁰⁾” shall be replaced by the words “the Ministry”.

5. In section 10 letter b) the words “Ministry of Culture of the Slovak Republic (hereinafter referred to as “the Ministry”)” shall be replaced by the words “the Ministry”.

6. In annex 4 the column “Registration body” shall be omitted.

Article IV

Act no. 308/2000 on broadcasting and retransmission and on the amendment of Act no. 195/2000 on telecommunications, as amended by Act no. 147/2001, Act no. 206/2002, Act no. 289/2005, Act no. 95/2006, Act no. 121/2006, Act no. 13/2007, Act no. 220/2007 and Act no. 343/2007 shall be supplemented as follows:

1. After section 15a, new sections 15b and 15c shall be inserted, which shall read as follows:

“§ 15b
Right to Information

Public authorities, budgetary organisations and grant-funded organisations that they establish and legal entities established by law are obliged, on a basis of equality, to provide broadcasters with information on their activities in order to supply true, timely and impartial information to the public; this shall not affect the provisions of applicable regulations.^{21d)}

§ 15c
Protection of information sources and content

(1) Broadcasters must not disclose the source of information acquired for publication in news or current affairs programmes or any part of the content of such information which would enable the identification of the source if requested not to do so by the natural person who provided the information, and must ensure that the disclosure of the content of the information does not breach the rights of third parties; they are obliged to take the necessary precautions in the handling of documents, printed matter and other media, in particular visual recordings, audio recordings and audio-visual recordings that could be used to identify the natural person who provided the information to ensure that the identity of the information source is not revealed.

(2) A broadcaster may be released from the obligation given in subsection 1 only by the consent of the natural person that provided the information; on the death of this person, the right to grant consent belongs to close persons⁶⁾ and if there are no such persons the right under subsection 1 expires.

(3) An obligation pursuant to subsection 1 shall also apply to all employees of the broadcaster; the obligation pursuant to subsection 1 obligation shall cease to apply to such persons if it also ceases to apply to the broadcaster. The obligation given in subsection 1 applies with the same conditions to the person who provides information pursuant to subsection 1 to a broadcaster under a commercial or civil contractual relationship with the broadcaster in which the person undertakes to provide information pursuant to subsection 1 to the broadcaster professionally.

(4) The obligation of non-disclosure shall not apply in cases where the law requires the prevention of the commission of a crime.

(5) The provisions of subsections 1 and 2 shall not apply to the notification duty of a broadcaster in relation to advertising under applicable regulations.^{21e)}.

Endnotes 21d and 21e shall read:

“21d) For example Act no. 215/2004 on the protection of secrets and on the amendment and supplementing of certain acts, as amended, Act no. 211/2000 on free access to information and on the amendment and supplementing of certain acts (the Act on Freedom of Information), as amended, Section 20 of Act no. 198/1994 on military intelligence, section 80 of Act no. 171/1993, as amended, section 23 of Act no. 46/1993 on the Slovak Information Service.

21e) For example, section 19 (2) of Act no. 46/1999 on the method for the election of the president of the Slovak Republic, on popular election, on their recall and on the supplementing of certain other acts.

Article V

This act shall enter into effect on 1 June 2008.