

589
DECREE
of the Ministry of Culture of the Slovak Republic

of 3 December 2007

as amended by the decree 541/2009

laying down details on a single labelling system for audiovisual works, audio recordings of artistic performances, multimedia works, programmes and other components of programme services, and on the means of its application

In accordance with Article 12 paragraphs 2 and 3 of Act No. 343/2007 on the conditions of registration, public distribution and storage of audiovisual works, multimedia works and audio recordings of artistic performances and on the amendments of certain laws (hereinafter referred to as “Audiovisual Act”), the Ministry of Culture of the SR stipulates:

§ 1

(1) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service shall be classified as inappropriate and restricted for minors under the age of 18, if containing

- a) images of violence, in particular images of the cruel or inhumane maltreatment or violent death of a human being especially showing no mercy, portrayals of physically or mentally abused or suffering persons, demonstrations of groups of person with pathological behaviour standards or the presentation of dangerous or deliberately risky situations as an attractive form of amusement,
- b) verbal aggressiveness, profane language, obscene expressions or gestures,
- c) presentation of any demonstrations of intolerance or hatred, xenophobia, racism, religious discrimination and intolerance, violence against ethnic or other minorities or the presentation of chicanery,
- d) images or presentation of various forms of addiction, including alcoholism, smoking, drug abuse or gambling in an amusing form, or depiction of the use of weapons as a means of aggression or promiscuous sexual behaviour in an amusing form,
- e) images of erotic instruments or erotic scenes made exclusively for erotic presentation purposes,
- f) sexual scenes or behaviour presented as a form of amusement as well as scenes with elements of sexual violence or sexual deviations, or
- g) horror scenes evoking emotional feelings of fear or anxiety.

(2) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service shall be classified as inappropriate for minors under the age of 15, if containing

- a) images of physical aggressiveness and related violent acts leading to death or serious consequences or details of consequences as a result of violent acts,
- b) images of animal abuse,

- c) sexual scenes forming part of a plot,
- d) depiction or presentation of various forms of addiction, including alcoholism, smoking, drug abuse or gambling or the use of weapons as a means of aggression where the form of processing as if it approves, trivializes or propagates any of such forms of addiction or weapon use, or
- e) the depiction of behaviour with a high risk of bodily harm, where such risk is presented as being attractive or amusing and where such behaviour is presented without any warning of the danger or potential consequences thereof.

(3) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service shall be classified as inappropriate for minors under the age of 12, if containing

- a) images evoking emotional feelings of fear and depression,
- b) images evoking conceptions of a less safe and insecure environment, images of adults' powerlessness towards the external world and powers endangering the family environment or otherwise inappropriate images in relation to the emotional and social maturity of minors, if presenting a threat to a family or to parental relations and if considering the age of minors there is an assumption of the incorrect interpretation of such content,
- c) images of real violence, mainly the consequences of violent crimes to the victims, including the consequences to victims of natural disasters, traffic or air disasters, especially images displaying injuries, blood, physical deformation and mental suffering,
- d) the presentation of the negative experiences of children and the consequences of violence or misery to children, images of injured or dying children or children as victims of or witnesses to crime that could directly reflect in the minor's conception of being victims of the real world,
- e) images of a sudden and unexpected change of living beings, images of the unnatural transformation of organisms or images of the paranormal or other extrasensory effects of a science-fiction nature,
- f) images of nudity which are non-standard in a family environment and in public and which could invoke interest in sexual relations and the premature activation of sexual urges in minors, or
- g) the depiction of actions in situations where the possibility of bodily harm is not conclusive enough, the presentation of risky sports disciplines or fantasy images of superhuman heroic achievements outside of reality, the inadequate interpretation of which may, considering the age, invoke the effect of imitation in minors.

(4) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service shall be classified as inappropriate for minors under the age of 7, if containing

- a) images of aggressively attacking animals invoking fear, such as aggressively attacking bats or spiders,
- b) images of a dark and bleak environment or scenes with excessively loud music or sudden changes in sound levels,
- c) images of forced violence against the helpless, especially against children or animals, or
- d) the presentation of threats to parental relations or the family.

(5) The content of audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service shall be classified in consideration of several aspects, including

- a) the contextual occurrence of inappropriateness and restriction evaluation criteria in a work, the programmes provided through on-demand audiovisual media service and a programme or other component of the programme service,
- b) method and form of adaptation or depiction of individual evaluation criteria considering the nature and type of a work, or programme, artistic and moral message of a work or programme and
- c) the intensity and frequency of the occurrence of inappropriateness or restriction evaluation criteria in a work, the programmes provided through on-demand audiovisual media service and in programme or other component of a television programme service.

(6) The content of every audiovisual work, multimedia work, programmes provided through on-demand audiovisual media service and programme or other component of a television programme service shall be classified individually; this shall not apply to a component of a television programme service which is designed to attract and keep the public attracted to one's own broadcasting and programmes (hereinafter referred to as "trailer"). The content of each episode in a serial as well as the content of every series or cycle shall also be classified individually.

§ 2

(1) Audio recordings of artistic performances and programmes or other components of a radio programme service shall be classified as inappropriate and restricted for minors under the age of 18, if containing

- a) profane language or obscene verbal expressions,
- b) the presentation or advertising of negative conduct and forms of addiction adapted in a trivializing or excusing form, especially of addictions such as alcoholism, smoking, drug abuse or gambling, or
- c) sexual demonstrations, sexual violence or deviations presented or adapted in a text.

(2) Audio recordings of artistic performances and programmes or other components of a radio programme service shall be classified as inappropriate for minors under the age of 15, if containing

- a) the presentation or advertising of physical, mental or verbal violence, or
- b) the presentation, advertising or demonstration of intolerance or hatred towards individuals or groups.

(3) The content of audio recordings of artistic performances and programmes or other components of a radio programme service shall be classified in consideration of several aspects, including the contextual occurrence of inappropriateness and restriction evaluation criteria in a literary or musical work, programme or other component, method and form of representation considering the nature and type of a work, artistic and moral message of a work as well as the intensity and frequency of the occurrence of the inappropriateness and restriction evaluation criteria in a literary or musical work, programme or other component of a radio programme service.

(4) The content of every audio recording of an artistic performance and programme or other component of a radio programme service shall be classified individually. The content of each episode in a serial as well as the content of every series or cycle shall also be classified individually.

§ 3

(1) Audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a programme service shall be classified as appropriate for minors under the age of 12, if exclusively made and designed for minors under the age of 12 and if the content and form thereof matches the level of perception, emotional capacity and social maturity of such age group; audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a programme service must be appropriate for the entire group of minors under the age of 12.

(2) Audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a programme service which are not primarily made and designed for minors and which do not contain inappropriateness or restriction criteria, shall be classified as appropriate for all age groups of minors.

(3) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service which contain inappropriateness criteria under Article 1 paragraph 4 and which are exclusively made for upbringing and educational purposes shall be classified as appropriate for minors under the age of 7.

(4) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service which contain inappropriateness criteria under Article 1 paragraph 3 and which are exclusively made for upbringing and educational purposes shall be classified as appropriate for minors over the age of 7.

(5) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service which contain inappropriateness criteria under Article 1 paragraph 2 and which are exclusively made for upbringing and educational purposes shall be classified as appropriate for minors over the age of 12.

(6) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service which contain inappropriateness and restriction criteria under Article 1 paragraph 1 and which are exclusively made for upbringing and educational purposes shall be classified as appropriate for minors over the age of 15.

(7) Audio recordings of artistic performances and programmes or other components of a radio programme service which contain inappropriateness criteria under Article 2 paragraph 2 and which are exclusively made for upbringing and educational purposes shall be classified as appropriate for minors over the age of 12.

(8) Audio recordings of artistic performances and programmes or other components of a radio programme service which contain inappropriateness and restriction criteria under Article 2 paragraph 1 and which are exclusively made for upbringing and educational purposes shall be classified as appropriate for minors over the age of 15.

§ 4

(1) Programmes or other components of a programme service classified as inappropriate and restricted for minors under the age of 18 shall be broadcast between 10 p.m. and 6 a.m.

(2) A programme classified as appropriate for minors under the age of 12 shall not be broadcast prior to or after a programme or other component of a television programme service which is classified as inappropriate for minors under the age of 12 or for minors under the age of 15 or which is classified as inappropriate and restricted for minors under the age of 18.

§ 5

(1) In a programme schedule published in a television programme service broadcast by means of a programme notice in the form of textual information or by teletext, any programmes classified as inappropriate for minors or as inappropriate and restricted for minors shall be marked with the relevant graphic symbol of the single labelling system.

(2) In a programme schedule supplied by a programme service broadcaster for publishing in the mass media, any programmes classified as inappropriate for minors or as inappropriate and restricted for minors shall be marked with the relevant graphic symbol of the single labelling system.

(3) In a catalogue of on-demand audiovisual media services, any programmes classified as inappropriate for minors or as inappropriate and restricted for minors shall be marked with the relevant graphic symbol of the single labelling system.

§ 6

(1) Audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service classified as inappropriate and restricted for minors under the age of 18 shall be labelled with the number 18 printed in red on a white background and circled in red; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 4.

(2) Audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service classified as inappropriate for minors under the age of 15 shall be labelled with the number 15 printed in red on a white background and circled in red; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 3.

(3) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service classified as inappropriate for minors under the age of 12 shall be labelled with the number 12 printed in red on a white background and circled in red; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 2.

(4) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service classified as inappropriate for minors under the age of 7 shall be labelled with the number 7 printed in red on a white background and circled in red; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 1.

(5) Programmes or other components of a television programme service classified as inappropriate for minors under the age of 7, under the age of 12 and under the age of 15 or classified as inappropriate and restricted for minors under the age of 18 and programmes or other components of a television programme service classified as appropriate for minors under the age of 7, over the age of 7, under the age of 12, over the age 12 or over the age of 15 shall be marked with a graphic symbol of the single labelling system during the entire broadcast of such programmes or other components of a television programme service in the top left or right corner of the TV screen. A trailer to such programme shall also be marked with a graphic symbol identical with the graphic symbol of the actual programme.

(6) In news and publicist programmes which are classified as appropriate for all groups of minors, any broadcast of images forming a part of such programmes that show personal tragedies, real violence and its consequences and victims, including the consequences to victims due to natural disasters, traffic or air disasters, especially images displaying injuries, blood, physical deformation and mental suffering, images of injured or dying children or images of children as victims of or witnesses to crime, shall be preceded by a verbal notice: “The following images are not suitable for minors.”

(7) Programmes or other components of a radio programme service classified as inappropriate and restricted for minors under the age of 18 shall prior to the commencement of their broadcast be identified with the audio advice: “This programme is inappropriate and restricted for minors under the age of 18.”

(8) Programmes or other components of a radio programme service classified as inappropriate for minors under the age of 15 shall prior to the commencement of their broadcast be identified with the audio advice: “This programme is inappropriate for minors under the age of 15.”

(9) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service classified as appropriate for minors under the age of 7 shall be labelled with the symbol – 7 printed in green on a white background and circled in green; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 7.

(10) Audiovisual works, multimedia works, programmes provided through on-demand audiovisual media service and programmes or other components of a television programme service classified as appropriate for minors over the age of 7 shall be labelled with the symbol 7+ printed in green on a white background and circled in green; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 8.

(11) Audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service classified as appropriate for minors over the age of 12 shall be labelled with the symbol 12+ printed in green on a white background and circled in green; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 9.

(12) Audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service classified as appropriate for minors over the age of 15 shall be labelled with the symbol 15+ printed in green on a white background and circled in green; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 10.

(13) Programmes or other components of a radio programme service classified as appropriate for minors over the age of 12 shall prior to the commencement of their broadcast be identified with the audio advice: “This educational programme is intended for minors over the age of 12.”

(14) Programmes or other components of a radio programme service classified as appropriate for minors over the age of 15 shall prior the commencement of their broadcast be identified with the audio advice: “This educational programme is intended for minors over the age of 15.”

(15) Audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service classified as appropriate for minors under the age of 12 shall be labelled with a teddy-bear symbol printed in green; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 5.

(16) Programmes or other components of a radio programme service classified as appropriate for minors under the age of 12 shall prior to the commencement of their broadcast be identified with the audio advice: “This programme is intended for children.”

(17) Audiovisual works, audio recordings of artistic performances, multimedia works, programmes provided through on-demand audiovisual media service, programmes or other components of a television programme service classified as appropriate for all age groups of minors may be labelled with the capital letter U printed in green; the graphic image of the labelling symbol is shown in an annex to this Decree, under sequence number 6.

§ 7

This Decree shall enter into force on 1 January 2008.

Marek Madaric, by his own hand

