SECOND OPTIONAL PROTOCOL

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TO THE CODE OF JOURNALISTIC ETHICS

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TLAČOVO-DIGITÁLNA RADA
SLOVENSKEJ REPUBLIKY



REŠPEKTUJEME
ETICKÝ KÓDEX NOVINÁRA



WE ABIDE BY THE CODE
OF JOURNALISTIC ETHICS



ELFOGADJUK AZ ÚJSÁGÍRÓK
ETIKAI KÓDEXÉT

SECOND OPTIONAL PROTOCOL TO THE CODE OF JOURNALISTIC ETHICS

ON PUBLIC ACCESS TO INFORMATION, THE DIVERSITY OF INFORMATION, OPINION PLURALITY, OBJECTIVITY AND IMPARTIALITY

PREAMBLE

The Association for the Protection of Journalistic Ethics in the Slovak Republic (hereinafter referred to as the "Association"),

— following on from the relevant rules of the Code of Journalistic Ethics (hereinafter referred to as the "Code"), according to which, among other things "true information is based on facts and their objective interpretation, taking into account the actual context of the described event, without distorting objective reality and concealing (omitting) part of the existing facts and circumstances",

— adhering to the relevant rule of the Code, according to which "comments and opinions must be clearly marked and distinguished from news and facts,"

— referring to the guarantees of the limits of editorial responsibility of content service providers for content in relation to the truthfulness of information provided to the public within the framework of their content services,

— aware that content service providers, alongside journalists and editorial offices, bear primary social responsibility to the public for the objectivity of the media products they offer in the form of news and current affairs journalism,

— respecting freedom of expression and its constitutional limits,

— assuming its share of responsibility for the democratic development of a pluralistic and open society in the Slovak Republic as a rule of law state,

— protecting the plurality of information sources and media freedom from censorship and other unacceptable interference by state authorities,

— adhering to the guarantees of editorial independence, including the right to its own editorial line and self-regulation in accordance with the European Media Freedom Act (Regulation (EU) 2024/1083),

as the originator of the Code, adopts this Second Optional Protocol to the Code of Journalistic Ethics on public access to information, diversity of information, plurality of opinion, objectivity, and impartiality (hereinafter referred to as the "Protocol"), which specifies ethical rules in the field of news reporting and current affairs journalism through certain content services in relation to the diversity of information, plurality of opinion, and their objectivity and impartiality.

PART ONE

BASIC PROVISIONS

ARTICLE 1

SUBJECT MATTER

1. The Protocol regulates certain ethical rules for the publication and dissemination of news or current affairs within or through news programs, current affairs programs, news and current affairs programs, and programs containing news or current affairs in

   (a) television broadcasting program services, including community broadcasting, or

   (b) radio broadcasting program services, including community broadcasting.

2. The Protocol also regulates certain ethical rules for the publication and dissemination of news or current affairs within or through news programs, current affairs programs, news and current affairs programs, and programs containing news or current affairs in on-demand audiovisual media services, including community video services.

3. The Protocol forms part of the Code, therefore, unless the Protocol provides otherwise, the provisions of the Code shall apply in addition, if necessary; in the event of a conflict between a provision of the Protocol and a provision of the Code, the provision of the Protocol shall prevail.

ARTICLE 2

CERTAIN PROVISIONS ON THE APPLICATION OF THE PROTOCOL

1. Compliance with the Protocol shall be supervised by the Print and Digital Council of the Slovak Republic (hereinafter referred to as the "Print and Digital Council").

2. The Rules of Procedure of the Print and Digital Council (hereinafter referred to as the "Rules of Procedure") shall apply to the application of the Protocol. If the Protocol regulates a matter differently from the Rules of Procedure, the provisions of the Protocol shall prevail.

3. In applying the Protocol, including its scope, the Print and Digital Council shall be governed by the Statute of the Print and Digital Council of the Slovak Republic (hereinafter referred to as the "Statute"). For the purposes of applying the Statute, a product of journalistic activity shall also mean any other content (other program) that is part of the relevant content service, such as a documentary work or live broadcast of an event, if this is necessary to achieve the purpose of the Protocol. If the Protocol regulates a matter differently from the Statute, the provisions of the Protocol shall take prevail, including the regulation of personal jurisdiction under Article 4 and subject matter jurisdiction under Article 5.

4. Where necessary, when applying a certain provision of the Protocol it is also possible to use the relevant provision of a law or other generally binding regulation on which the provision of the Protocol is based or which it incorporates or follows.

ARTICLE 3

DEFINITION OF CERTAIN TERMS

1. News reporting is understood to mean the product of journalistic activity that conveys facts and information about them to the public, which serves to inform the public and enable them to form their own opinions, whereby, in accordance with the editorial policy of the content provider, it conveys to the public a variety of socially relevant information reflecting the plurality of ideas in society within the framework of editorial independence and editorial policy.

2. Current journalism is understood to mean a product of journalistic activity that, in addition to facts and information about them, also conveys to the public its own assessment, criticism, conclusions, analysis, synthesis, opinions, or judgments that help the public form their own opinions and, in addition to informing, may also serve other purposes, such as education or entertainment.

3. A program is understood to be a product of journalistic activity which, regardless of the method of distribution, is accessible to the public and which, as an

   a. an audio communication, forms a complete whole in terms of its content, form, and function within a radio program service, or

   b. an audiovisual communication consisting of moving images with or without sound, forms a complete whole in terms of its content, form, and function within the broadcaster's television programming service or within an on-demand audiovisual media service.

4. A news program is understood to be a program that predominantly contains news, in particular current news from home or abroad, or information about the weather, traffic, culture, or sports (in audio-visual, audio or video version) and which, in terms of program dramaturgy and genre, corresponds to the characteristics of journalistic news units and individual news genres.

5. A news and current affairs program is understood to be a program that is, to a significant extent, the product of journalistic activity and that contains at least some news reporting (news sections), but which, in terms of its overall dramaturgy and genre, corresponds more to the characteristics of journalistic current affairs units and individual current affairs genres.

6. A current affairs program is understood to be a public affairs program thematically linked to news reporting, which contains commentary on news and events, analysis of developments, political opinions on events, or politicians' views on individual topics. A public affairs program is understood to be a program that, in terms of its dramaturgy and genre, corresponds to the characteristics of journalistic public affairs units and individual public affairs genres.

7. The monitored pre-election period is understood to be the period of 60 days before election day and election day until the closing of the last polling station; in the case of a second round of elections, the monitored pre-election period also means the period following the first round of elections, until the day of the second round of elections and the closing of the last polling station.

ARTICLE 4

PARTY TO THE PROTOCOL

1. A party to the Protocol is a radio broadcaster, television broadcaster, or provider of on- demand audiovisual media services (hereinafter referred to as "content service provider") if it has undertaken to comply with the Protocol

   a. as a member of the collective member of the Association,

   b. individually on the basis of accession to the Protocol, unless bound under point (a),

   c. as a member of an association or other legal entity that has acceded to the Protocol, unless it is bound under (a) or (b).

2. A content service provider is always a party to the Protocol to the extent of the content services (and media products) it provides pursuant to Article 1(1) and (2), except for those to which it has applied a scope reservation (Article 20), and at most to the extent of a content reservation (Article 21).

ARTICLE 5

SCOPE OF THE PROTOCOL

1. The Protocol applies to:

   a. a published program that a Party to the Protocol has published, disseminated, or enabled to be disseminated in the territory of the Slovak Republic or from the territory of the Slovak Republic within the framework of one of the content services pursuant to Article 1(1) or (2),

   b. to the content service referred to in Article 1(1) of the Protocol.

2. The Protocol also applies to content published, distributed, or made available for distribution by a content service provider other than a party to the Protocol (hereinafter referred to as "other provider") if, prior to the assessment of the content by the Print and Digital Council, this other provider, even though it has not previously committed to comply with the Protocol or has applied

a reservation to its scope, declares that it accepts the decision of the Print and Digital Council in the given case, undertakes to implement it and also complies with any sanctions imposed; in such a case, the other provider shall be regarded as a party to the Protocol.

PART TWO

ETHICAL RULES

ARTICLE 6

SPECIAL ASPECTS OF SOURCE PROTECTION

1. Everyone shall maintain confidentiality regarding the source of information obtained in the course of their activities, as well as the content of such information, so that the identity of the person who provided the information cannot be ascertained.
2. The Party to the Protocol shall take effective security, technical, organizational, procedural, and similar measures to protect sources of information, as well as to protect journalists and persons cooperating with them from unauthorized interference by public authorities or third parties in the protection of sources.
3. The Party to the Protocol shall use the necessary means and efforts that can reasonably be expected of it to prevent the disclosure of information or the use of items, data, or metadata that are subject to confidentiality or source protection.
4. The Party to the Protocol shall adopt effective internal procedures within the editorial process to ensure that as few persons as possible have access to information about the source of information; if a Party to the Protocol deems it necessary to assess the credibility of the source of information, this assessment shall be carried out at most by a person at the level of editor-in-chief (news director), an equivalent member of the editorial staff, or his subordinate member of the editorial staff; such a decision shall be final and shall not be subject to further review by the Protocol or third parties.

ARTICLE 7

SPECIAL ASPECTS OF EDITORIAL RESPONSIBILITY

1. The content service provider is not responsible for the truthfulness of information in the case of
   a. media commercial communication or advertising that is misleading,
   b. media commercial communication or advertising that is comparative, or
   c. other forms of promotion.
2. The content service provider shall also not be liable for
   a. announcements in the urgent public interest,
   b. a communication whose publication has been ordered by a public authority,
   c. a communication by a third party whose publication fulfills an obligation imposed by law,
   d. information provided by a constitutional official or public authority,
   e. information provided by a budgetary organization or contributory organization established by a public authority,
   f. information provided by a legal entity established by law,
   g. content published at the request for correction,
   h. content published at the request for additional notification.
3. Editorial responsibility includes not only the right to make editorial decisions without censorship or other interference by public authorities to media freedom, but also editorial independence, including the right to apply editorial policy.

4. Exclusions from liability under paragraph 1 may not be invoked by a party to the Protocol in relation to the self-promotion of that party to the Protocol.
5. The exclusion of liability under paragraph 2 does not relieve journalists of their obligation to adhere to the basic principles of journalism contained in the Code, such as verifying important facts, where possible and without requiring disproportionate effort, or correcting information provided by a third party if it lacks context that is known and important for its proper understanding, or if it contains a false statement that can be refuted at that moment without significant effort.

ARTICLE 8

SPECIFIC ASPECTS OF OBJECTIVITY AND IMPARTIALITY

1. A Party to the Protocol shall ensure the objectivity and impartiality of news programs within the framework of the content service referred to in Article 1(1) or (2); this shall apply mutatis mutandis to news and current affairs programs insofar as they contain news items, as well as to programs containing news items insofar as they contain such news items.
2. The Protocol Party shall ensure the objectivity and impartiality of current affairs programs within the framework of the content service referred to in Article 1(1).
3. Within the framework of the content service referred to in Article 1(1), the Party to the Protocol shall ensure that, in news and current affairs programs, opinions and evaluative comments are separated from information of a news nature.
4. The Protocol Party shall pay particular attention to the objectivity and impartiality of news reporting and current affairs programs within the content service referred to in Article 1(1) during the monitored pre-election period.
5. In terms of the objectivity of reporting, the main focus is on examining the transparency, accuracy, and objectivity, while preserving the right to error and the right to generalization, with objectivity being assessed in terms of its degree achieved within the program as a whole, while taking into account exclusions from editorial responsibility, respecting guarantees of freedom of expression and its limits, and with regard to editorial policy.
6. If balance is examined as a criterion of objectivity or impartiality in news reporting and current affairs journalism, the decisive factor is the qualitative aspect; a time imbalance (quantitative aspect) is not in itself a violation of the principle of objectivity or impartiality, unless it is a completely obvious time imbalance that appears to be intentional.
7. In the case of news interviews and current affairs programs, it is not a violation of impartiality or objectivity if the reporter or presenter personally balances the opinions presented by the opinion group present in favor of the opinion of the absent group.

ARTICLE 9

SPECIAL ASPECTS OF DIVERSITY OF INFORMATION AND PLURALITY OF OPINIONS

1. The Protocol Party shall ensure the diversity of information and plurality of opinions within the content service it broadcasts in accordance with Article 1(1).
2. Compliance with the diversity of information and plurality of opinions shall be assessed over a longer period of broadcasting, with the exception of the monitored pre-election period, where the assessed time period is monitored pre-election period and the subject of examination during this period are programs pursuant to Article 8(1) and (2), as well as existing political propaganda outside these programs.

ARTICLE 10

COMMON PROVISIONS FOR THE RULES UNDER ARTICLES 8 AND 9

1. The application of the empty chair principle shall also be considered as compliance with the principles of objectivity and impartiality. The application of the empty chair principle, even if applied repeatedly or over a long period of time, does not violate the principles of diversity of information and plurality of opinion.
2. The mere provision of an opportunity to express an opinion shall be considered compliance with the principles of objectivity, impartiality, diversity of information, and plurality of opinion (hereinafter referred to as "the principles of Articles 8 and 9"), the absence of a statement by the party concerned who refused to comment or did not comment within the time limit provided is not an obstacle to the publication of the information, and the subsequent publication of the statement does not constitute a violation of the principles of Articles 8 and 9 in relation to the already published program or the program containing that statement.
3. Compliance with the principles of Articles 8 and 9 also includes the presence of arguments or confrontations (opinions) of a guest or opinion group or statements that appear to be false or inaccurate, by the program moderator, reporter, or other person in the same program or in the form of a reference, a reaction or comment in another program, if required by the nature of the statement, fact-checking, or an objectively existing circumstance that, for example, did not allow for direct argumentation or confrontation in the same program.
4. The absence of an opinion (representation of an opinion group) that is marginal, unlawful, or presents an opinion contrary to the law or principle on which the rule of law or democratic system is based does not constitute a violation of the principles of Articles 8 and 9.
5. The absence of a factual statement or fact shall not constitute a violation of the principles of Articles 8 and 9 if, within the terms of the degree of generalization that is common in journalism, it is not significant for the understanding of the information or does not significantly alter the substance of the information.
6. The presence or absence of a specific topic, event, or type of program does not constitute a violation of the principles of Articles 8 and 9.
7. The selection of topics, events, or guests in programs is part of editorial independence (and editorial responsibility, which belongs exclusively to the content service provider), and the selection must not be subject to political influence or the influence of media commercial communication (advertising) clients, but may depend on the editorial line applied, which is not arbitrary.

ARTICLE 11

OTHER ASPECTS OF PUBLIC ACCESS TO INFORMATION

1. Article 12 shall also apply to disputes concerning the right to short news reports or the exercise of exclusive broadcasting rights to events or major events, provided that the alleged infringer is a party to the Protocol or another provider.
2. Violations of the rules in disputes under paragraph 1 shall be assessed exclusively on the basis of a complaint (motion) by another party to the Protocol, another provider or rights holder, or at the initiative of the Media Services Council; However, proceedings initiated on the basis of a complaint (motion) may also be completed after the complaint (motion) has been withdrawn if this is appropriate in order to protect the public interest embodied in the relevant ethical (legal) rule.

ARTICLE 12

NON-INCORPORATED RULES

When publishing information and programs and disseminating them through or within content services, the Party to the Protocol shall comply with all legal norms governing the field of news and current affairs journalism with regard to the principles of diversity of information, plurality of opinion, objectivity, and impartiality, as well as rules on public access to information, including those not incorporated in the Protocol, for example because they were not yet in force or effective at the time of its adoption.

ARTICLE 13

COOPERATION OBLIGATIONS

1. The Party to the Protocol undertakes, in connection with the assessment of compliance with the Protocol by the Print and Digital Council, at its request, without delay and free of charge, to
   a. provide or enable access to published content or disseminated content or a record of content, if it has such content at its disposal; in the case of a broadcaster, also to a record of the broadcast, if no more than 45 days have elapsed since the date of broadcast of the content relevant for assessing compliance with the rules of the Protocol,
   b. submit or allow access to all documents proving compliance with the assessed rule of the Protocol that it has at its disposal, or submit credible information about the content of these documents with an explanation of why they cannot be submitted or accessed, otherwise such documents and information shall be deemed as not to exist,
   c. provide other information or further cooperation as may be necessary in accordance with other provisions of the Protocol.
2. A lack of evidence caused by a party to the Protocol refusing to cooperate or failing to cooperate properly or in a timely manner, even though there was no legitimate objective reason for doing so, shall not prevent the Print and Digital Council from assessing the disputed content in terms of compliance with the rules of the Protocol at the expense of the party to the Protocol; This shall not affect the Print and Digital Council's authority to also issue a decision for a breach of the ethical rule on cooperation obligations under this Article, or to include a statement on this breach in the substantive decision on the content under review.
3. At the request of the Association or the Print and Digital Council, the party to the Protocol shall submit, within a specified period, a self-assessment in relation to the rule and to the specified period, program, or content service, containing data in the required structure with a quantitative analysis and qualitative assessment with regard to the required criteria and rules. The deadline for submission shall be reasonable in view of the required content of the self- assessment. The self-assessment may serve as a basis for proceedings and a decision on the merits; however, neither the self-assessment nor the data contained therein shall be made public.

ARTICLE 14

OBLIGATION TO TOLERATE PROVISIONAL MEASURES

1. The Party to the Protocol undertakes to tolerate the preliminary measure (paragraph 2) and to implement the decision of the Print and Digital Council ordering this preliminary measure.
2. In connection with published content that is to be the subject of its assessment, the Print and Digital Council may, by way of a preliminary measure, order a party to the Protocol to take or refrain from taking action, to tolerate or refrain from something until its decision is made, if
   a. there is a serious suspicion of a violation of any of the principles of Articles 8 and 9 during the monitored pre-election period,
   b. there is a justified threat of serious interference with the public's right of access to a major event or to information about the event, or
   c. there is an imminent or serious risk of interference with the protection of the source.

3 If a party to the Protocol disagrees with the preliminary measure, it may file a written objection

within ten days of receipt; filing an objection shall not have a suspensive effect on compliance with the ethical rule under paragraph 1. If the Print and Digital Council finds the objection to be justified or partially justified, it shall revoke or replace the original preliminary measure within fifteen days of the filing of the objection, otherwise it shall reject the objection, which shall be dealt with in a decision on the merits. The Print and Digital Council shall also revoke the preliminary measures if the reasons for their imposition under paragraph 2 have ceased to exist.

4. The ordered preliminary measure shall expire upon the enforceability of the Print and Digital Council's decision on the merits of the content under review, unless it has expired earlier due to its revocation by the Print and Digital Council; This shall not affect the Print and Digital Council's authority to issue a decision, also for a violation of the ethical rule on the obligation to tolerate a preliminary measure (paragraph 1) or to include a statement on this violation iin the decision on the merits of the content under review.

PART THREE

SANCTIONS AND CERTAIN PROCEDURAL RULES

ARTICLE 15

SANCTIONS

1. Sanctions shall be imposed by the Print and Digital Council in a decision finding a violation of the ethical rules of the Protocol (hereinafter referred to as the "violation decision").
2. Failure to comply with the ethical rules of the Protocol shall always result in a sanction – publication of the violation decision on the Association's website; the Association's website also includes the website of the Print and Digital Council.
3. If a preliminary measure has been ordered, in the decision on the merits of the content under review shall always impose an obligation to act, refrain from acting, tolerate or refrain from something, or possibly also with the obligation to immediately remove or remedy an ethically undesirable situation or with the obligation to immediately adjust public access to information in an ethically desirable manner.
4. In addition to the sanctions under paragraphs 2 or 3, the following sanctions may be imposed for non-compliance with the ethical rules of the Protocol:
   a. publication of the violation in a manner determined by the Print and Digital Council, for example in the form of a press release or publication on a third- party news portal,
   b. publication of the violation on the website of the violating party to the Protocol, in its content service or in the relevant program,
   c. other publication than that referred to in points (a) or (b), at the expense of the violating party to the Protocol and with the determination of the deadline, duration, manner, form, or frequency of publication.
5. If the breach of the ethical rules of the Protocol continues or there is a risk of its recurrence, or if a preliminary measure has been ordered, at least one of the following sanctions shall be imposed in addition to the sanction under paragraph 2 or 3:
   a. an obligation in the form of
      1. a ban on further dissemination of the assessed content whatsoever,
      2. a prohibition on the publication or dissemination of the assessed content without ethically desirable modification,
      3. an order to withdraw (cease dissemination) the assessed content, or
      4. an order to edit the published content so that it is ethical,
   b. an obligation to immediately take other appropriate measures to prevent similar violations in the future, or
   c. the obligation to immediately take specific measures proposed by the Print and Digital Council to prevent future violations, remedy the serious consequences of the violation, or increase the

level of protection against unethical conduct or inaction.

6. If a sanction has been imposed on a party to the Protocol consisting of an obligation to act, refrain from acting, tolerate, or refrain from something, the Print and Digital Council shall also specify in its decision the deadline by which the party to the Protocol on which such a sanction has been imposed shall notify it of the fulfillment of the imposed sanction, in particular the deadline, manner, and form of fulfillment of the imposed obligation.
7. If the party to the Protocol fails to notify the Print and Digital Council of the fulfillment of the imposed obligation within the specified period or fails to fulfill the imposed obligation, the Print and Digital Council shall file a motion to initiate proceedings before the Media Services Council or another body competent according to the nature of the ethical rule.
8. If a settlement has been reached prior to a decision on the merits, the sanctions under paragraphs 3 to 5 may be waived, provided that there has been no harm to the public's access to information; in such a case, the decision on the merits shall include information on the settlement and on the waiver of other sanctions.

ARTICLE 16

CERTAIN PROVISIONS ON PROCEDURAL DEADLINES

1. A decision on the merits shall be issued, as a rule, within two months of the date of receipt of the complaint (motion), unless objectively justified circumstances on the part of the party to the Protocol prevent this.
2. A decision on the merits, preceded by a preliminary measure, shall be issued, unless prevented by objective circumstances on the part of the party to the Protocol, no later than three months from the date of receipt of the complaint (motion).
3. If the Print and Digital Council has initiated proceedings on its own initiative, the time limits referred to in paragraphs 1 and 2 shall run from the day following the delivery of its first act to the party to the Protocol against whom it is directed.

ARTICLE 17

CERTAIN PROVISIONS ON THE POSTPONEMENT OF COMPLAINTS

1. A complaint shall be postponed if
   a. four years have elapsed since the event decisive for assessing compliance with the rules of the Protocol, or
   b. a lack of evidence, not caused by the Party to the Protocol concerned by the complaint, prevents the assessment of the complaint.
2. A complaint may also be postponed if the person entitled to file a complaint under Article 11 has withdrawn the complaint and it is not expedient to proceed with the case.

ARTICLE 18

MONITORING AND EVALUATION OF COMPLIANCE WITH THE PROTOCOL

1. Immediately after the expiry of the prescribed period for fulfilling the imposed obligation, the Print and Digital Council shall carry out or, through the relevant mechanism of the Association, have carried out a check on the fulfillment of the obligation and shall mark the information on fulfillment or, through the relevant mechanism of the Association, have it marked in the record of evaluation of compliance with the Protocol; it shall notify the relevant administrative authority of this information if it has an impact on legal proceedings conducted by it against a party to the Protocol.
2. The Association shall carry out ongoing assessment of compliance with the obligations imposed, and if any of the Parties to the Protocol repeatedly fails to comply with the obligations laid down,

the Association may decide to suspend the application of the self- regulatory mechanism to that Party to the Protocol or to exclude the Party to the Protocol from this self-regulatory mechanism.

3. A Party to the Protocol which, during a calendar year, fails for the second time to notify the Print and Digital Council of the fulfillment of its obligations within the prescribed period or fails for the second time to fulfill its obligations, shall cease to participate in the Protocol on the date on which the relevant deadline for compliance has expired, but no later than the end of the relevant calendar year; this also applies to a Party to the Protocol that is a member of a collective member of the Association or a member of an association or other legal entity that has acceded to the Protocol. The termination of participation in the Protocol shall be notified to the relevant party to the Protocol without delay.
4. The Association shall publish on its website information and data relating to the activities of the self-regulatory mechanism, namely
   a. the current version of the Protocol,
   b. list of Parties to the Protocol,
   c. information about the Print and Digital Council,
   d. annual reports on the Association's activities,
   e. information on how to file complaints,
   f. information on the mechanism for independent monitoring of the implementation of sanctions imposed and enforcement of compliance with the Protocol,
   g. final versions of decisions issued under this Protocol.
5. The annual report on the Association's activities shall also include
   a. a list of persons who have undertaken to comply with the Protocol (have acceded to the Protocol),
   b. information on the activities of the Print and Digital Council and a statistical comparison with the previous year,
   c. information on the number and manner of handling received complaints,
   d. information on imposed sanctions and their enforcement.
6. The Association shall submit its annual report on its activities to the Media Services Council within 60 days of the end of each calendar year.

PART FOUR

FINAL PROVISIONS

ARTICLE 19

ACCESSION AND WITHDRAWAL, OTHER WAYS OF TERMINATING APPLICATION

1. The Protocol is also open to content service providers who are not members of the Association's collective members, who may express their consent to be bound by it in writing by notifying the Association; it shall also apply mutatis mutandis to the accession of parties to the Protocol pursuant to Article 4(1)(c).
2. Any party to the Protocol may withdraw from the Protocol by written notice of withdrawal addressed to the Association. The withdrawal shall take effect on the first day of the calendar month following the calendar month in which the notice of withdrawal was delivered to the Association.
3. The application of the Protocol to a Party to the Protocol may be suspended or that Party may be excluded from the self-regulatory mechanism only in accordance with Article 18(2).
4. Termination of participation in the Protocol other than by withdrawal of a Party to the Protocol or its exclusion shall be governed exclusively by Article 18(3).

ARTICLE 20

RESERVATION ON SCOPE

1. A reservation as to scope may be made by a Party to the Protocol, a collective member of the Association on behalf of some or all of its members, or an association or other legal entity that accedes or has acceded to the Protocol on behalf of some or all of its members, with regard to the non-application of the provisions of Part II of the Protocol in relation to
   a. some or all content services referred to in Article 1(2), or
   b. some, but not all, content services referred to in Article 1(1).
2. A reservation of scope may be made at any time by delivering to the Association a notification in which the entity referred to in paragraph 1 specifies the scope pursuant to paragraph 1 of the reservation of scope; if the reservation is only partial, it shall also specify the specific content services.
3. If the notification under paragraph 2 is not made within one month of the Protocol taking effect or from the date on which the party to the Protocol became a member of the collective member of the Association or association or other legal entity that acceded to the Protocol, or upon accession to the Protocol, such notification shall take effect on January 1 of the following calendar year, otherwise on the day following its delivery to the Association.

ARTICLE 21

RESERVATION OF SUBSTANCE

1. A reservation as to content may be made by a Party to the Protocol, a collective member of the Association on behalf of some or all of its members, or an association or other legal entity that accedes or has acceded to the Protocol on behalf of some or all of its members, in relation to the non-application of certain provisions of Articles 7 to 12.
2. A content reservation may be exercised at any time by delivering a notification to the Association in which the entity referred to in paragraph 1 specifies the extent to which it exercises the content reservation under paragraph 1.
3. If the notification under paragraph 2 is not made within one month of the Protocol taking effect or from the date on which the party to the Protocol became a member of a collective member of the Association or an association or other legal entity that acceded to the Protocol, or upon accession to the Protocol, such notification shall take effect on January 1 of the following calendar year, otherwise on the day following its delivery to the Association.

ARTICLE 22

AMENDMENTS

1. The Protocol may only be amended by a decision of the competent body of the Association.
2. Amendments to the Protocol shall be valid and enter into force on the date of their adoption (approval) in accordance with paragraph 1, unless the competent body of the Association decides on a later date of their entry into force.
3. On the date on which the amendments and additions to the Protocol take effect, they shall also become binding on all parties to the Protocol, including those that acceded to the Protocol pursuant to Article 19 prior to its amendment; their specific consent or further accession shall not be required.
4. The Association shall notify the Media Services Council of any amendment to the Protocol within 30 days of its approval in accordance with paragraph 1.

ARTICLE 23

UNCOVERED PROCEDURAL RULES

Procedural rules not covered by the Rules of Procedure or the Statutes, this Protocol or other internal regulations of the Association shall be decided by the Chair of the Print and Digital Council, unless he left the decision to the Print and Digital Council.

ARTICLE 24

BINDING NATURE

1. The Protocol shall become binding on a member of a collective member of the Association who is a member on the date of entry into force (Article 25(2)), otherwise on the day following the date on which it became a member of a collective member of the Association.
2. For a Party to the Protocol that has acceded to the Protocol in accordance with Article 19(1) after the date of entry into force (Article 25(2)), the Protocol shall become binding on the first day of the calendar month following the calendar month in which the Association received the notification of accession in accordance with Article 19(1).
3. For a Party to the Protocol that has acceded to the Protocol in accordance with Article 19(1) from the date of entry into force to the date of effect (Article 25(2)), the Protocol shall become binding on the date of effect (Article 25(2)).
4. Paragraphs 1 to 3 shall apply mutatis mutandis to a member of an association or other legal entity that has acceded to the Protocol (Article 4(1)(c)).
5. With regard to another provider who has not undertaken to comply with the Protocol but who declares that it accepts the decision of the Print and Digital Council in a given case, undertakes to implement it and also complies with any penalty imposed, the Protocol shall become binding on the date of such other provider's declaration of acceptance and, if the penalty imposed is complied with at a later date, on the date of compliance with the penalty imposed.

ARTICLE 25

TRANSITIONAL PROVISIONS

1. The provisions of § 2(2) and (3) and § 3(5) and (9) of the Rules of Procedure, in the version effective to the date of entry into force of the Protocol, shall not apply in the application of the Protocol until such time as they are amended.
2. In the case of a complaint or request for review which would be assessed by the Media Services Council or another administrative authority depending on the nature of the ethical rule, the provision of Section 3(2) of the Rules of Procedure, in the version effective to the date of entry into force of the Protocol, shall not apply to the application of the Protocol until such time as this provision of the Rules of Procedure is amended; The Print and Digital Council shall decide, depending on the nature of the matter, whether to decide on the complaint (motion) in separate proceedings, to combine the proceedings with other proceedings, or to refer the complainant to the concluded proceedings.
3. Without prejudice to paragraphs 1 and 2, the Print and Digital Council may also exclude from application any provision of the Rules of Procedure in the version effective to the date of entry into force of the Protocol, the application of which would completely defeat or substantially impede the exercise of its supervision of the Protocol, until such provision of the Rules of Procedure is amended.

ARTICLE 26

EFFECTIVENESS

1. The Protocol shall be valid on the date of its adoption by the competent authority of the Association.
2. The Protocol shall enter into force on the first day of the calendar month following the calendar month in which the Protocol was registered by the Media Services Council.

Entered in the register of self-regulatory codes on November 11, 2025.

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TLAČOVO-DIGITÁLNA RADA
SLOVENSKEJ REPUBLIKY

Tlačovo-digitálna rada Slovenskej republiky
Francisciho ulica 2390/4, 811 08 Bratislava-Staré Mesto Slovenská republika
e-mail: info@trsr.sk
www.trsr.sk