

TR SR

TLAČOVO-DIGITÁLNA RADA
SLOVENSKEJ REPUBLIKY

Tlačovo-digitálna rada Slovenskej republiky

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RULES OF PROCEDURE

OF THE PRINT AND DIGITAL COUNCIL OF THE SLOVAK REPUBLIC

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§ 1 - COMPETENCE OF THE PRINT AND DIGITAL COUNCIL OF THE SLOVAK REPUBLIC

1. The Print and Digital Council of the Slovak Republic (hereinafter referred to as the "TR SR") discusses and issues decisions on complaints of violation of the ethical principles of journalistic work defined by the Code of Ethics for Journalists adopted by the AONE (hereinafter referred to as „violation of the Code of Ethics“) in the products of journalistic activity which is usually understood to be the result of a person's creative intellectual activity, intended primarily for the dissemination of ideas and information in the form of journalistic text, or photography, illustration, sound, an illustration, sound image or other part of a published journalistic text which has been disseminated in the Slovak Republic.
 - Natural persons and legal entities which publish periodical or non-periodical press, through which the products of journalism are to be disseminated or are disseminated in the Slovak Republic,
 - Natural persons and legal entities operating a website(s) on which the products of the journalistic activity of natural persons are made available for dissemination in the Slovak Republic,
 - Editors of periodical and non-periodical press and editors of websites.
2. The TR SR acts on its own initiative or on the basis of complaints within the scope of its competence arising from the Statute of the TR SR.
3. A complaint may be lodged by a natural or legal person who feels affected by the product of journalistic activity.
4. When discussing and issuing a decision/opinion, the TR SR is bound by the scope of the complaint.
5. The TR SR may initiate proceedings by its own decision based on a proposal from a member of the TR SR or on the initiative of a third party. The TRSR shall decide on the initiation of proceedings on its own initiative by a majority vote of all its members. If the TR SR has decided to initiate proceeding by its own decision, it shall also define the subject matter of the proceedings by stating the decisive factual circumstances of the case.

§ 2 - COMPLAINT

1. The complaint must be made in writing in the official language of the Slovak Republic, in paper or in electronic form. The complaint must be clear as to who is making it (hereinafter referred to as the ‚complainant‘) and against to whom it is directed (hereinafter referred to as ‚the respondent‘), what the complainant considers to be a breach of the Code of Ethics, why he or she feels affected by the product of journalistic activity and, insofar as it is the complaint is made in paper form, it must be dated and signed by the complainant. Complaint may include a draft decision. The complainant, a natural person, must state in the complaint his or her name, surname and place of residence. The complainant, who is a legal person, must indicate in the complaint his or her business name or name, registered office and identification number, if any. The complaint must state the postal or e-mail address to which the complainant requests service of documents. The complainant must properly identify the respondent in the complaint. The TR SR shall not consider a complaint against an anonymous respondent or a complaint filed by an anonymous or non-existent entity.
2. Before filing a complaint, the complainant must contact the respondent with a request that, in addition to the particulars of the complaint under the preceding paragraph, stating what redress he or she seeks (publication of correction, reply, apology, future injunction, etc.) within one month after the breach of the Code of Conduct. The complainant has the right to lodge a compla-

int with the TR SR only if the respondent fails to make the requested remedy within seven days of the request. An annex to the complaint shall include the text of the request, proof of service of the request on the respondent, the respondent's response, if any, and any other communications between the respondent and the complainant related to the subject matter of the complaint.

3. The complaint must be filed within 3 months of the violation of the Code of Ethics.
4. The complaint must be accompanied by the original, reproduction, recording or photocopy of the material (article, photograph, drawing, etc.) that is the subject of the complaint or an active link to where it can be found.
5. The complaint must contain a description of the relevant facts and identification of the evidence proving the facts alleged. The evidence relied on by the complainant must be attached to the complaint. Written statements of witnesses may also be annexed to the complaint.
6. If the complaint is not rejected, the Secretary of the TR SR shall acknowledge receipt of the complaint, assign a number under which it will be filed, and establish a file for each individual complaint, which shall include all documents received by the TR SR in the matter, the decision of the TR SR, the relevant part of the minutes of the proceedings of the TR SR prior to the decision in the case, and the minutes of the oral hearing, if held. Thereafter, the Secretary of the TR SR shall, without undue delay, submit the complaints to the Chairperson of the TR SR.

§ 3 - INITIATION OF PROCEEDINGS

1. The proceedings shall begin on the date of receipt of the complaint by the TR SR or on the date of the decision of the TR SR to initiate proceedings pursuant to § 1 par. 6.
2. If the complaint is directed against a violation of the Code of Ethics which is already the subject of a pending proceedings before the TR SR, the complaint shall not be considered further and the Secretary of the TR SR shall inform the complainant.
3. After the Secretary of the TR SR has submitted the complaint to the President of the TR SR for processing, the latter shall:
 - (a) if the complaint is manifestly unfounded, it is a complaint contrary to the provisions of Section 1, paragraph 1 or paragraph 2, or the TR SR does not have jurisdiction to decide on the complaint within the meaning of section 1, dismiss the complaint. The TR SR shall, as a rule, inform the complainant of this fact in accordance with the procedure laid down in Section 8(2),
 - (b) if no action is taken pursuant to subparagraph (a), the President of the TR SR shall decide that the Secretary of the TR SR shall without delay send the complaint and its annexes to the respondent for comments.
4. The invitation to the respondent to respond to the complaint shall include, in addition to the attached copy of the complaint and any documents received with the complaint, in particular:
 - (a) a request that the respondent be heard within a specified period from the service of the notice
 - (b) an instruction that if he fails to do so within that period, the TR SR may decide on the complaint without his statement
 - (c) a reminder of the possibility to examine for himself, within a specified period, whether there has been a breach of the principles of journalistic ethics or a violation of the freedom of expression and the right to seek and impart information; or a restriction on journalists' access to information, with the proviso that if he or she himself or herself alleges such a violation on to inform the TR SR within a specified period of time
 - (d) an indication that he or she may request the exclusion of a member of the TR SR from hearing and deciding the case because of his or her relationship with the case or the parties
 - (e) the names and surnames of the members of the TR SR
 - (f) an indication that, if the respondent does not comment on the complaint, the TR SR may decide only on the basis of the complainant's allegations. Where the Council initiates proceedings of its own motion, it shall define the subject matter of the proceedings in a notice to the respondent, setting out the relevant facts of the case and inviting the respondent to comment on them; otherwise it shall proceed in a manner similar to that in the case of a complaint.

5. If the respondent has remedied a violation of journalistic ethics or a violation of freedom of expression and the right to seek and disseminate information or to restrict journalists' access to information, its implementation shall be notified to the TR SR and if, in the opinion of the Chairperson of the TR SR, the remedy is sufficient, the Chairperson shall decide to discontinue the proceedings and the Secretary of the TR SR shall notify the complainant in writing of this fact in accordance with the procedure pursuant to Article 8(3).
6. Without undue delay after the respondent TR SR has served its response to the complaint, or after the time limit for the submission of the statement of defence has expired in vain, the President of the TR SR shall decide on the assignment of the case to the meeting of the TR SR.
7. Where a decision has been taken to include matters on the agenda of the TR SR, the Secretary of the TR SR shall send to each member of the TR SR together with an invitation to that session of the TR SR, copies of all documents relating to the matter included of the case on the agenda of the meeting of the TR SR contained in the file, but always the complaint with its annexes, if any supplement and the respondent's statement, if it has been received by the TR SR and, if it has not been received, the indication, when the respondent received the notice.
8. The President of the TR SR may decide that any of the decisions which he/she is empowered to make under section 3 himself or herself, shall be referred to the TR SR.
9. The TR SR may at any time stay the proceedings in a case if it finds that the case is the subject of a criminal or judicial proceedings. It shall notify the complainant and the respondent in writing of such a decision.
10. The TR SR shall send all documents to the complainant and the respondent electronically to the following electronic address provided by the complainant or the respondent or by registered mail.
11. In the event that the Chairperson or any member of the TR SR deems it necessary to request from any additional evidence or statements from any of the participants, he/she shall request the Secretary of the TR SR to do so.
12. Any invitation addressed to the complainant may include an instruction that if the complainant fails to respond to the notice within such time as the TR SR or its Chairperson or Secretary may specify, the TR SR or its Chairperson may discontinue the complaint procedure. However, such period may never be less than 15 days and shall commence on the date of service of the summons on the complainant.
13. A document delivered by electronic means shall be deemed to have been received on the day following the date of its day following the day of transmission, unless the sender is notified by the end of the day following the day of transmission, that the transmission of the message was unsuccessful. A document delivered by electronic means shall also be deemed to have been delivered if the recipient's server has refused to accept the message for reasons of settings on the recipient's side.

§ 4 - TR SR MEETING AND DECISION-MAKING PRINCIPLES

1. The Chairperson of the TR SR shall convene meetings of the TR SR as necessary, at least twice a year. The Chairperson shall invite in writing all members of the TR SR to the meeting. A meeting may be held without the members of the TR SR meeting in one place, e.g. by videoconference or other similar technical solution.
2. The Chairperson of the TR SR shall make arrangements for the preparation of the TR SR meeting and shall determine the place and time of the meeting or determine that the meeting shall take place without a meeting of the members of the TR SR in person.
3. Invitations shall be delivered to the members of the TR SR at least 15 days before the meeting of the TR SR.
4. Prior to a decision on a grievance, members of the TR SR shall not publicly express themselves in a manner that would make it their vote.
5. Meetings of the TR SR shall be closed to the public. Only members of the TR shall be present when a complaint is made and a decision is taken and the Secretary of the TR SR. The Chairperson

and Vice-Chairperson of the AONE ZZ in the Slovak Republic may also attend the deliberations of the TR SR.

6. The TR SR shall not be bound by the proposals of the parties. Documents submitted, information requested and statements of witnesses shall be considered at its discretion.
7. A quorum shall be constituted if a majority of the members of the TR SR is present at a meeting.
8. A decision of the TR SR shall be taken by a simple (supermajority) majority of the members of the TR SR present at the meeting. In the event of an equality of votes, the vote of the Chairperson of the TR SR shall prevail.
9. In making decisions, members of the TR SR whose convictions are not in accordance with the decision may, make known their dissenting opinion (minority opinion), if it was clear from the decision that this is the opinion of majority. Such an opinion shall be recorded in the minutes.
10. The meeting shall be chaired by the Chairperson of the TR SR and, in his/her absence, by the Vice-Chairperson of the TR SR.
11. In the event that oral proceedings are held in the case, the Chairperson of the TR SR shall invite the complainant and the respondent to attend the meeting of the TR SR. However, they may be present only for that part of the TR SR meeting which concerns them to which it relates.
12. The members of the TR SR may also take decisions outside the meeting of the TR SR. Draft resolution together with a time limit for comments, shall be submitted to the members of the TR SR by the Chairperson of the TR SR. The members of the TR SR shall send their comments in writing or by e-mail. If a member of the TR SR does not express his or her views within the time limit set, the following shall apply, he/she does not agree with the proposal. In this case, a decision shall require the agreement of a majority of majority of all members of the TR SR. The Chairperson of the TR SR shall announce the results of the vote in writing or by e-mail to all members of the TR SR.

§ 5 - ORAL PROCEEDINGS

1. The complainant and the respondent may request the TR SR to hold an oral hearing. The TR SR shall decide on the oral proceedings.
2. If the TR SR conducts an oral hearing, the Chairperson of the TR SR shall make arrangements for the preparation of the oral hearing and shall fix the place and time of the hearing so that the oral hearing may form part of the meeting.
3. The Chairperson shall invite the parties to the hearing (complainant and respondent) and, where appropriate, witnesses. At request, the parties or witnesses may be reimbursed for their travel (other) expenses at the discretion of the TR SR.
4. Written invitations shall be sent to the parties at least 15 days before the meeting of the TR SR.
5. In all cases of oral proceedings, the invitation to the oral proceedings shall be addressed to the party and shall state:
 - (a) the place and time of the meeting of the TR SR,
 - (b) the names of the members of the TR SR,
 - (c) a notice that the TR SR may decide on the complaint in the absence of the parties,
 - (d) a reminder that the TR SR may decide on the complaint without prior written statement of the respondent,
 - (e) the names of the witnesses called,
 - (f) a reminder that travel expenses may be reimbursed.

6. If the parties are present at the oral hearing, their views shall be heard at the outset of the proceedings. Participants may respond to each other's submissions at the oral hearing and may submit to the TR SR evidence which they consider relevant to the decision of the TR SR. The TR SR shall decide which of such evidence it will take. The parties may be questioned by both the chair and the members of the TR SR. During the deliberations of the TR SR preceding the decision, the participants shall withdraw. After the adoption of the decision of the TR SR, at the oral hearing, the Chairperson of the TR SR shall notify the parties of the oral decision.

§ 6 - EXCLUSION DECISIONS

1. The complainant or the respondent may request the exclusion of a member of the TR SR from the hearing and decision on the complaint if, having regard to his or her relationship to the case, to the parties or to their representatives his or her impartiality may be doubted. An application for the exclusion of a member of the CFI must be made by the complainant specify it in the complaint. The request for the exclusion of a member of the TR SR must be delivered by the respondent to the TR SR within 10 days of the date of receipt of the TR SR's request to respond to the complaint. In the event of a change in the composition of the TR SR, the following shall be the parties are entitled to request the exclusion of a new member of the TR SR within 10 days of the date on which they have demonstrably become aware of the appointment. Requests for the exclusion of a member of the TR SR lodged at a later date shall not be taken into account.
2. A request for expulsion of a member of the TR SR shall be decided by the TR SR by majority vote. The objected member shall not take part in the vote. The decision shall be communicated to the person who requested the expulsion.
3. If a member of the TR SR feels himself to be biased in a particular matter, he/she shall immediately notify the TR SR of this fact as soon as he/she becomes aware of the reason for the exclusion. In such a case, the member of the TR SR concerned shall not take part in the discussion and decision on the complaint.

§ 7 - MINUTES OF THE MEETING OF THE TR SR

1. Minutes of the meeting of the TR SR shall be drawn up. The minutes shall state the substance of the presentations of the members of the TR SR and of the participants or witnesses. Any proposals made by the participants and the conclusions of the TR SR shall be set out verbatim in the minutes or attached to the minutes as an annex.
2. Any member of the TR SR may request that individual statements be recorded verbatim in the minutes.
3. The minutes shall be signed by the Chairperson of the TR SR and the Secretary, who shall be the recording secretary.
4. A true copy of the minutes shall be sent to all members of the TR SR, the original minutes shall be kept by the TR SR Office.

§ 8 - DECISIONS

1. Any decision of the TR SR or its Chairperson shall be in accordance with the TR SR STATUTE and its RULES OF PROCEDURE.
2. A complaint may be rejected by the TR SR or the Chairperson if it is manifestly unfounded. The same procedure shall apply TR SR or the Chairperson if the complaint does not fall within the

competence of the TR SR under § 1.

3. If the complainant does not persist with his complaint, or if the TR SR or the Chairperson finds that sufficient redress has been made by the respondent, the Chairperson or the TR SR or the TR SR shall discontinue the proceedings. The proceedings may also be discontinued by the TR SR or the Chairperson if the complainant fails to respond to a request by the TR SR within the prescribed period and has been advised of that consequence in the notice pursuant to Article 3(12), as well as in the case if the complainant does not accept the mail sent to him by the TR SR.
4. Decisions pursuant to Article 8(2), (3) shall be communicated informally by TR SR with a brief statement of reasons to the parties in writing, in other cases, except for the decision to stay the proceedings pursuant to § 3 paragraph 9, the decision shall always contain a statement of reasons.
5. In the absence of a decision pursuant to Article 8(2) and (3), the TR SR shall consider the complaint on the merits and issue a DECISION or OPINION.
6. In the proceedings on the complaint on violation of journalistic ethics, the TR SR shall decide whether the complained of action has or has not violated journalistic ethics and, if so, whether or not a violation has occurred, it shall state which provision of the Journalists' Code of Ethics has been violated. It may also, by its decision to the respondent:
 1. **Warning (admonition)**
 2. **Concern (serious concern)**
 3. **Reprimand.**
7. When considering whether the TR SR will issue a warning (admonition), concern (serious concern), or reprimand in the decision, the TR SR shall take into account the seriousness of the violation of the principles of journalistic ethics, the consequences for the complainant, whether it is the first or repeated violation of journalistic ethics by the same respondent, and shall also take into account the measures taken by the respondent (editorial office, publisher) to mitigate those consequences and/or to prevent the recurrence of such a violation, as well as whether the respondent cooperated with the TR SR in handling the complaint.
9. The written copy of the DECISION shall contain the operative part and the grounds. The operative part shall contain the following within the meaning of Article 8(6) or 8(8) and a statement of reasons, a brief description of the proceedings and the reasons which led the TR SR to issue the relevant DECISION.
10. The decision of the TR SR shall be final and may not be appealed.
11. The TR SR shall always notify its decision to the complainant and the respondent in writing in printed or electronically.
12. The decision of the TR SR, as well as the copies sent to the parties, shall be signed by the chairperson of the TR SR, in his or her absence, the Vice-Chairperson of the TR SR.
13. If the respondent does not respond in writing to the complaint within the time limit specified in the request of the TR SR for the submission of and has been instructed pursuant to § 2(3)(f), the TR SR may also decide on the complaint only on the basis of the allegations and evidence submitted by the complainant. In such a case, the reasons for the decision or opinion of the TR SR shall only contain a summary of the allegations and the content of the evidence submitted to the TR SR by the complainant and an indication that the respondent has not commented on the complaint.

§ 9 - ENFORCEMENT OF THE DECISION

1. Enforcement of a decision of the TR SR finding a violation of journalistic ethics or violation of the freedom of the press or restriction of journalists' access to information, shall be its:
 1. **Publication of**
 2. **Publication on www.trsr.sk**
 3. **Publication in the media**

§ 10 - PUBLICATION OF THE DECISION

1. The decision and any dissenting opinion shall be published by the TR SR on www.trsr.sk.
2. The respondent shall publish the decision of the TR SR in the next possible issue of its periodical after receipt of a written copy of the decision.
3. The TR SR may waive the obligation to publish if the protection of the complainant so requires.

§ 11 - OPINION

1. In proceedings and complaints alleging a violation of freedom of expression and the right to seek and disseminate information as well as complaints against the restriction of journalists' access to information, the TR SR shall issue OPINIONS. In the OPINION of the TR SR for violation of the freedom of expression and the right to seek and disseminate information or restriction of journalists' access to information, or decides that there has been no violation, or if the TR SR finds a violation of freedom of expression and the right to seek and impart information or a restriction of access the TR SR expresses concern or serious concern. In making its decision the TR SR shall take into account, in particular, the seriousness of the interference, its consequences for the complainant and whether it is the first or repeated violation by the same respondent. The procedure for adopting an opinion shall be the provisions of the Rules of Procedure on the Decision shall apply mutatis mutandis, with the exception of the provisions of § 2 paragraph 2.

§ 12 - TRANSITIONAL AND FINAL PROVISIONS

1. These Rules of Procedure shall enter into force on 5 November 2024.
2. Proceedings initiated before the date of its entry into force.
3. On the date of entry into force of these Rules of Procedure, the Rules of Procedure of the TR SR of 1 March 2018. These Rules of Procedure were adopted on 5 November 2024 at a meeting of the members of the representatives of the Association for the Protection of Journalistic Ethics in the Slovak Republic (ZZ AONE)