

OPTIONAL PROTOCOL

TO THE CODE OF
JOURNALISTIC
ETHICS

AONE

ASOCIÁCIA
NA OCHRANU
NOVINÁRSKEJ
ETIKY

TR SR

TLAČOVO-DIGITÁLNA RADA
SLOVENSKEJ REPUBLIKY



REŠPEKTUJEME
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WE ABIDE BY THE CODE
OF JOURNALISTIC ETHICS



ELFOGADJUK AZ ÚJSÁGÍRÓK
ETIKAI KÓDEXÉT

OPTIONAL PROTOCOL TO THE CODE OF JOURNALISTIC ETHICS

ON THE PROTECTION OF HUMAN DIGNITY, HUMANITY AND MINORS

PREAMBLE

Association for the Protection of Journalistic Ethics in the Slovak Republic (hereinafter referred to as “the Association”)

- Referring to the editorial responsibility of content service providers for the content of programs, podcasts, videos, sound recordings, articles, photographs and other content provided to the public as part of their content services,
- Recognising that service providers have a primary social responsibility to the public, alongside journalists and editors, for the quality of the media products they offer,
- Respecting both freedom of expression and its legal limits,
- Taking their share of responsibility for the democratic development of a pluralistic open society in the Slovak Republic as a state governed by the rule of law,
- Protecting the plurality of information sources and the freedom of the media against unfair competitive practices

as the originator of the Code of Journalistic Ethics (hereinafter referred to as “the Code”), adopts this Optional Protocol to the Code of Ethics for Journalists on the Protection of Human Dignity, Humanity and Minors (hereinafter referred to as “the Protocol”), which extends the ethical rules in the field of content service provision in relation to the responsibility of content service providers and their media in protecting human dignity and humanity and in protecting minors from unwanted content.

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PART ONE

BASIC PROVISIONS

ARTICLE 1

SUBJECT MATTER

1. The Protocol regulates certain ethical rules in the publication and dissemination of audiovisual, sound and other content on or through content services, in relation to
 - (a) on-demand audiovisual media services, including community video services, including accompanying text, photographs and images,
 - (b) television broadcasting programme services, including community broadcasting, including the content of ancillary broadcasting services,
 - (c) radio broadcasting programme services, including community broadcasting, including the content of supplementary broadcasting services,
 - (d) video sharing platforms, including those channels, profiles, and social accounts which are not content services under points (a) to (c), including text, photographs and images accompanying videos.
2. The Protocol shall also regulate certain ethical rules for the publication and dissemination of audiovisual or audio content that is
 - (a) a podcast (audio or audiovisual) or sound recording published outside the content services referred to in paragraph 1(a) to (c), in particular in the context of electronic periodical publications, news web portals, community periodicals and agency services, including its accompanying texts, photographs and images,
 - (b) video published outside the content services referred to in paragraph 1(a) to (c), in particular in electronic periodicals, news web portals, community periodicals and agency services, including accompanying texts, photographs and images,
3. The Protocol also provides for certain rules for the publication of content other than audiovisual or sound content and for the indirect dissemination of audiovisual or sound content by means of embedding, hyperlinking or similar referencing techniques, namely
 - (a) on content-sharing platforms,
 - (b) on news websites,
 - (c) electronic periodical publications,
 - (d) non-periodical publications whose content is distributed online.
4. The Protocol forms part of the Code, therefore, unless the Protocol provides otherwise, the provisions of the Code shall apply in support, 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. Insofar as the Protocol regulates any issue of the application of the Protocol differently from the Rules of Procedure, the provision of the Protocol shall prevail.
3. In the application of the Protocol, including its terms of reference, 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 the Statute, the product of journalistic activity shall be understood to include any content that is part of an audiovisual media service, other content service or media product. To the extent that the Protocol regulates an issue differently from the Statute, the provisions of the Protocol, including the regulation of personal scope under Article 4 and material scope under Article 5, shall prevail.

4. If necessary, in applying a provision of the Protocol, the relevant provision of a law or other generally binding regulation on which the given provision of the Protocol is based or which it reciprocates or builds upon may also be applied.

ARTICLE 3

DEFINITION OF CERTAIN TERMS

1. Child pornography means the depiction of actual or pretended coitus, other sexual intercourse or other similar sexual intercourse with a minor or a person appearing to be a minor, or the depiction of exposed parts of the body of a minor or a person appearing to be a minor intended for sexual purposes.
2. Extremist material means a written, graphic, pictorial, audio or audio-visual
 - (a) texts or statements, flags, badges, slogans or symbols, groups or movements which are directed or have been directed in the past towards the suppression of fundamental human rights and freedoms,
 - (b) the programmes or ideologies of groups or movements which aim or have aimed in the past at the suppression of fundamental human rights and freedoms,
 - (c) advocating, promoting or inciting hatred, violence or unjustifiably different treatment of a group of persons or an individual because of their membership of a particular race, nation, nationality, colour, ethnic group, descent or religion, where the pretext is the preceding; or
 - (d) condoning, approving, denying or grossly trivialising genocide, crimes against peace, crimes against humanity or war crimes, if the perpetrator or participant in such an act has been convicted by a final judgment of an international court established under public international law, the jurisdiction of which has been recognised by the Slovak Republic, or by a final judgment of a court of the Slovak Republic.
3. A minor shall mean a person under 18 years of age.
4. Pornography shall mean the depiction of coitus, other sexual intercourse or other similar sexual intercourse, or the depiction of exposed genital organs intended for sexual purposes.
5. The elements of a criminal offence shall be understood exclusively as the elements of the objective aspect of the offence as described in the basic facts of the relevant criminal offence.
6. Depiction also means a direct statement or indirect description recorded in sound or text.
7. Depiction of gratuitous violence means the dissemination of messages, verbal statements or images where the violent content is given unjustified prominence in the context of the messages, verbal statements or images.

ARTICLE 4

PARTY TO THE PROTOCOL

1. A provider of an on-demand audiovisual media service, a broadcaster, a provider of a video sharing platform, a publisher, an operator of a news web portal or a provider of another content service or media product for which it has editorial responsibility (hereinafter referred to as "content service provider") shall be a party to the Protocol if it has undertaken to comply with the Protocol
 - (a) individually by virtue of its accession to the Protocol,
 - (b) as a member of a collective member of the Association, unless it is 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 subparagraph (a) or (b).
2. A content service provider shall always be a party to the Protocol to the extent of the content services or media products provided by it pursuant to Article 1(1) to (3), except to the extent to which it has made a reservation of scope (Article 20), and to the extent of the content reservation (Article 21) at most.
3. In relation to media products under Article 1(2), only a content service provider that has not made a reservation under Article 20(1)(a) in respect of all media products (general scope reservation) shall be a party to the Protocol.
4. In relation to content services and media products pursuant to Article 1(3), only a content service provider that has not made a reservation pursuant to Article 20(1)(b) to all media products (general reservation of scope) shall be a party to the Protocol.

ARTICLE 5

SCOPE OF THE PROTOCOL

1. The Protocol shall apply to published content which a Party to the Protocol has published, disseminates or permits to be disseminated in or from the territory of the Slovak Republic
 - (a) within one of the content services referred to in Article 1(1),
 - (b) as part of any of the media products referred to in Article 1(2); or
 - (c) within one of the content services referred to in Article 1(3) or as part of one of the media products referred to in Article 1(3).
2. The Protocol shall also apply to content published, disseminated or facilitated for dissemination by a content service provider other than a party to the Protocol (hereinafter referred to as the "other provider") if, prior to the Print and Digital Council's consideration of the content for which the other provider bears editorial responsibility, the other provider, although it has not previously undertaken to comply with the Protocol or has made a general reservation or exclusion from the scope thereof, declares that it accepts the Print and Digital Council's decision for the case in question, undertakes to comply with it and also complies with any sanction imposed; in such a case, the other provider shall be considered as a party to the Protocol.

PART TWO

ETHICAL RULES

ARTICLE 6

RESPECT FOR HUMAN DIGNITY

All media products and content services shall respect human dignity.

ARTICLE 7

SPECIFIC ASPECTS OF HUMANITY

1. A media product or content service shall not promote war or describe cruel or otherwise inhuman acts in a manner that inappropriately minimises, condones or endorses them.
2. Neither a media product nor a content service shall promote violence or openly or covertly incite violence or hatred, disparage or denigrate on the basis of gender, race, colour, language, creed and religion, political or other opinion, property, disability, age, sexual orientation, birth, national or social origin, genetic characteristics, nationality, or membership of a national or ethnic group.
3. In particular, propaganda for war or violence does not include war reporting or reporting, journalism or documentary from areas of armed conflict, terrorist attacks, violent demonstrations or other disturbances which are prepared in accordance with the principles of the Code.

ARTICLE 8

SPECIAL ASPECTS OF HUMAN DIGNITY

1. In media coverage of crimes, accidents, natural disasters, accidents and catastrophes, a Party to the Protocol shall always have special regard to the form and manner in which victims, survivors or persons close to them are recorded, portrayed and reported.
2. Neither a media product nor a content service shall gratuitously depict scenes of real violence where the actual process of dying is unduly emphasized or persons subjected to physical or psychological suffering are depicted, with special regard to victims of crimes or their relatives, in a manner that is considered to be an unwarranted interference with human dignity.

ARTICLE 9

SPECIAL ASPECTS OF THE BEST INTERESTS OF THE MINOR

1. A Party to the Protocol shall never publish or disseminate content that fulfils the characteristics of child pornography.
2. A Party to the Protocol shall only make available a media product that contains pornography or gross, gratuitous violence to registered subscribers who, based on the due diligence of the Party to the Protocol, can be judged not to be minors.
3. A content service in which a Party to the Protocol provides content containing pornography or depictions of gross, gratuitous violence shall be provided by a Party to the Protocol with the provision of technical measures to control access by minors, in particular encryption and effective parental control tools, and access to such content shall be provided by a Party to the Protocol only to registered subscribers who can be concluded, based on the due diligence of the Party to the Protocol, not to be minors.

ARTICLE 10

SPECIFIC ASPECTS OF TERRORISM REPORTING AND PORTRAYAL

1. A Party to the Protocol shall not publish or disseminate, through or as part of a media product or content service, information with the intent to publicly
 - (a) incite the commission of any act of terrorism; or
 - (b) endorse any act of terrorism
2. A Party to the Protocol shall also not publish or disseminate content that
 - (a) incites conduct that meets the elements of any of the terrorist offences; or
 - (b) endorses conduct that fulfils the elements of any of the offences of terrorism.

ARTICLE 11

SPECIFIC ASPECTS OF REPORTING AND PORTRAYING EXTREMISM

1. Unless there is such a compelling public interest in publishing the content that it quite clearly outweighs the risks of publication, a Party to the Protocol shall not publish or participate in the dissemination of content that fulfils the characteristics of extremist material.
2. A Party to the Protocol shall never publish or disseminate content that fulfils the elements of the offence of Holocaust denial and approval, crimes of political regimes and crimes against humanity, the offence of defamation of a nation, race or belief, or the offence of incitement to national, racial or ethnic hatred.

ARTICLE 12

NON-DEROGABLE RULES

In publishing information and content and in disseminating it through or in media products or content services, a Party to the Protocol shall comply with all legal norms that restrict content in a constitutionally compliant manner with respect to the protection of humanity, human dignity or minors, including those that are not reciprocated in the Protocol, for example, because they were not yet in force or in effect at the time of its adoption.

ARTICLE 13

OBLIGATIONS OF COOPERATION

1. A Party to the Protocol undertakes, in connection with the assessment of compliance with the Protocol, to provide the Print and Digital Council, upon its request, without delay and free of charge

- (a) to supply or give it access to the published content or the disseminated content or a recording of the content, insofar as it is in its possession; in the case of a broadcaster, also to the recording of the broadcast, if no more than 45 days have elapsed since the date of the broadcast of the content relevant for the assessment of compliance with the rules of the Protocol,
 - (b) produce or allow inspection of all documents demonstrating compliance with the rule of the Protocol under consideration in its possession, or provide reliable information on the content of such documents with an explanation as to why they cannot be produced or inspected, otherwise such documents and information shall be deemed not to exist,
 - (c) provide such other information or other assistance as may be required in respect of other provisions of the Protocol.
2. The evidentiary hardship caused by a Party to the Protocol's refusal or failure to provide cooperation properly or in a timely manner, even though there was no legitimate objective reason to do so, shall not preclude the Print and Digital Council from assessing the disputed content in terms of compliance with the Protocol's rules to the detriment of the Party to the Protocol; this shall be without prejudice to the Print and Digital Council's power to issue a decision also for a breach of the ethical rule on obligations of cooperation under paragraph 1, or to include a statement on such breach in the substantive decision on the content under consideration.

ARTICLE 14

OBLIGATION TO TOLERATE AN INTERIM MEASURE

1. A Party to the Protocol undertakes to tolerate the interim measure (paragraph 2) and to implement the decision of the Print and Digital Council ordering the interim measure.
2. The Print and Digital Council may, in relation to the published content to be the subject of its consideration, order a Party to the Protocol, by way of interim measure, to prevent access by the public, a section of the public or a minor audience, or to suspend the public dissemination of the content under consideration, for a period of time pending its decision, if
 - (a) there is an imminent risk that its further dissemination will cause serious harm to the public, a minor audience or another section of the public; or
 - (b) there is a reasonable risk that further dissemination of the content will be ethically unsustainable because there is a serious suspicion of a breach of an ethical rule under Article 7(1), 7(2), 9(1), 10 or 11.
3. If a Party to the Protocol disagrees with the interim measure, it may object to it in writing within ten days of the date of receipt; the lodging of an objection shall not have a suspensive effect on the implementation of the ethical rule under paragraph (1). If the Print and Digital Council finds that the objection is justified or partially justified, it shall, within fifteen days of the objection being lodged, revoke or replace the initial interim measure, 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 interim measure where the grounds for ordering it pursuant to paragraph 2 have ceased to exist.

4. The ordered interim measure shall expire at the moment of the enforcement of the Print and Digital Council's decision on the merits of the content under consideration, unless it has been terminated earlier by cancellation by the Print and Digital Council; this shall not affect the Print and Digital Council's power to issue a decision, also for a violation of the ethical rule on the obligation to tolerate the interim measure (paragraph 1), or to include a verdict on this violation in the decision on the merits of the content under consideration.

PART THREE

PENALTIES 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. The sanction for non-compliance with the ethical rules of the Protocol shall always be the publication of the decision on violation on the website of the Association.
3. If an interim measure has been ordered, the substantive decision on the content under consideration shall always impose for non-compliance with the ethical rules of the Protocol either the obligation to immediately remove the unethical content or the obligation to immediately modify access to the content in an ethically desirable manner.
4. The following sanctions may be imposed for non-compliance with the ethical rules of the Protocol in addition to the sanction under paragraph 2 or 3:
 - (a) Publication of the decision on the violation in a manner determined by the Print and Digital Council, for example, in the form of a press release or by publication on a foreign web news portal,
 - (b) Publication of the infringement decision on the website of the infringing Party to the Protocol, its content service or its media
 - (c) Publication, other than pursuant to subparagraphs (a) or (b), at the expense of the infringing Party to the Protocol and specifying the time, duration, manner, form or frequency (frequency).
5. If the violation of the ethical rules of the Protocol is ongoing or threatens to recur, or if the interim 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. prohibition of further dissemination of the assessed content at all,
 2. a prohibition on the publication or dissemination of the assessed content without an ethically desirable modification,
 3. an order to withdraw (cease disseminating) the assessed content; or
 4. an order to modify the published content to make it ethical,
 - (b) an obligation to take other appropriate action without delay to prevent similar breaches in the future; or
 - (c) an obligation to take without delay a specific measure proposed by the Print and Digital Council to act as a preventive measure in the future, to remedy the serious consequences of the dissemination or to increase the level of protection against unethical acts or omissions.
6. Where a sanction has been imposed on a Party to the Protocol which consists in an obligation to do, not to do or refrain from doing something, the Print and Digital Council shall also specify in its decision the time limit within which the Party to the Protocol on which such sanction has been imposed shall notify it of the fulfilment of the sanction imposed, in particular the date, manner and form of the fulfilment of the obligation imposed.
7. If a party to the Protocol fails to notify the Print and Digital Council of the fulfilment of the imposed obligation within the specified time limit or fails to fulfil the imposed obligation, the Council shall institute proceedings before the Media Services Council, the Commission for the Protection of Minors or any other body competent according to the nature of the ethical rule.

ARTICLE 16

CERTAIN PROVISIONS ON PROCEDURAL TIME LIMITS

1. A decision on the merits shall, in relation to content services referred to in Article 1(1), normally be issued within two months of the date of receipt of the complaint, unless objective circumstances on the part of the party to the Protocol prevent this.
2. A decision on the merits preceded by an interim measure shall be issued, unless objective circumstances on the part of the Party to the Protocol prevent it, no later than three months from the date of receipt of the complaint.

ARTICLE 17

CERTAIN PROVISIONS ON THE POSTPONEMENT OF THE COMPLAINT

A complaint shall be deferred if

- (a) four years have elapsed since the event relevant to the assessment of compliance with the rules of the Protocol, or
- (b) an evidentiary emergency not caused by the Party to the Protocol affected by the complaint prevents the consideration of the complaint.

ARTICLE 18

MONITORING AND EVALUATION OF COMPLIANCE WITH THE PROTOCOL

1. The Print and Digital Council shall, immediately after the expiration of the prescribed time limit for compliance with the obligation imposed, have the compliance with the obligation monitored and have the information on compliance marked in the record of the evaluation of compliance with the Protocol; it shall communicate this information to the competent administrative authority only if it has an impact on the legal proceedings brought by it against a party to the Protocol.
2. The Association shall carry out a continuous evaluation of compliance with the obligations imposed and if a Party to the Protocol repeatedly fails to comply with the obligations established, the Association may decide to suspend the application of the self-regulatory mechanism against 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, for the second time in the course of a calendar year, fails to notify the Council of the fulfilment of an obligation imposed on it within the prescribed time limit, or fails for the second time to fulfil an obligation imposed on it, shall cease to be a Party to the Protocol on the date on which the relevant time limit for fulfilment has expired in vain, but no later than the end of the calendar year in question; the termination of accession shall be notified to the 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) the list of the Parties to the Protocol,
 - (c) information on the Print and Digital Council,
 - (d) annual reports on the Association's activities,
 - (e) information on how to lodge complaints,
 - (f) information on the mechanism for independent control of the implementation of sanctions imposed and enforcement of the Protocol,
 - (g) the final texts of decisions issued under the Protocol.
5. The annual report on the activities of the Association shall also include
 - (a) a list of persons who have undertaken to comply with the Protocol (adhered 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 handling of complaints received,
 - (d) information on sanctions imposed and their implementation.
6. The Association shall submit its annual report on its activities to the Media Services Council within 60 days after the end of each calendar year.
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PART FOUR

FINAL PROVISIONS

ARTICLE 19

ACCESSION AND WITHDRAWAL, OTHER MEANS OF TERMINATION

1. The Protocol shall also be open to content service providers who are not members of the collective members of the Association, and they may express their consent to be bound by it by written notification to the Association; it shall also apply mutatis mutandis to the accession of the 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. Withdrawal shall be effective on the first day of the calendar month following the calendar month in which the notice of withdrawal is received by the Association.
3. Suspension of the application of the Protocol to a Party to the Protocol may be effected only pursuant to and in accordance with Article 18(2).
4. The exclusion of a Party to the Protocol from the application of the Protocol and the termination of its adherence otherwise than by withdrawal shall be subject exclusively to Article 18(3). 2.

ARTICLE 20

RESERVATION OF SCOPE

1. A reservation of scope may be made only by a Party to the Protocol that is a Party to the Protocol pursuant to Article 4(1)(a), and only in relation to the non-application of the provisions of Part Two of the Protocol in relation to
 - (a) some or all of the media products referred to in Article 1(2)
 - (b) any or all of the media products or content services referred to in Article 1(3),
 - (c) some, but not all, of the content services referred to in Article 1(1).
2. A Party to the Protocol pursuant to paragraph (1) may, upon accession to the Protocol or at any time thereafter, make a reservation of scope by delivering to the Association a notification stating the extent to which it claims a reservation of scope pursuant to paragraph (1); if it claims a reservation only in part, it shall also specify the particular content services or media products.
3. Unless the notification is made on accession to the Protocol, the notification shall be effective on the first day of January of the following calendar year

ARTICLE 21

CONTENT RESERVATION

1. A content reservation may only be made by a Party to the Protocol that is a Party to the Protocol pursuant to Article 4(1)(a), and only in relation to the non-application of certain provisions of Articles 7 to 11.
2. A Party to the Protocol under paragraph (1) may, upon accession to the Protocol or at any time thereafter, make a reservation of substance by delivering to the Association a notification stating the extent to which it is making a reservation of substance under paragraph (1).
3. Unless the notification is made on accession to the Protocol, the notification shall take effect on the first day of January of the following calendar year.

ARTICLE 22

AMENDMENTS

1. The Protocol may be amended only by decision of the competent organ of the Association.
2. Amendments to the Protocol shall enter into force and effect on the date of their adoption (approval) pursuant to paragraph (1), unless the competent organ of the Association decides at the same time on a later effective date.
3. On the date on which amendments to the Protocol enter into force, they shall also become binding on all Parties to the Protocol, including those which acceded to the Protocol pursuant to Article 19 prior to its amendment; their specific consent or further accession shall not be required.
4. Any amendment to the Protocol shall be notified by the Association to the Media Services Council within 30 days of its approval under paragraph (1).

ARTICLE 23

UNADJUSTED PROCEDURAL RULES

Procedural rules not covered by the Rules of Procedure or the Bylaws or these Minutes or other bylaws of the Association shall be decided by the Chair of the Print and Digital Council, unless he/she leaves the decision to the Print and Digital Council.

ARTICLE 24

BINDING

1. With respect to a member of a collective member of the Association who is such a member on the effective date (Article 25(2)), the Protocol shall become binding on the effective date (Article 25(2)), otherwise on the day following the date on which he becomes a member of a collective member of the Association.
2. With respect to a Party to the Protocol that accedes to the Protocol in the manner provided for in Article 19(1) after the effective date (Article 25(2)), the Protocol shall enter into force on the first day of the calendar month following the calendar month in which the Association receives notification of accession pursuant to Article 19(1).
3. With respect to a Party to the Protocol that has acceded to the Protocol in the manner provided for in Article 19(1) between the effective date and the effective date (Article 25(2)), the Protocol shall enter into force on the effective date (Article 25(2)).
4. Paragraphs (1) to (3) shall apply mutatis mutandis to a member of an association or other legal person which has acceded to the Protocol (Article 4(1)(c/)).
5. With respect to another provider which has not committed itself to the Protocol, but which declares that it accepts the decision of the Print and Digital Council for the case in question, undertakes to implement it and at the same time complies with the sanction imposed, if any, the Protocol shall become binding on the date of such declaration of acceptance by such other provider and, if the compliance with the sanction imposed occurs later, on the date of compliance with the sanction imposed.

ARTICLE 25

TRANSITIONAL PROVISIONS

1. The provisions of paragraphs 2(2) and 3(5) and (9) of the Rules of Procedure, as in force on the date of entry into force of the Protocol, shall not apply to the application of the Protocol until it is amended.
2. In the case of a complaint or complaint for review, which would be the responsibility of the Media Services Council, the Commission for the Protection of Minors or another administrative body according to the nature of the ethical rule, the provisions of § 3(2) of the Rules of Procedure as in force on the date of the Protocol's entry into force, until the amendment of this provision of the Rules of Procedure is amended; the Print and Digital Council shall decide, depending on the nature of the case, whether to decide on the complaint (complaint) in a separate proceeding, to merge the proceeding with another proceeding or to refer the complainant to a completed

proceeding.

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, as in force on the date of entry into force of the Protocol, the application of which would completely frustrate or substantially impede the exercise of its oversight of the Protocol, until such provision of the Rules of Procedure has been amended.

ARTICLE 26

EFFECTIVE DATE

1. The Protocol shall take effect 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. Unless the Protocol enters into force earlier pursuant to the preceding sentence, it shall enter into force on 5 November 2024.



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