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17 April 1997.

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The Supreme Council of the Republic of Latvia  
has adopted a Law:

## **On the Press and Other Mass Media**

### **Chapter I General Provisions**

#### **Section 1. Freedom of the Press**

Any person, any groups of persons, authorities of State institutions and all types of undertakings and organisations in the Republic of Latvia have the right to freely express their views and opinions, disseminate announcements in the press and other mass media, and receive by such means information on societal life or any issue they are interested in.

Censorship of the press and other mass media is not permitted.

Monopolisation of the press and other mass media is not permitted.

#### **Section 2. The Press and Other Mass Media**

In accordance with this Law the press and other mass media (hereinafter – mass media) are newspapers, magazines, newsletters and other periodicals (published not less frequently than once every three months, with a one-time print run exceeding 100 copies), as well as television and radio broadcasts, newsreels, information agency announcements, audio-visual recordings, and programmes intended for public dissemination.

The provisions of this Law shall not apply to instructions of State authorities and administrative bodies, regulatory enactments, official bulletins of the courts and arbitration practices, and materials issued by educational and scientific institutions.

#### **Section 3. Legal Status**

A legal person may be a founder or a publisher and an editorial board of a mass medium.

#### **Section 4. Operation of Mass Media**

Mass media shall gather, prepare and disseminate information in accordance with the laws of the Republic of Latvia.

Interference with the operation of mass media is not permitted.

In ensuring the realisation of the principle of freedom of the press, for institutions, undertakings and organisations, the economic operation of which is related to print runs of periodicals, refusal on the grounds of political reasons to accept and execute orders for printing publications is prohibited.

#### **Section 5. Right to Receive Information**

Mass media have the right to receive information from the State and from public organisations.

#### **Section 6. Refusal to Provide Information**

State and public organisation officials may only refuse to provide information if it is not to be published in accordance with Section 7 of this Law.

#### **Section 7. Information not for Publication**

It is prohibited to publish information which is an official secret or other secret especially protected by law that promotes violence and the overthrow of the prevailing order, advocates war, cruelty, racial, national or religious superiority and intolerance, and incites to the commission of some other crime.

Materials from pre-trial investigations shall not be published without the written permission of the prosecutor or the investigator. Publication of materials that violate the presumption of innocence shall not be permitted in the reporting of judicial proceedings. During open court sittings journalists may make recordings by means of technical devices if these do not hinder the course of judicial procedures.

It is prohibited to publish the content of correspondence, telephone calls and telegraph messages of citizens without the consent of the person addressed and the author or their heirs.

The use of mass media to interfere in the private life of citizens is prohibited and shall be punished in accordance with the law.

It is prohibited to publish information that injures the honour and dignity of natural persons and legal persons or slanders them.

It is prohibited to publish information concerning the state of health of citizens without their consent.

It is prohibited to publish business secrets and patent secrets without the consent of their owners.

### **Chapter II Founding Mass Media and Termination of their Operations**

#### **Section 8. Founding**

Legal persons of the Republic of Latvia, as well as natural persons with the capacity to act have the right to found and publish mass media.

Relations between a founder, publisher and an editorial board shall be regulated by an agreement.

## **Section 9. Registration**

Mass media shall be registered by the Enterprise Register of the Republic of Latvia. An application for registration shall be submitted by the founder of a mass medium. The application may be submitted by a publisher or an editorial board if this is provided for in an agreement entered into by founders. The application shall be examined and a decision shall be within a ten-day period from the date of its submission.

The application shall contain the following information:

- 1) founder, publisher or editorial board;
- 2) name of the mass medium;
- 3) thematic content and tasks of the mass medium;
- 4) the territory or audience to which the major portion of the mass medium production is intended to be disseminated or broadcast;
- 5) the initial periodicity and extent of the mass medium; and
- 6) the address of the editorial board of the mass medium.

A document regarding the payment of registration fees shall be submitted together with the application for registration.

A registration certificate shall be issued upon registration of a mass medium.

The right of a founder (publisher) of a mass medium to begin operation shall be retained for one year from the date of receipt of a registration certificate.

[17 April 1997]

## **Section 10. Rejection of a Registration**

The Enterprise Register of the Republic of Latvia may reject the registration of a mass medium, if:

- 1) the requirements set out in Sections 4, 8 or 9 of this Law have not been complied with; and
- 2) false information is given in the submission.

Registering mass media under the name of a mass medium which is already being published or has terminated operation by court adjudication is prohibited.

The submitter shall be notified in writing of the rejection of the registration of the mass medium within a five-day period from the day the decision was made, indicating the reason for the rejection. Such a rejection may be appealed to a court in accordance with the procedures prescribed by law.

[17 April 1997]

## **Section 11. Termination of Operations**

Operation of a mass medium shall be terminated:

- 1) if its founder or publisher and editorial board terminate the operation of the mass medium in cases provided for by law;
- 2) if the mass medium has not been published within one year after receipt of a registration certificate; and
- 3) if a court has made an adjudication regarding termination of the operation of the mass medium.

If the operation of a mass medium is terminated in cases provided for by Clauses 1 and 3 of this Section, the head of the mass medium or the court shall within a three-day period after termination of the operation notify the Enterprise Register thereof.  
[17 April 1997]

## **Section 12. Termination of Operation by a Court Adjudication**

The Prosecutor General of the Republic of Latvia, the Chief State Notary of the Enterprise Register and the Minister for Finance have the right to initiate that the court adjudicate the matter in regard to termination of operation of a mass medium.

A court may make an adjudication regarding the termination of operation of a mass medium, if it:

- 1) has published an invitation to use violent or any other unlawful methods;
- 2) has published an invitation not to comply with laws of the Republic of Latvia;
- 3) has not paid the taxes provided for by the laws of the Republic of Latvia within the term and the extent specified and does not submit to an audit by the State financial institutions;
- 4) has published information which in a criminal case has been found by court judgment to be slanderous and defamatory, a disclosure of official secrets, war propaganda, or violation of racial and national equality; and
- 5) within a one-year period has repeatedly committed other violations of the provisions of this Law.

[17 April 1997]

## **Section 13. Control of the Termination of Operation**

If operation of a mass medium is terminated by a court adjudication, the Enterprise Register may appoint authorised persons who shall be assigned to implement the execution of the adjudication that has been made.

[17 April 1997]

### **Chapter III Organising the Operation of Mass Media**

## **Section 14. Production and Financial Operation**

The production and financial operation of mass media shall be regulated by laws of the Republic of Latvia and other regulatory enactments.

## **Section 15. Mutual Relations of a Founder or Publisher and an Editorial Board of a Mass Medium**

Mutual relations of a founder or publisher and an editorial board of a mass medium, as well as relations with other legal persons and natural persons shall be regulated by the laws of the Republic of Latvia, civil contracts and employment contracts.

Civil contracts shall determine:

- 1) the obligation of the editorial board to publish materials of the founder or publisher;

- 2) the financing of the operation of the editorial board;
- 3) the distribution of income (profit) obtained through the mass medium;
- 4) the mutual obligations of the founder or publisher and editorial board to ensure appropriate productivity, social and community (working) conditions for editorial staff; and
- 5) other civil legal relations between the founder or publisher and editorial board.

#### **Section 16. Editor (Editor-in-chief) of a Mass Medium**

An editor (editor-in-chief) shall be responsible for the work of an editorial board of a mass medium and its other departments in accordance with his or her competency, which is determined by this Law, regulatory enactments, as well as agreements entered into with the founder or publisher.

The editor (editor-in-chief) shall manage the work of the editorial board of the mass medium, represent it in relations with the founder, publisher and other legal persons and natural persons.

The editor (editor-in-chief) shall be responsible for the content of the materials to be published in the mass medium.

#### **Section 17. Observance of Copyright**

When using the materials to be published and broadcast, a mass medium shall observe the laws of the Republic of Latvia and international copyright norms.

#### **Section 18. Issue Data**

Each press run shall include the following information:

- 1) name of the publication, and for serial publications – name of the series, sub-series and serial number;
- 2) place and year of publishing;
- 3) information concerning a reprint (for non-periodical publications),
- 4) publisher (institution, organisation, or name and surname of a citizen),
- 5) editor (name, surname), editorial board and its address;
- 6) the printing-house, its address, the order number, printing type (technique);
- 7) size of the publication print run, the price, the quantity (printed sheet statistics) of the publication; and
- 8) the registration certificate number.

#### **Section 19. Mandatory Copies**

Mandatory copies of print publications shall be forwarded to institutions and organisations in accordance with the procedures prescribed by the Council of Ministers of the Republic of Latvia.

#### **Section 20. Retaining Published Information Materials**

Editorial boards of mass media have the obligation to retain relevant manuscripts, documents created during the process of preparation and transmission of television and radio broadcasts for three years after the date of dissemination of the information or data.

## **Section 21. Retraction of False Information**

Persons, institutions, undertakings and organisations are entitled to require mass media to retract information published (broadcast) about them if such information is not true.

A submission for retraction of false information shall be submitted to an editor of a mass media within a six-month period from the date of publication (broadcast) of the false information.

The submission must precisely specify the information not conforming to fact, the place (broadcast) and date of its publication.

The editor of the mass medium is obliged to examine the submission within a seven-day period from the date of its receipt.

If the mass media has no evidence that the published (broadcast) information conforms to fact, it must retract such without delay. The retraction must be published in the same typeface, in the same section of the publication (broadcast) in which the false information was published. In the event of a dispute, the interested person or organisation may request the retraction of such information by court process.

If an obligation to retract false information has been imposed on a mass medium by a court adjudication, it shall be done in accordance with the provisions of this Section.

A mass medium may refuse to retract disseminated information if the facts are confirmed by a court judgment.

## **Section 22. Secrecy of the Source of Information**

A mass medium may choose to not indicate the source of information. If the person who has provided the information requests that his or her name is not to be indicated in a mass medium, this request shall be binding upon the editorial board.

The source of information shall only be produced at the request of a court or a prosecutor.

## **Chapter IV Journalists, Their Rights and Obligations**

### **Section 23. Journalists**

Under this Law, a journalist is a person who gathers, compiles, edits or in some other way prepares materials for a mass medium and who has entered into an employment contract or performs such work upon the instruction of a mass medium, or is a person who is a member of the Journalists' Union.

### **Section 24. Rights of Journalists**

A journalist has the right to:

- 1) gather information by any method not prohibited by law and from any source of information not prohibited by law;
- 2) disseminate information, with the exception of such, which is not to be disseminated in accordance with Section 7 of this Law;
- 3) be present where socially significant events take place and, when informing from such, also use official communication channels;

- 4) refuse to prepare and publish material if it is in conflict with his or her views; and
- 5) prior to publication delete his or her signature from material if its content has been distorted as a result of editing.

When exercising the rights referred to in this Section, journalists, where necessary, shall produce a certificate of membership in the Journalists' Union or of employment with a mass medium, or an authorisation granted by such.

### **Section 25. Obligations of a Journalist**

A journalist shall have the obligation to:

- 1) provide true information;
- 2) when publishing a statement for the first time, according to the wishes of the person providing the information, indicate its author;
- 3) inform an editor that the submitted material affects official or other secrets protected by law;
- 4) refuse to perform tasks the performance of which involves violation of the law; and
- 5) observe the rights and lawful interests of the State, public organisations, companies (undertakings) and citizens.

### **Section 26. Accreditation**

Mass media may accredit their journalists in institutions, undertakings and organisations co-ordinating this with authorities therein or their authorised persons. An accredited journalist has the right to participate in open meetings organised by accrediting organisation and in other events, and he or she shall be provided with transcripts, minutes and other documents in accordance with procedures set by such organisation.

Permanent representatives of foreign mass media to the Republic of Latvia may be accredited by the Ministry of Foreign Affairs of the Republic of Latvia.

An accrediting organisation may suspend the accreditation of a journalist if he or she does not observe the provisions of Section 25 of this Law.

The Ministry of Foreign Affairs of the Republic of Latvia may suspend accreditation of foreign journalists if they violate laws of the Republic of Latvia.

## **Chapter V Liability for Violations of this Law**

### **Section 27. Basis for Liability**

A person committing a breach of confidence with respect to a source of information, interference with the performance of the duties of a journalist, dissemination of information injuring human honour and dignity or disclosure of an official or other secret protected by law shall be held liable in accordance with laws of the Republic of Latvia.

Persons at fault for the creation and dissemination of a mass media without registration or after termination of their activity shall be held liable in accordance with the procedures prescribed by laws of the Republic of Latvia

## **Section 28. Compensation for Injury**

Injury, also, moral injury, caused by a mass medium to a natural or a legal person by providing false information, slandering and injuring the honour and dignity of a person by the publishing of data and information the publication of which is prohibited by law, a mass media shall provide compensation to such person in accordance with the procedures prescribed law.

## **Section 29. Release from Liability**

Mass media shall not be held liable for the dissemination of false information, if it contains:

- 1) official documents of the State authorities and administrative bodies, announcements by political and public organisations;
- 2) announcements by official information agencies; and
- 3) publications by officials.

## **Chapter VI**

### **International Co-operation in the Field of Mass Information**

## **Section 30. International Treaties and Agreements**

International co-operation of mass media shall be regulated by treaties and agreements entered into by the highest State authorities and administrative bodies of the Republic, mass media, professional organisations of journalists or other creative unions in accordance with laws of the Republic of Latvia and norms of international law.

The Supreme Council of the Republic of Latvia  
Chairperson

A. Gorbunovs

The Supreme Council of the Republic of Latvia  
Secretary

I. Daudišs

Riga, 20 December 1990

### **Transitional Provisions Regarding Amendments to the Law On the Press and Other Mass Media**

#### **Transitional Provision**

(regarding amending law of 17 April 1997)

Transitional Provision

With the coming into force of this Law, Cabinet Regulation No.19, Amendments to the Law On the Press and Other Mass Media, issued in accordance with Article 81 of the Constitution (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1997, No. 5), is repealed.