LAW OF UKRAINE On Print Media (Press) in Ukraine

as of March 2014

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(Vidomosti Verkhovnoyi Rady Ukrayiny (VVR), 1993, N 1, p. 1 )

(Enacted by Resolution of the Verkhovna Rada
No. 2783-XII ( 2783-12 of November 16, 1992, VVR, 1993, No. 1, p. 2 )

{As amended by Laws
No. 3582-XII ( 3582-12 ) of November 11, 1993, VVR, 1993, No. 46, p.427
No. 70/97-BP of February 14, 1997, VVR, 1997, No. 15, p.115
No. 1268-IV ( 1268-15 ) of November 18, 2003, VVR, 2004, No. 11, p.141
No. 2938-VI ( 2938-17 ) of January 13, 2011, VVR, 2011, No. 32, p.313
No. 5492-VI ( 5492-17 ) of November 20, 2012
No. 5461-VI ( 5461-17 ) of October 16, 2012
No. 409-VII ( 409-18 ) of July 04, 2013
No. 1170-VII (1170-18 ) of March 27, 2014)

The Law sets the legislation framework for the activities of print media (press) in Ukraine, outline government guarantees of freedom of the press according to the Constitution of Ukraine (254к/96-BP), the Law of Ukraine On Information (2657-12) and other regulations and international legislation recognized by Ukraine.

Section I

GENERAL PROVISIONS

Article 1. Print media (press) in Ukraine
In this Law, Ukrainian print media (press) shall mean the periodicals and serial publications that are published under a permanent name with frequency of one of more issues (releases) during a year and have a state registration certificate.

Supplements to print media published in form of a newspaper or magazine shall be considered separate periodicals and serial print publications to be registered on general terms.

The print media mentioned in Parts One and Two hereof can contain other information media (records, floppy discs, audio cassettes, videotapes, etc) that can be disseminated according to the applicable laws of Ukraine.

A print publication shall be considered as released if it was signed off for release and published in any circulation. Distribution area of a print publication shall not be limited.

**Article 2. Freedom of the press**

Freedom of speech and free expression of his or her views and beliefs in a printed form is guaranteed by the Constitution of Ukraine and according to this Law it implies that everyone is entitled to be free and independent when searching for, receiving, recording, using and disseminating any information through printed media unless otherwise envisaged by the law, when restriction of such right is required to ensure national security and territorial integrity or public order and in order to prevent disturbances or crimes, to ensure public medical care, to protect reputation or rights of other people, to prevent disclosure of information which was received confidentially or to support the authority and detachment of justice (Part One, Article 2 as amended according to Law No. 1703-IV (1703-15) of May 11, 2004; according to the Law No. 1170-VII (1170-18) of March 27, 2014)

Print media shall be free. Establishing and funding authorities, institutions, organizations or positions to censor information in mass media shall be prohibited.

Officials of government authorities, companies, institutions, organizations and civil associations shall not be allowed to demand prior agreement of announcements and stories disseminated by print media and must not prohibit dissemination of announcements and stories except when the official is the author of the disseminated information or gave an interview.

The government shall guarantee economic independence and provide economic support to print media and prevent monopoly abuse by publishers and distributors of print information. The Cabinet of Ministers of Ukraine shall determine the actions to be taken to ensure the economic support of print media. {Part Four, Article 2 as amended by Law No. 5461-VI (5461-17) of October 16, 2012}

**Article 3. No abuse of freedom of the press**

Print media in Ukraine shall not be used for:

- dissemination of the information banned for disclosure by Article 46 of the Law of Ukraine On Information (2657-12)
- propaganda of war, violence and cruelty
- incitement of ethnic, national and religious hatred
- distribution of pornography and for committing an act of terror and other crimes. (Paragraph 6, Part 1, Article 3 as amended by Law N 1268-IV (1268-15) of November 18, 2003)

It shall be prohibited to use print media for:
- interfering into the private life of individuals, encroaching their honor and dignity
- interference in private and family life of a person, except as provided by law;
- damage to dignity and honor of a person (Paragraph two of article 3 as amended by the Law No. 1170-VII (1170-18) of March 27, 2014)
- disclosing any information that may identify a juvenile delinquent without his and his representative’s consent.

Article 4. Language of print media
Print media in Ukraine shall be published in the national language and other languages.
The style and words used in print media shall comply with generally accepted ethical and moral standards. Using abusive and harsh words shall be prohibited.

Article 5. Print media legislation
The relations connected with operation of print media in Ukraine shall be governed by the Constitution of Ukraine (254к/96-BP), Law of Ukraine On Information, this Law and other regulatory acts of Ukraine.

This Law shall be applied to print media established in Ukraine and print media set up in other countries and distributed in Ukraine.

Section II
ORGANIZATION OF PRINT MEDIA OPERATIONS

Article 6. Operations of print media
In their operations, print media collect, create, edit and prepare information for print as well as publish print publications to disseminate information among readers.

Operations of print media carried out for profit purposes shall be considered as business activity in this area and shall comply with this Law, the Law of Ukraine On Entrepreneurship (698-12) and other applicable regulations of Ukraine.

Operations of print media are ensured by independence of the print media entities in all kinds of relations connected with the exercise of their rights and performance of duties. Intruding into operations of print media outside the limits established herein shall be prohibited.

Operations of print media in advertising production and distribution shall be carried out according to the Law of Ukraine On Advertising (270/96-BP). (Part Four was added to Article 6 according to Law No. 70/97-BP of February 14, 1997)

Operations of print media related to pre-election campaigning or political advertising during the election or referendum process shall comply with the laws on elections and
referendum. (Part Five was added to Article 6 according to Law No. 744-IV (744-15) of May 15, 2003)

**Article 7. Print media entities**

Print media entities include a founder (co-founders) of a print media outlet, its editor (editor-in-chief), editorial board, editorial office editorial office members, journalist team, a journalist, an author, a publisher and a distributor.

The founder (co-founders) can act as the editorial office, publisher and distributor at the same time.

The editorial office can be the founder (co-founder), publisher and distributor.

**Article 8. The right to establish a print media outlet**

The following individuals and entities shall have a right to establish a print media outlet:

- citizens of Ukraine, nationals of other countries and stateless individuals, whose legal rights and capacity have not been restricted;
- legal entities of Ukraine and other countries;
- employees of companies, institutions and organizations on basis of an appropriate decision of the general meeting (conference).

An individual or entity, who has founded a print media outlet, shall be its founder.

Individuals or entities, who have joined to found a print media outlet, shall be its co-founders.

**Article 9. Relations between co-founders of a print media outlet**

Relations between co-founders of a print media outlet and between entrepreneur co-founders regarding the establishment and operations of the print media outlet shall be fixed in the founders’ agreement signed by them according to the applicable laws of Ukraine.

The founders’ agreement shall prescribe procedures for distribution of production, financial and material support responsibilities between the founders to ensure operation of the print media outlet.

If one of the co-founders is an individual, the founders’ agreement shall be notarized.

Disputes arising between co-founders of the print media outlet during conclusion, execution and termination of the founders’ agreement shall be settled as prescribed by the applicable laws of Ukraine.

**Article 10. Guarantees against monopolization of print media**

Monopolization of national and regional general interest print media is prohibited in Ukraine.

An individual or legal entity cannot be the founder or (co-founder) or control over 5% of such print media publications.

Exercising control means direct or indirect (through related parties) ownership of interest (participatory interests, shares) that gives 50% or more of votes in the highest
governing body of the legal entity, which is the founder (co-founder) of the print media outlet.

\{Part Three, Article 10 of Law N 409-VII (409-18) of July 04, 2013\}

A central executive authority implementing the public policy in the area of state registration of print media shall control compliance with this Article.

\{Part Four of Article 10 as amended according to Law No. 5461-VI (5461-17) of October 16, 2012\}

**Article 11. State registration of print media**

A print media outlet can publish publications after its state registration (z0173-06).

All print media published in Ukraine regardless of their distribution area, circulation and production methods shall be subject to state registration.

Applications for state registration of a print media outlet shall be filed by the founder (co-founders) to the central executive authority implementing the public policy in the area of state registration of print media. \{Part Three, Article 11 as amended by Law No. 5461-VI (5461-17) of October 16, 2012\}

**Article 12. Application for state registration of a print media outlet**

The application for state registration of a print media outlet shall specify:

1) the founder (co-founder) of the publication

1-1) an affiliated party – a legal entity or individual that exercises control over the founder (co-founders), owner (co-owners) of the print media outlet as well as a legal entity controlled so by the founder or owner (co-owners). If one of the co-founders (co-owners) of the print media outlet is an individual, his/her related parties include also family members (husband, wife, children, parents, stepmother and stepfather, brothers, sisters and their children, husbands (wives)), with whom he/she exercises joint control over the print media outlet \{Part One of Article 12 is added with Clause 1-1 according to the Law N 409-VII (409-18) of July 04, 2013\}

2) type of publication

3) name of publication

4) language of publication

5) distribution scope (local, regional, national, international) and reader categories

6) program goals (fundamental principles) or thematic focus

7) projected periodicity, volume and format of the publication

8) legal address of the founder, each co-founder and his (their) banking details

9) location of the editorial office.

The registering authority may ask the founder (co-founder) to submit documents that prove his (their) legal capacity and powers (passport of the citizen of Ukraine, charter, co-founders’ agreement, agreement with a successor, power of attorney, etc.).
Other information and documents must not be required from the founder (co-founders) during the state registration.

The founder (co-founders) of the print media outlet shall notify accordingly the registering authority within a month of any change of the type of the publication, the legal address of the founder (co-founders) and location of the editorial office.

Article 13. Procedures of considering the application for state registration of a print media outlet

The registering authority shall, within a month, consider the application for state registration of a print media outlet and notify the founder (co-founders) in writing about the result.

Within the specified term the registering authority shall decide on whether:
   a) to carry out state registration, or
   b) to deny state registration, or
   c) to suspend consideration of the registration application.

The registering authority may suspend the term if:
   1) the founder (co-founders) failed to submit documents that confirm his/their legal capacity and powers;
   2) the co-founders have not concluded a founders’ agreement specified in Article 9 hereof;
   3) circumstances occurred that prevent timely state registration because of reasons beyond control of the registering authority.

The suspended term of consideration shall resume from the day when the applicant has informed in writing about elimination of the barriers to the state registration of the publication.

Article 14. Distributing print information without state registration of print media

The following materials shall not be subject to state registration:
   1) legislative, official regulatory and other acts, court case bulletins published by legislative, court and executive authorities; (Clause 1, Article 14 as amended by Law No. 762-IV (762-15) of May 15, 2003)
   2) information and documents published by companies, organizations, education and science institutions for own activities;
   3) print products made with help of technical means not for public distribution, or typewritten, or reproduced not for publication.

Article 15. Denial of state registration of a print media outlet

The registering authority may deny to register a print media outlet only if:
   1) the name of the print media outlet, its program goals (fundamental principles) or thematic focus conflict with Articles 3 and 4 hereof;
2) the registering authority previously issued a registration certificate to a print media outlet with the same name, except for publications published in different languages;

3) the application has been filed before the end of a year following the date when a decision to terminate operations of the print media outlet took effect;

4) if the founder (co-founders) breached Article 10 of this Law.

{ Clause Four was added to Part One, Article 15 according to Law No. 409-VII (409-18) of July 04, 2013 }

The written notice of denial shall specify the reasons outlined in this Article.

**Article 16. Certificate of state registration of a print media outlet**

The certificate of state registration of a print media outlet shall be granted to the founder (co-founders) after he (they) has (have) paid the registration fee.

The founder (co-founders) shall reserve the right to start publishing the print publication within a year of receipt of the certificate.

Should this term be unreasonably missed, the state registration certificate shall become invalid.

A copy of the certificate shall be issued upon a written request made by the founder (co-founders) to the registering authority.

A specimen of the certificate of state registration of a print media outlet shall be approved by the Cabinet of Ministers.

**Article 17. Registration fee**

A registration fee shall be charged for a certificate of state registration of a print media outlet. The amount and procedures to charge the fee shall be established by the Cabinet of Ministers of Ukraine.

The registration fee shall be reduced by 50% for print media for children and disabled people. Print media established for charitable purposes and free circulation shall be released from paying the registration fee.

A founder (co-founders) shall pay the registration fee within one month of receipt of a written notice from the registering authority about the state registration of the print media outlet.

A fee amounting to 20% of the established registration fee shall be charged for issue of a copy of the registration certificate.

Print media published and circulated in Ukraine but registered in other countries shall be subject to state registration in Ukraine and pay 50% of the registration fee.

**Article 18. Termination of a print publication**

Release of a print publication can be terminated by a decision of the founder (co-founders) or court.

A founder (co-founders) shall be entitled to terminate the print publication as established by the founders’ agreement or editorial charter or other agreement made
between the founder (co-founders) and editorial office.

Court shall terminate the print publication if Part One of Article 3 hereof is violated or the legal entity which founded the print media outlet is liquidated. The court shall communicate the decision to the registering authority. {Part Three, Article 18 as amended by Laws No.3582-12 of November 11, 1993, No. 5461-VI (5461-17) of October 16, 2012}

Acting on the basis of the written notice of the founder (co-founders) agreed on by the editorial office or on the basis of the court decision on print publication termination, the registering authority shall declare invalid the certificate of state registration of the print media outlet.

Printed copies or part thereof in circulation may be forfeited only by a court decision or verdict that has taken effect.

**Article 19.** Appealing against denial of print media outlet state registration or against a decision on termination of release of a print publication

Founders (co-founders) can appeal to court against a denial of state registration of the print media outlet or violation of state registration procedures established in Article 13 hereof and against the print publication termination decision.

Cancellation of the print publication termination decision shall entail indemnification of losses incurred by the founder (co-founders), including indemnification for lost earnings.

**Article 20.** Re-registration of a print media outlet

A print media outlet shall be subject to re-registration in case of change of the founder (composition of co-founders), name, language or distribution areas.

A change of the founder (composition of co-founders) shall be fixed in an agreement between the founder (co-found) and his successor made according to the civil laws of Ukraine. The agreement shall be a ground for the successor to file a re-registration application as prescribed by Articles 11 and 12 hereof.

Any dispute in connection with the change of founder (composition of co-founders) shall be settled by court according to the civil laws of Ukraine.

In case of re-registration, the registration fee shall be 50%.

**Article 21.** Editorial office of a print media outlet

The editorial office or other office acting in this capacity shall be responsible for preparation and release of the print publication under the authority of the founder (co-founders).

The editorial office shall act on the basis of its charter and implement the print media outlet’s program approved by the founder (co-founders).

The editorial office shall become a legal entity at the date of state registration to be carried out according to the applicable laws of Ukraine.
Article 22. Editorial charter of a print media outlet

The print media editorial charter shall include production, property, financial and other conditions for the editorial office’s activities.

The charter shall be approved by the founder (co-founders) according to the applicable laws of Ukraine.

The charter may envisage any business operations not prohibited by law and meet goals of the editorial office’s activities.

The editorial charter shall stipulate the following: the founder (co-founders) and name of the print media outlet, location of the editorial office, subject and goals of activities, governing bodies and procedures for their establishment, competences and powers of journalists, team members and their elected bodies, procedures for editorial office’s property formation, regulations on making decisions on production, financial and technical support to sustain activities of the print media outlet and its editorial office, reorganization and termination regulations and other provisions.

Article 23. Editor (editor-in-chief) of a print media outlet

The editor (editor-in-chief) of a print media outlet shall be responsible for management of its operations and authorized to do so by the founder (co-founders).

The editor (editor-in-chief) shall be appointed (elected) and dismissed according to procedures established by the founder (co-founders) in the editorial charter as prescribed by the applicable labor laws of Ukraine.

The editor (editor-in-chief) elected by the editorial team may not be dismissed without consent of the team.

The editor (editor-in-chief) shall manage day-to-day operations of the editorial office, acting within powers given to him/her by the charter, represent the editorial office before the founder (co-founders), publisher, authors, government authorities, civil associations and individuals, courts and arbitration courts, and shall be liable for meeting requirements set for the print media outlet and its editorial office under this Law and other regulatory acts of Ukraine. (Part Four, Article 23 as amended by Law No. 762-IV (762-15) of May 15, 2003)

Article 24. Editorial board of a print media outlet

The editorial board is an advisory governing body of the editorial office. It shall be set up, operate and terminated according to the editorial charter. The editorial board shall be chaired by the editor (editor-in-chief).

Decisions made by the editorial board shall become effective once approved by the editor (editor-in-chief).

Article 25. Staff journalists in print media

Under this Law a journalist of a printed media is a creative professional who is professionally involved in collecting, receiving, creating and preparing information for printed media and acts under employment or other contractual relationship with its editorial office or is engaged in such activities under his/her authorization, which shall be confirmed by an editorial identity paper or other document issued to the journalist by the editorial office of the printed media.
Professional affiliation of the journalist may be verified by a document issued by a professional association of journalists.

A person which received an editorial identity paper or other document which confirms the authority of a journalist granted by the editorial office of a printed media, or his/her professional affiliation, shall be subject to the rights and obligations specified in Article 26 of this Law (the text on Article 25 as amended by the Law No. 1170-VII (1170-18 ) of March 27, 2014 ).

**Article 26. Rights and obligations of staff journalists**

Acting on the professional independence principles, the journalists shall exercise right and perform obligations established by the Law of Ukraine *On Information* (2657-12) and this Law.

A journalist shall have a right to:

1) receive, use, distribute (publish) and store any public information; *(Paragraph One, Part Two, Article 26 as amended by Law No. 1703-IV (1703-15) of May 11, 2004, the Law No. 1170-VII (1170-18 ) of March 27, 2014)*

2) visit central and local government authorities, companies, institutions and organizations and meet their officials; *( Sub-clause Two, Part Two, Article 26 as amended by Law No. 5461-VI(5461-17) of October 16, 2012)*

3) make records openly, including records with help of technical means, except as otherwise established by law;

4) have a free access to statistics, archives, library and museum stock; such access may be restricted only by specific nature of valuables and special storage conditions established by the applicable laws;

5) attend natural disaster or catastrophe sites, scenes of accidents, mass riots, rallies, demonstrations as well as emergency areas subject to production of the press ID card or other document that confirms his/her professional affiliation or authority granted by the editorial office of a printed media *( Point 7 of the second part of the Article 26 with changes according to the Law No. 1170-VII (1170-18 ) of March 27, 2014)*;

6) apply to specialists when verifying the information received;

7) distribute statements and stories he/she prepared; such statements and stories to bear his/her name, symbolic name (nickname) or no name (anonymous);

8) refuse to publish a story if after being corrected by an editor, the story contradicts personal beliefs of the author;

9) to privacy of authorship and sources of information except where privacy disclosure is required by court.
A journalist shall:

1) adhere to the program of the print media outlet where he/she is employed or bound by other contractual arrangements as well as comply with the editorial charter;

2) provide objective and reliable information for publication;

3) comply with requests of information providers regarding their authorship or protection of their privacy;

4) refuse to perform assignments of the editor (editor-in-chief) if their performance violates laws;

5) present himself/herself and produce his/her press ID card or other document that confirms his/her professional affiliation or authority granted by the editorial office of a printed media (Point 7 of the second part of the Article 26 with changes according to the Law No. 1170-VII (1170-18) of March 27, 2014);

6) perform obligations of a party to information relations;

7) avoid distributing, for commercial purposes, of any materials containing advertising of a manufacturer (its address, contact details, bank accounts), product or service identity, etc.

Journalists shall be liable for abuse of powers and failure to perform obligations as established by the applicable laws.

{Article 27 was removed under Law No. 2938-VI(2938-17) of January 13, 2011}

**Article 28.** Print media publishers

A publisher of a print media outlet can be a sole proprietor who provides material support to the print media outlet on the basis of the state registration certificate produced by the founder (co-founders) and an agreement made between them.

**Article 29.** Print media products

Products of a print media outlet shall be copies of a particular issue of the print publication published by the publisher and signed off by the editor (editor-in-chief).

**Article 30.** Distributors of print media products

A sole proprietor who sells, sends by subscription or otherwise distributes published copies of a periodical or serial publication shall be a print media product distributor.

It shall be prohibited by law to prevent distributors from carrying out their legitimate activities.

**Article 31.** Production, property and financial relations between print media entities

Production, property and financial relations between the founder, editorial office, distributor and publisher of a print media outlet shall be governed by the applicable laws and an agreement.

The agreement shall stipulate:

- cash funds to sustain the editorial office;
- parts of income (profit) of the editorial office to be distributed between the founder (co-founders), editorial office, publisher and distributor;
- obligations of the founder and publisher to ensure working, social and other conditions for life and work of editorial staff members according to the applicable laws;
- other provisions.

**Article 32. Publisher’s imprint**

Every issue of a print media publication shall have the publisher’s imprint containing:

1) name of the print media publication;
2) founder (co-founders);
3) last name and initials of the editor (editor-in-chief);
4) consecutive number of the issue and date of release;
4-1) last name and initials of an individual responsible for release of a particular issue;

Clause 4-1 was added to Part One of Article 32 according to by Law No. 409-VII (409-18) of July 04, 2013
5) subscription index number if the publication is distributed through subscription;
6) circulation;
7) price or word “Free”;
8) addresses, of the editorial office, publisher and publishing house;
9) series, number and date of the state registration certificate;
10) publisher (co-publishers).

No print media publication may be distributed without the publisher’s imprint.

**Article 33. Advance copies**

Right after printing, advance copies of periodical and serial publications shall be sent by the editorial office on a free basis to the founder (co-founders) and the registering authority.

**Section III**

**RELATIONS OF PRINT MEDIA EDITORIAL OFFICES WITH INDIVIDUALS AND ORGANIZATIONS**

**Article 34. Right to receive information through print media**

Pursuant to Article 9 of the Law of Ukraine *On Information* (2657-12), all Ukrainian citizens, legal entities and government authorities shall have a right to receive promptly through print media any publicly disseminated information about activities of government authorities, organizations, civil associations and their officials as well as other data necessary for them to exercise their rights, freedoms and legitimate interests and perform tasks and functions.

**Article 35. A request to receive public information.**

Procedure to receive public information by submitting a request for information is subject to the Law of Ukraine “On access to public information” (Article 35 according to the Law No. 1170-VII (1170-18) of March 27, 2014)

**Article 36. Copyrighted works and letters**
The editorial office shall use copyrighted materials, literature, scientific and art works subject to intellectual property laws. (Part One, Article 36 as restated by Law No. 1407-IV (1407-15) of February 03, 2004)

No one may obligate the editorial office to publish works, letter, other material or statement it rejected unless otherwise provided for by this Law or editorial charter.

A letter addressed to the editorial office can be used in statements and materials if the content of the letter and provisions of this Law are not violated.

The editorial office shall be under no obligation to answer letters or resend them to other organizations.

Article 37. Rebuttals

Individuals, legal entities and government authorities as well as their legitimate representatives shall be entitled to seek publication of a rebuttal by a print media editorial office in regard to published information about them that is wrong or degrading.

If the editorial office has no proof that the information it has published is true, it shall, upon claimer’s request, publish a rebuttal in the next issue or publish the rebuttal on its own initiative.

A rebuttal shall use the same font, be titled “Rebuttal” and put in the same place in a column where the rebutted information was published.

The rebuttal may not more than twice as long as the rebutted fragment, statement or material. No one can demand that a rebuttal be shorter than 50% of a standard typewritten page.

A rebuttal may be in form of a reply with the size not exceeding that of the rebutted material.

No cutting or other changes shall be allowed in the claimer’s rebuttal without his/her consent.

The editorial office shall deny publication of a rebuttal if such rebuttal:

1) violates Article 3 hereof,
2) conflicts with a court decision or verdict that has taken effect, and/or
3) is anonymous.

The editorial office may deny publication of a rebuttal if such rebuttal:

1) relates to information already rebutted by the editorial office;
2) was received together with the claimer’s request to publish it more than one year after publication of the rebutted information.

The editorial office shall, within one month of receipt of the request, publish the rebuttal and notify the claimer in writing of the time of publication if it is delayed or of the denial of rebuttal publication by specifying reasons.

The claimer may appeal to court to challenge denial of rebuttal publication or violation of publication procedures; the court to accept the appeal for consideration within one year of publication of the rebutted information.
Section IV

INTERNATIONAL ACTIVITIES OF PRINT MEDIA

Article 38. International activities and cooperation of print media

International activities and cooperation of print media shall be guided by international treaties of Ukraine, the Law of Ukraine On Information (2657-12), this Law and other applicable regulatory acts of Ukraine.

Editorial offices, journalists and their trade associations shall be involved in international cooperation of print media on the basis of agreements with citizens and organizations from other countries and with international organizations.

Article 39. Distribution of foreign print publications in Ukraine

For a foreign print media publication to be distributed in Ukraine, it shall obtain a permit from a respective government authority unless the distribution procedures are established by the international treaty.

Customs duties charged for importing foreign print media products to Ukraine shall be paid according to procedures and to the amounts established by the customs laws of Ukraine.

International treaties shall regulate manufacture of foreign print media products and distribution thereof in Ukraine.

Article 40. Establishing representative offices of foreign print media

Representative offices of foreign print media shall be established in Ukraine subject to agreement with the Ministry of Foreign Affairs unless otherwise provided for by the international treaty.

Foreign representative offices of Ukrainian print media shall be established according to laws and regulations of the host countries unless otherwise provided for by international treaties.

Section V

LIABILITY FOR VIOLATION OF FREEDOM OF THE PRESS

Article 41. Grounds for liability

Editorial offices, founders, publishers, distributors, government authorities, organizations and civil associations shall be liable for violation of print media laws.

Violations of the laws of Ukraine on print media shall include:

(Point 1 of the part two of the Article 41 was deleted upon Law No. 1170-VII (1170-18) of March 27, 2014)

2) illegal confiscation or destruction of print publication copies or a part thereof;
3) violation of journalist’s rights established hereby;
4) violation of Article 3 hereof;
5) abuse of journalist’s rights;

6) receipt of a state registration certificate by fraud;

7) production, release or distribution of a print publication without registration or after termination of the print media outlet, avoidance of re-registration or failure to notify a registering authority about the change of the print media type, legal addresses of the founder (co-founders) and/or location of the editorial office; (Clause Seven, Part Two, Article 41 as restated by Law No. 1107-IV(1107-15) of July 10, 2003)

8) violation of procedures for information placement and/or provision of advance copies;

9) violation of a right to claim a rebuttal and of procedures of rebuttal publication as prescribed by Article 37 hereof;

10) violation of intellectual property laws. (Clause Ten was added to Part Two of Article 41 according to Law No. 1407-IV (1407-15) of February 3, 2004)

Individuals and organizations at fault shall be brought to disciplinary, civil, administrative or criminal liability according to the applicable laws of Ukraine.

A staff journalist, editor (editor-in-chief) or other individuals who authorized distribution of materials that violate this Law shall be brought to liability for abuse of freedom of the press on a par basis with authors of such materials.

**Article 42. Release from liability**

The editorial office and a journalist shall not be held liable for publication of information which is wrong or degrading for individuals and organizations, violates laws and legitimate interests of individuals or abuses freedom of the press or journalist’s rights if this information:

1) was received from news agencies or the founder (co-founders);

2) they are contained in an answer to a request for information, submitted in accordance with the Law of Ukraine “On access to public information”, or in an answer to an application submitted in accordance with the Law of Ukraine “On applications of citizens”;

3) they are a verbatim reproduction of public speeches and messages of subjects of public authority, individuals and companies (Point 2 and 3 of Article 42 according to the Law No. 1170-VII (1170-18) of March 27, 2014);

4) is a word-for-word reproduction of materials published by other print media outlet, with the re-printed information referring to the source;

5) discloses secrets protected by law, but the information was obtained by the journalist by other than illegal means;

6) the Law envisages release from responsibility or holding person harmless for such actions (Article 42 was supplemented with point 6 according to the Law No. 1170-VII (1170-18) of March 27, 2014).

**Article 43. Protection and security of journalists while in execution of their duties**

A professional staff journalist shall be under legal and social protection of the editorial office while acting in the execution of his/her duties. The journalist’s reputation,
dignity and immunity shall be protected by law.

President of Ukraine LEONID KRAVCHUK

Kyiv, November 16, 1992
N 2782-XII