

Resolution of the Council of Ministers of the Republic of Belarus

No. 2015 of December 25, 2008
[Amended as of February 17, 2012]

On Several Issues Concerning Regulation of Mass Media's Activities

In accordance with Articles 33, 35, 46 and 54 of the Law of the Republic of Belarus of July 17, 2008 "On Mass Media", the Council of Ministers of the Republic of Belarus hereby has decided:

1. To approve the attached:

Regulations on order of opening correspondent posts by the legal persons which are entrusted with functions of the editorial board of a mass medium;

Regulations on order of opening correspondent posts of foreign mass media in the Republic of Belarus;

Regulations on order of accreditation of journalists of foreign mass media in the Republic of Belarus;

2. [Not given]

3. [Not given]

4. This Resolution enters into force since February 8, 2009

Prime-minister

S. Sidorskiy

Approved

Resolution

of the Council of Ministers

of the Republic of Belarus

No. 2015 of December 25, 2008

Regulations

on Order of Opening Correspondent Posts by the Legal Persons which are Entrusted with Functions of the Editorial Board of a Mass Medium

1. These Regulations, worked out in accordance with clause 2 of Article 33 of the Law of the Republic of Belarus of July 17, 2008 "On Mass Media", determine the order of opening, functioning and terminating activities in the territory of the Republic of Belarus of correspondent posts, to be opened by the legal persons which are entrusted with functions of the editorial board of mass medium (hereinafter - correspondent posts), with the exception of the foreign mass media's correspondent posts.

2. The correspondent post is a separate subdivision of the legal person which is entrusted with functions of the editorial

board of a mass medium (hereinafter - legal person) carrying out collection, creation (preparation), storage of informational reports and/or materials for that mass medium as well as dissemination of its produce.

3. Opening of the correspondent posts is performed by the legal person's decision with a view to ensure the most operational collection, processing of regional information for issuance of the mass medium.

4. The legal person shall notify district (city), district-within-the-city executive and administrative bodies of opening the correspondent post with indication of its address at the location of the correspondent post.

5. The data about a correspondent post shall be specified in the constituent documents of the legal person.

6. The correspondent post is entitled to carry out activities from the day of the state registration of respective changes and additions introduced in the constituent documents of the legal person.

7. The correspondent post acts on the basis of the regulations on correspondent post to be approved by the legal person, in accordance with these Regulations, the statute of the legal person, acts of legislation of the Republic of Belarus.

8. The data on name, type and specialization (topics) of the mass medium as well as on the name and address of the legal person shall be obligatorily contained in the regulations on the correspondent post.

9. The head of the legal person shall appoint, by his/her order, the head of the correspondent post – the administrator of the correspondent point..

10. The head of the correspondent post shall act according to a power of attorney of the head of the legal person, organize work of the correspondent post, represent the correspondent post in relations with state bodies, legal and natural persons and bear the full responsibility for its activities before the leadership of the legal person.

11. Workers of the correspondent post are the staff workers of the legal person.

12. Within the framework of fulfilling professional duties, workers of the correspondent post have the right to:

12.1 collect, request and receive information from state bodies, political parties, other public associations, other legal persons, as well as to storage and to disseminate information necessary for carrying out professional activities;

12.2 contact specialists when verifying facts and circumstances in connection with informational reports and/or materials received;

12.3 disseminate produce of the mass medium.

13 In the process of exercising their rights, the workers of the correspondent post are obliged to:

13.1 respect rights, freedoms and legal interests of natural persons, rights and legal interests of legal persons;

13.2 verify the truthfulness of the data received;

13.3 provide objective information for dissemination;

13.4 refuse an order when such order or its execution is connected with violation of the legislation of the Republic of Belarus.

14. Workers of the correspondent post also possess other rights and execute other duties in accordance with the legislation of the Republic of Belarus.

15. The correspondent post has the simple round seal with its name and stamps.

16. Termination of activities of the correspondent post is carried out on the basis of the decision of the legal person with notification of respective local executive and administrative bodies and introduction of respective changes into the constituent documents.

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Regulations

on the Order of Opening Correspondent Posts of Foreign Mass Media

1. These Regulations determine the order of opening foreign mass media's correspondent posts (hereinafter – correspondent posts) in the territory of the Republic of Belarus.

2. The terms and their definitions in the meanings established by the Law of the Republic of Belarus of July 17, 2008 “On Mass Media” are applied in these Regulations.

3. The opening the correspondent post is carried out by the decision of the Council of Ministers.

4. For the attainment of the permission on opening the correspondent post, the head of the foreign mass medium shall send a written appeal with the request for opening the correspondent post (hereinafter – the appeal), drawn up on an official blank form of that mass medium to the Council of Ministers of the Republic of Belarus. The appeal shall be transmitted through the Ministry of Foreign Affairs, a diplomatic representation or a consular office of the Republic of Belarus in the respective state.

The following shall be specified in the appeal:

purpose (purposes) of opening the correspondent post;

complete name of the foreign mass medium;

location, postal address of the foreign mass medium or the legal person which is entrusted with functions of the editorial board of the foreign mass medium;

date of the state registration of the foreign mass medium;

where, when and by whom has been created (established) the foreign mass medium, its form of ownership, topics, circulation and periodicity of issuance of the foreign mass medium;

intended location of the correspondent post in the territory of the Republic of Belarus;

data on persons authorized to run business on behalf of the correspondent post;

The appeal shall be accompanied by:

the Regulations on the correspondent post;

copies of the documents confirming the state registration of the foreign mass medium, legalized in the established order;

The appeal and the Regulations shall be submitted in one of the official languages of the Republic of Belarus.

5. The decision on opening the correspondent post shall be taken by the Council of Ministers of the Republic of Belarus not later than two months after the day of receipt of the respective appeal.

6. A certificate on opening the correspondent post (hereinafter – certificate) is to be drawn up by the Ministry of Foreign Affairs upon taking the decision on opening the correspondent post by the Council of Ministers of the Republic of Belarus, which is to be signed by the Minister of the Republic of Belarus or his/her deputy, registered and issued to the person authorized to run business on behalf of the correspondent post.

The following shall be specified in the certificate:

name of the foreign mass medium;

date of issuance and registration number of the certificate;

number and date of the resolution of the Council of Ministers of the Republic of Belarus on opening the correspondent post;

term for which the certificate is issued.

7. The term of validity of the certificate may be from one year to three years;

8. The certificate is to be handed in by the Ministry of Foreign Affairs to the person authorized to run a business on behalf of the correspondent post upon presentation by the said person of the document confirming powers to run business on behalf of the correspondent post issued by the foreign mass medium.

9. The opening of the correspondent post may be denied in the case if:

the documents envisaged in clause 4 of these Regulations have not been not submitted;

the appeal does not comply with the requirements specified in part one, two and four of clause four of these Regulations;
the Regulations on correspondent post does not comply with the requirements specified in part four of clause four of these Regulations;

the documents containing knowingly false data are submitted;

activities of the foreign mass medium contradicts the legislation of the Republic of Belarus.

In the case of taking decision about refusal of opening the correspondent post, the Ministry of Foreign Affairs shall inform the foreign mass medium, within ten days, with indication of the reasons of the refusal.

10. The correspondent post must be opened within six months after taking the decision on its opening by the Council of Ministers of the Republic of Belarus.

Stamp samples of the correspondent post as well as other information on its location, postal address, phone numbers and fax, bank account numbers must be submitted within ten days after the opening of the correspondent post to the Ministry of Foreign Affairs.

In the case when the foreign mass medium did not use the right to open a correspondent post during six months after the day of taking the decision on its opening by the Council of Ministers of the Republic of Belarus, the certificate loses its validity.

11. The certificate may be prolonged via sending an appeal of the foreign mass medium's leadership to the Council of Ministers of the Republic of Belarus through the Ministry of Foreign Affairs with a respective request not later than 30 days prior to the expiration of the term of its validity.

The Decision on extension of the certificate's term of validity shall be taken by the Council of Ministers of the Republic of Belarus not later than 30 days after receipt of the respective appeal.

12. Termination of activities of the correspondent post is made on the basis of the decision of:

the foreign mass medium;

the Council of Ministers of the Republic of Belarus on a submission of the Ministry of Foreign Affairs in the case of systematic violation (two and more times during a year) by the correspondent post of the legislation of the Republic of Belarus on mass media's activities.

13. In the case of termination of activities of the correspondent post on initiative of the foreign mass medium, the following shall be submitted to the Ministry of Foreign Affairs:

the foreign mass medium's leadership application on closing the correspondent post addressed to the Council of Ministers of the Republic of Belarus and including those contained the information about lack of arrears before a budget and destruction of stumps of the correspondent post;

a bank statement about closing bank accounts of the correspondents post;

the original certificate.

14. On the basis of submitted documents, the Ministry of Foreign affairs shall submit a respective submission to the Council of Ministers of the Republic of Belarus.

In the case of termination of activities of the correspondent post on the resolution of the Council of Ministers of the Republic of Belarus, the person authorized to run business on behalf of the correspondent post shall submit the following to the Ministry of Foreign Affairs:

a bank statement about closing bank accounts of the correspondent the post;

the original certificate.

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Regulations

on the Order of Accreditation of Foreign Mass Media's Journalists in the Republic of Belarus

1. These Regulations determine the order of accreditation of foreign mass media's journalists in the Republic of Belarus. .

2. The terms and their definitions in the meanings established by the Law of the Republic of Belarus of July 17, 2008 "On Mass Media" are applied in these Regulations.

3. Accreditation of foreign mass media's journalists, depending on functions entrusted to them, shall be carried out by the Ministry of Foreign Affairs in the form of accreditation as:

a foreign correspondent (correspondents, observers, editors, anchors, commentators, producers and others);

as a technical worker (photographers, operators of television and audio equipment, lighters, specialists in photo, television and film equipment service, communications services specialists, drivers, secretary-translators and others).

4. Foreign mass media's journalists regardless of their citizenship may obtain:

a permanent accreditation in the Republic of Belarus when the term of execution by them of duties of foreign mass media's journalists in the territory of the Republic of Belarus shall be one year and more;

a temporary accreditation in the territory of the Republic of Belarus if they arrived in the Republic of Belarus on the assignment of the respective mass media to cover certain actions, events and topics, as well as to substitute for the period of up to two months in the case of vacation, illness or business trip outside the Republic of Belarus of the permanently accredited foreign mass medium's journalist.

5. Workers of diplomatic representations and consular offices of foreign states, representations of foreign organizations in the Republic of Belarus, as well as the persons who are workers of mass media registered in the Republic of Belarus, may not be accredited as foreign mass media's journalists.

6. A written appeal with a request for accreditation of foreign mass medium's journalist under the signature of the head of the concerned foreign mass medium shall be directed the Ministry of Foreign Affairs.

For the attainment of the permanent accreditation, such appeal shall be accompanied by:

data on the mass medium and its correspondent posts in the territory of the Republic of Belarus;

the biography of the journalist to be accredited, which contains data about his/her journalistic activities;

an application completed by the journalist to be accredited in one of the official languages of the Republic of Belarus or in English in the form according to the Appendix;

two photographs;

copy of the identity document;

copy of the journalist's certificate.

For the attainment of the temporary accreditation, the appeal shall be accompanied by:

an application completed by the journalist to be accredited in one of the official languages of the Republic of Belarus or in English in the form according to the Appendix;

two photographs.

7. The appeal on attainment of the permanent accreditation by the foreign mass medium's journalist shall be considered by the Accreditation Commission of the Ministry of Foreign Affairs within two months after the day of receipt of the respective appeal, and of the temporary accreditation – not later than twenty days after the day of receipt of the respective appeal.

The decision on accreditation of respective foreign mass medium journalists or on refusal of accreditation shall be taken by the Ministry of Foreign Affairs on the results of consideration of the appeal.

8. In the case of taking the decision on the permanent accreditation, an accreditation card of the correspondent with one-year term of validity from the date of issuance is to be issued to accredited correspondents and technical workers and for members of their families – the card of a member of the family of foreign mass medium's journalist for the same term.

The temporarily accredited foreign mass medium's journalists are given an accreditation card of the foreign correspondent for the term of validity up to two months, and the technical workers of the foreign mass media – an accreditation card of the technical worker for the same term.

9. Professional activities of foreign mass medium's without accreditation card is not allowed.

10. The decision on refusal of accreditation is taken in the cases, if:

documents envisaged in clause 6 of these Regulations are not submitted;

the appeal does not comply with requirements specified in part one of clause 6 of these Regulations;

the documents containing knowingly false data are submitted;

earlier the journalist of the foreign mass medium carried out journalistic activities in the territory of the Republic of Belarus on behalf of a foreign mass medium without receiving the accreditation at the Ministry of Foreign Affairs or without the accreditation card.

11. In the case of loss of the accreditation card, the journalist of a foreign mass medium is obliged to inform about it the Ministry of Foreign Affairs which within two weeks shall consider the matter concerning issuance of the accreditation card's duplicate.

12. Prolongation of the term of the permanent accreditation of foreign mass medium's journalist with a respective prolongation of the term of validity of the accreditation card is performed on the basis of a written appeal of the head of the foreign mass medium directed to the Ministry of Foreign Affairs not later than fifteen days prior to expiration of the term of accreditation.

The appeal shall be accompanied by two photographs and the application completed by the foreign mass medium's journalist.

13. The decision on prolongation of the term of accreditation of the foreign mass medium's journalist shall be taken by the Ministry of Foreign Affairs within fifteen days after the day of receipt of the appeal.

14. A foreign mass medium's journalist must return the accreditation cards given to him/her and to members of his/her family to the Ministry of Foreign Affairs upon the expiry of the term of accreditation.

15. A foreign mass medium's journalist who has already had the accreditation in the Republic of Belarus may be accredited as a correspondent of another foreign mass medium in the order envisaged by these Regulations.

The Ministry of Foreign Affairs is entitled:

15.1 to declare warning for a journalist of the foreign mass medium in the case of his/her breaching requirements of these Regulations;

15.2 to deprive of the accreditation (including the accreditation as a journalist of several foreign mass media) of a journalist of the foreign mass medium in the cases of:

recurrent violation within a year of the established rules of accreditation or dissemination of the data not corresponding to reality, disgracing honor and dignity of citizens and/or other persons.

violation by a journalist of the foreign mass medium of the legislation of the Republic of Belarus and of these Regulations.

15.3 to deprive of the accreditation for a term of six months of all journalists of the foreign mass medium which enjoys services of journalists and/or other persons stripped of (not having) accreditation in the Republic of Belarus, as well as to refuse the accreditation of new journalists during that period to the respective mass medium.

15.4 to refuse the accreditation of journalists to the foreign mass medium in the case of establishing the fact of using services of journalists and/or other persons not having accreditation.

15.5 to take retaliatory measures concerning journalists of mass media of those countries where restrictions concerning Belarusian journalists are in effect.

unofficial translation