

C Z E C H  
T E L E V I S I O N  
C O D E



principles of public service provision  
in the area of television broadcasting



ČESKÁ TELEVIZE

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## P R E A M B L E

*The Czech Television Act provides for the adoption of a Czech Television Code that should lay down principles of public service provision in the area of television broadcasting. The aforementioned principles shall be binding on Czech Television and persons working for it. The law stipulates that any failure to comply with the provisions of the Code should be qualified as a breach of discipline under the Labour Code as the relevant special law. The process whereby the document has been approved by the Chamber of Deputies of Czech Parliament as well as the aforementioned reference to the Labour Code make the provisions that are generally self-regulatory, i.e. formulated and adopted by the medium itself, in fact the provisions of labour law.*

*Although traditional interpretation usually stresses in similar contexts ethical dimension of the word "code", which entails the use of comparatively broad terms and definitions of procedures, in the present case the law calls for the adoption of a group of norms that can be enforced and thus must be sufficiently unambiguous and concrete.*

*The motive underlying the formulation of all of the following principles and rules was the intention to contribute to the development of the public service provided by Czech Television. The Code should not only provide guidelines for correct decision-making in dealing with concrete questions and problems of TV broadcasting, but also embody a commitment to quality, a binding obligation to the viewers and the general public.*

*The Code is based on the concept of the public service providing access to information, culture, education and entertainment to all citizens. In this respect, Czech Television functions as an open public forum for the confrontation of experience, attitudes and feelings of various people living in the territory of the Czech Republic. Czech Television thus promotes informational and cultural advancement of various minorities that find themselves marginalized, outside the mainstream of opinions, culture and entertainment, and raises the majority population's awareness of such minorities.*

*Based on the Programme for Public Broadcasting adopted by the Council of Europe, the primary functions of Czech Television are the following:*

- a) *It makes programmes that can serve as a reference point for all members of society; it enhances social cohesion and the integration of all individuals, groups and communities; it must particularly avoid any form of cultural, sexual, religious or racial discrimination and social segregation.*
- b) *It is a forum for public debate in which participants may express the broadest possible range of opinions and viewpoints.*
- c) *It provides independent and impartial news, information and commentary.*
- d) *It creates a plural, inventive and diverse programme offer that meets high ethical and quality standards, and does not subject its ambition of producing quality output to market pressures.*
- e) *It creates and structures programme schedules that have the potential to attract a large proportion of the public, while remaining sensitive to the needs of minority groups.*
- f) *It reflects the present-day diversity of philosophical concepts and religious denominations with the aim to further mutual understanding and tolerance and strengthen the cohesion of a multinational and multicultural society.*
- g) *It actively contributes to a better understanding and dissemination of both national and European cultural activities and heritage.*
- h) *It ensures that its programme schedules contain a significant proportion of original programming, especially feature films, drama and other creative exploits, and it is aware of the need to co-operate with independent producers and the film sector.*
- i) *It extends the offer presented to viewers by a package of programme services that are not normally offered by commercial broadcasters. It does not emphasize the criterion of ratings or the speed wherewith information is disseminated at the expense of maximum achievable quality.*

*Czech Television must uphold openness, impartiality and independence as its core values. Nonetheless, it must also fulfil its obligation to defend human dignity, basic human rights and freedoms and the respect for nature and cultural heritage. The programmes of Czech Television are characterised by creativity, tolerance and critical thinking.*

*The purpose of a public service television is to provide the public with a source of information, critical reflection, art works and entertainment, sheltered from lobbyist pressure. Czech Television helps create an environment where freedom of speech, thought and creative expression*

*is respected and where democracy may thrive. It informs, provides a critical reflection of everyday events, educates and entertains in an atmosphere of respect for man and his creations as well as for all other forms of existence.*

*Successful fulfilment of the mission defined in such general manner requires good knowledge of the needs of the citizens and individual viewer groups, which is why Czech Television will keep addressing the public and encouraging it to provide Czech Television with appropriate feedback. The pursuit of individual ambition or fame must be subordinated to the respect for social diversity and the diversity of the viewing public.*

*Persons working in public service broadcasting must meet not only the criteria of professional competence, but also ethical requirements. The responsibility of individuals who address large masses of people is exceptional also in the fact that it is continuously tested and reasserted under the influence of all kinds of objective and subjective factors. Through their team work, the people working for Czech Television make an everyday contribution to the life of a democratic society, enrich the public through knowledge, facilitate free exchange of opinions, help preserve traditional values of human life, develop cultural identity and contribute to better orientation in the world.*

*The supreme, indispensable criterion of the Code and the binding legacy of the humanistic tradition in the broadest sense is the respect for human dignity, based on the respect for all manifestations of existence.*

## Definition of terms

Unless expressly stated otherwise in the text, the following terms used in the Code shall have the following meanings:

- a) Code means the present Czech Television Code,
- b) person working for Czech Television means an employee of Czech Television or an external collaborator whose contract with Czech Television includes a clause stipulating the binding nature of the Code,
- c) schedule means a deliberately arranged temporal sequence of individual television programmes and other elements of Czech Television broadcasting,
- d) programme means a limited time segment of television broadcasting, characterized by integrity and coherence of content,
- e) editor-in-chief means any of the editors-in-chief of news, current affairs and sports, or heads of other programme departments of Czech Television.

## Article 1 Viewers-citizens first

**1.1** Czech Television provides public service through in-house production and broadcasting of television programmes. Television programmes included in the schedule are usually accompanied by an offer of supplementary information that provides the viewers with further knowledge or otherwise enhances their viewing experience.

**1.2** Via its programmes, Czech Television facilitates free dissemination, exchange or confrontation of information, opinions and attitudes. Its basic aim is to create an open environment for public debate on issues of public interest and for the sharing of diverse experience of the world in which the viewers live.

**1.3** In the fulfilment of its public service obligation stipulated by law and the Code, Czech Television shall ensure the satisfaction of the needs of the citizens-viewers. In order to achieve the aforementioned aim, it shall regularly and systematically collect and analyse data on the needs and wishes of individual viewer groups, as well as on their opinion and evaluation of the programmes broadcast. Each programming decision must take into account the results of such representative surveys, while using a fundamentally different approach to the input and evaluation of available data than that used by commercial operators of television broadcasting, especially in the emphasis placed on qualitative indicators. Programmes that do not take into account confirmed needs of the audience groups at which they are targeted obviously cannot meet the criteria of public service, since they have little effect on their audience. This rule, however, should not stand in the way of creative experiments aimed at testing the ground or stimulating interest in a particular genre or in a specific manner of treatment of a programme.

**1.4** Czech Television shall make every effort to ensure that as many audience groups as possible find topics that interest them on the TV screen. In particular, it shall not exclude any audience group or any topic characteristic of such group. At the same time, however, Czech Television shall also emphasize in its programming the importance of minority genres and topics, which other operators of television broadcasting either do not offer at all, or only to a limited extent. Czech Television is thus obliged to devote part of its broadcasting time also to the topics and genres reflecting the needs of senior citizens, people who are ill or disabled, people in difficult material circumstances, young families, and national or ethnic groups living in the territory of the Czech Republic.

**1.5** Czech Television must provide its viewers in advance and in a suitable form with true information on the character of the programme to be broadcast, so that the viewers may decide, whether it is worthwhile for them to devote their time to the watching of the programme and what benefit they may gain by doing so.

**1.6** The viewers must be perceived as partners and treated on the footing of equality and respect. Czech Television shall therefore provide them with information and guidance concerning the schedule in a tactful, non-aggressive manner, in accordance with the generally accepted norms of decency and civility.

**1.7** Czech Television may not infringe upon the rights of the viewers as private individuals; in particular, it may not detract from a person's dignity, offend or without any reason provoke feelings of anxiety or fear.

**1.8** In its contact with the viewers, Czech Television shall ensure the protection of their privacy. Without the consent of the viewer, it shall not publish any data that might reveal what programmes individual viewers watch or how they feel about them and evaluate them.

**1.9** Czech Television shall refrain from using techniques and approaches that create or promote the illusion that the privacy of the people taking part in its programmes is open to the viewers beyond the limits of such protagonists' roles in the programmes. If a person participating in a programme chooses of his or her own accord to act in a way that would not enable Czech Television to adhere to the aforementioned principle, Czech Television shall request of such person an express written declaration stating that he or she accepts the potential consequences of such behaviour and is prepared to bear them.

**1.10** Depending on the character of the programme in question and on technological possibilities, Czech Television shall provide the viewers with suitable opportunities to respond immediately to the programmes broadcast.

**1.11** Czech Television shall deal with every seriously meant suggestion or complaint received from the viewers, and if the viewer in question provides it with his or her address, it shall respond in writing without unnecessary delay.

**1.12** Any complaint concerning a reduced technical quality of broadcasting or mistakes in the processing of programme content shall be carefully

examined by Czech Television and the complainant shall be informed without unnecessary delay whether there has been a mistake on the part of Czech Television, and if so, what remedial measures have been adopted.

**1.13** Even without prior notification, Czech Television shall correct serious errors or inaccuracies in its broadcasting. It must do so immediately after discovering them, if possible, in the same edition of the programme in which they occurred, or immediately thereafter, or in the first subsequent edition of the programme. Information on other errors or inaccuracies that found their way into the broadcasting of Czech Television shall be available on the Internet and in a special section of Teletext, reserved for this purpose, immediately after the aforementioned errors have been discovered.

**1.14** Czech Television is obliged to inform the viewers about the origin and sources of the data and material used in broadcasting. The manner of presentation of such information shall be determined by the character of the programme (i.e. captions at the end). Special modifications of this rule concerning news and current affairs programmes are provided for in Article 5.11.

**1.15** Czech Television shall monitor the global standard of operation of television broadcasting and its innovations in both technical quality and content with the aim to ensure, within the limits of its financial possibilities, the highest possible quality of its services. In particular, it shall not without serious reasons delay the launch of new technologies that have direct impact on the quality of services offered to its viewers.

**1.16** Czech Television shall ensure that its viewers may get acquainted with the “life behind the screen”, with the history of television broadcasting and its development trends. To fulfil this task, Czech Television shall offer above all virtual visits on the Internet and, in addition to that, it shall regularly organise open house visits to the extent that does not interfere with its normal operation

### **Original programming**

**1.17** Public service television must play the role of one of the most important cultural institutions in the Czech Republic. The aforementioned aim cannot be achieved without the development of in-house production of TV programmes and without permanent attention devoted to original programming. Czech Television shall endeavour to ensure that, within individual genres making up the schedule, significant proportion of broadcasting time

would be devoted to in-house programmes or programmes produced by other domestic producers. It shall therefore systematically monitor the television landscape and art scene in the country and stimulate the launching, development and realisation of television and art projects whose final form it could subsequently present to its audience. In accordance with Articles 4.1 to 4.6, Czech Television shall offer the opportunity for self-expression to a diverse range of authors of different generations and various artistic trends.

## Article 2 Special attention devoted to children

**2.1** Czech Television shall approach young viewers primarily with the aim to help them discover and internalise the values of decency, education, hard work and respect for the environment. The range and character of programmes targeted at children will thus be influenced by the aforementioned aim. Czech Television shall also keep in mind that it cannot fulfil the task formulated above, unless young viewers find its programmes truly interesting.

**2.2** Czech Television shall offer to acquaint the children above all with the tradition of both Czech and foreign fairy tale, with films for children and teenagers, competitions and educational programmes. It shall also promote cultural knowledge and popularise sport among children and teenagers. An important duty in this area is the obligation to create conditions for the development of original programming targeted at children and teenagers. The aforementioned obligation is further strengthened by the awareness that Czech Television is the chief and almost the only long-term domestic producer of television programmes for children and teenagers.

**2.3** Czech Television shall inform the children and their parents about the opinion of experts as to the maximum amount of time children should spend watching television. In a special section of Teletext and on the Internet, Czech Television shall publish relevant findings concerning the impact of television broadcasting on young viewers. Czech Television shall also operate a permanent information telephone line providing consultation to the parents as to the influence of the currently broadcast programmes on children and teenagers.

**2.4** In its programming for children and teenagers, Czech Television shall present examples of integrated co-existence of healthy and physically handicapped children. Where possible, Czech Television shall also ensure

that the group of children protagonists or supernumeraries taking part in the TV recording of children's and youth programmes would include physically handicapped children and young people.

**2.5** In programmes targeted at children and teenagers, Czech Television is also obliged to promote tolerance among different nationalities and ethnic groups. In the recording of the aforementioned programmes, Czech Television shall ensure, where possible, that the group of children protagonists or supernumeraries would include the representatives of national, racial or ethnic minorities living in the Czech Republic.

**2.6** In cases where commercial parts of the schedule immediately precede or follow programmes for children and teenagers, (Articles 21.1 to 21.8), Czech Television shall not allow the presentation of content that could be detrimental to the development of children or juveniles, or deliberately provoke in them feelings of inadequacy, if they do not obtain the goods or services promoted by the commercials. In the aforementioned times, Czech Television shall also be especially careful as to the selection of spots promoting its programmes or non-commercial activities (Article 20.1), that could be detrimental to the development of children or juveniles.

### Article 3 Licence fee payers - an open relationship

**3.1** In its relationship to licence fee payers, Czech Television has the obligation to manage the funds credited to its account and other property with the care of a good husbandman. Further details concerning the fulfilment of basic financial management duties of Czech Television are governed by Articles 25.1 to 25.6.

**3.2** Upon request, Czech Television shall provide any natural or legal person with true information concerning the rights and responsibilities related to the payment of the licence fee. For the fulfilment of the aforementioned obligation, Czech Television shall operate a permanent information telephone line and publish clear explanatory information, easy to understand and including model copies of necessary forms, in a special section of Teletext and on the Internet.

**3.3** Upon request, Czech Television shall provide information on the management of resources accumulated in licence fee payments as well as on the management of other property to the extent that it is obliged to do so under the Act on Free Access to Information.

**3.4** In the enforcement of the obligation to pay licence fees, Czech Television shall treat all licence fee payers equally, i.e. it shall not give preferential treatment to anyone without a reason stipulated by law. Czech Television shall exact licence fees from all debtors as soon as it finds out about the debt. The exaction of the licence fee may be abandoned only in cases where there is clear evidence that the cost of the exaction would exceed the expected yield. The Director-General may in exceptional cases decide to suspend the exaction of licence fees from debtors who, by no fault of their own, find themselves in a difficult financial situation.

## Article 4 Creativity as the basic prerequisite for success

**4.1** Czech Television sees the programme makers among both its employees and external collaborators as the basic prerequisite for a successful provision of the public service. It is particularly aware of its obligations in the area of original programming and in-house production. It shall therefore create and maintain an environment supportive of creative work and a free competition of ideas and their realisations that is based on equal opportunity, guaranteed by clearly defined, just rules governing the co-operation with Czech Television.

**4.2** Czech Television shall defend freedom of expression of the programme authors regardless of whether they currently work for Czech Television, since an infringement of one person's right to free expression may lead to similar infringements of the freedom of expression of others. Within the limits of its possibilities, Czech Television shall express solidarity with authors who find themselves in danger as a result of their discharge of professional duties. Czech Television shall endeavour to ensure the necessary legal and security assistance, and for the period of inevitable need also material assistance, to those persons working for Czech Television, who as a result of such work find themselves in danger or in difficult living circumstances.

**4.3** The conscience proviso - Czech Television shall respect the right of authors to preserve the integrity of their conscience. Consequently, if an employee (or an external collaborator) informs his or her superior (or the person dealing with the external collaborator on behalf of Czech Television) in advance that conscience prevents him or her from working on a particular topic, such person shall be freed from the obligation to work on the topic in question without any sanctions for failure to perform assigned work (apart from not earning the corresponding financial reward). Similarly, Czech Television may not exert pressure on authors, either during the production or after the completion of a programme, to make them express themselves in the aforementioned programme or in any subsequent piece of their work in a way that would be in conflict with their conscience or that would change the intention and meaning of their work. If an author gets into conflict with his or her superior, i.e. the possibility of a conflict of conscience arises, Czech Television is obliged to negotiate with the author, or with the relevant professional organisation representing the author on the basis of his or her consent, about the solution of the aforementioned differences. The procedure shall be similar to that provided for in Article 4.6.

**4.4** Czech Television is obliged to protect by all possible means the intellectual property of authors. In order to fulfil this duty, it shall maintain a register of suggested programme themes, screenplays and scenarios, wherein it shall enter in a chronological order all original themes, screenplays and scenarios submitted to Czech Television. Upon request, it shall issue to the author a written certificate that his or her theme, screenplay or scenario has been entered in the register on a particular date. Czech Television must ensure the protection of the themes, screenplays and scenarios submitted to it from unauthorised use and infringement of copyright.

**4.5** In line with the provisions of the Copyright Act, Czech Television shall distinguish between original works created by its employees and other original works. The decision-making procedure concerning the use and potential modifications of an original work created by an employee in the performance of his or her tasks shall be based on the organisational hierarchy of Czech Television and the author's superior shall be authorised to decide on the modifications of such work on condition that the proposed modifications would not detract from the value of the work. The treatment of original works not created by employees of Czech Television shall be governed by a contract concluded between Czech Television and the relevant external collaborator. Czech Television is obliged to make sure that the content of such contracts is clearly understood by the contracting parties at the

time of the signing and thus prevent subsequent disputes over copyright. The present provision shall not affect the provisions of Article 5.16.

**4.6** Authors working for Czech Television must comply with the provisions of the Code, even if they are not employees of Czech Television. The authors are also obliged to comply with the generally accepted self-regulatory professional and ethical standards of their respective professions. In the case of conflict between the principles ensuing from self-regulatory professional standards on one hand and the provisions of the Code or any internal regulation of Czech Television on the other, the author is obliged to inform the person dealing with him or her on behalf of Czech Television immediately about the existence of such conflict. An employee shall in the same circumstances inform his or her superior. Czech Television is obliged to negotiate with the author, or the professional organisation representing the author on the basis of his or her consent (e.g. Chamber of Programme Workers of Public Service Media), about the possibilities of overcoming the aforementioned differences. In the effort to resolve the differences, it is necessary in the first place to check whether the contested standards are consistent with the legal system and the basic values whereupon the Code is founded. To make use of all means available for the resolving of mutual differences, Czech Television and the author, or the organisation representing the author, shall try to agree on a mediator that would endeavour to frame an agreement satisfactory for both parties. The mediator should be selected from among respected professionals in the field or institutions independent of either of the parties.

## Article 5 The culture of information in news and current affairs programmes

**5.1** The primary task of Czech Television is to provide information in news and current affairs programmes. It shall provide the viewers with information necessary for their overall orientation in the world and for a free formation of opinion. The schedule shall always include slots reserved for regional news.

**5.2** In cases of urgent need, Czech Television shall be prepared to interrupt the broadcasting of scheduled programmes by special news editions.

**5.3** The primary task of the current affairs programmes of Czech Television is to offer a critical reflection of reality; they must go into the core of things, bring to light true causes of events or phenomena, and describe the extent of their consequences. Current affairs programmes shall also provide the actual protagonists of the reported events with more opportunities to present arguments justifying their opinions and attitudes. Investigative current affairs programmes examining serious breaches of law, corruption and the protection of rights and interests of the citizens play an indispensable monitoring role in the development of a democratic society. Current affairs programmes shall also deal with environmental issues and the problems of ethnic minorities, physically handicapped citizens and other groups like e.g. senior citizens, people in difficult material circumstances or consumers. The range of the aforementioned programmes must correspond to the current needs of society, surveyed principally via representative socio-demographic research.

**5.4** The placement of a piece of information in the news agenda shall be determined by the seriousness of its expected impact on the lives of the inhabitants of the Czech Republic. The editors responsible for the character of the news may not, however, overlook the importance of international influences and relationships whose effect is felt across the boundaries of states, continents or cultures. News and current affairs thus shall present the Czech Republic within the context of European and world affairs.

**5.5** Czech Television shall treat information acquired in the interest of viewers as a value that it may not usurp for its own use, nor trade or make the object of any speculation. The primary motive of Czech Television must always be to act in such a way as to prepare the information with expert care for broadcasting and thus communicate it without delay to the viewers.

**5.6** In its news and current affairs programmes, Czech Television shall pay attention to accuracy and impartiality of its broadcasting, which task consists primarily in the ascertaining and verification of facts.

**5.7** Czech Television shall make strict distinction between news and judgment (commentary). In this context, the term “news” means a factual statement providing information about a particular process or state. News usually also contains information on the attitudes of the main protagonists of the reported event. As opposed to news, judgment expresses opinions, attitudes or feelings. In its relationship to viewers, Czech Television must be able to maintain a clear separation of news from judgment; in particular, it may not blend news and judgment in one sentence of the editor. It is also unacceptable to present mere suppositions and conjectures as news.

**5.8** All news must be based on established and verified data. The collection and processing of information in Czech Television is subject to the imperative requirement to establish a true image of reality and present it to the viewers, or, where this is not wholly possible because of the lack of some relevant information, try to get as close to the truth as possible. The withholding of important information from the viewers or any suppression of some of its important aspects shall always constitute a serious violation of the aforementioned imperative.

**5.9** Czech Television may broadcast a piece of news confirmed by at least two creditable and mutually independent sources; only in the case of information made available officially by public authorities and institutions may it accept just the single official source, unless the circumstances clearly indicate that the data provided by it are untrue or inaccurate. If it is necessary in urgent cases to broadcast information from only one source, because it is impossible to confirm it from a second source and because public interest related to its content requires its broadcasting, the viewer must be informed of the aforementioned facts.

**5.10** Evaluative judgments are always subjective and as such they are not subject to the test of truth. However, this does not relieve Czech Television of its duty to include in the news and current affairs programmes only those evaluative judgments that are presented honestly, without any misleading manipulation of facts whereby the judgment is to be supported. The aforementioned duty, however, shall not prevent Czech Television from providing the audience with evaluative judgments of the protagonists themselves. In such a case, Czech Television shall leave it to the viewers to form

their own opinion on whether the protagonists present their judgments in an honest way.

**5.11** Czech Television may not broadcast information of unknown origin. It is obliged to inform the viewers about the source of the information broadcast, with the exception of facts that are generally known or of information taken from prestigious news agencies, supplying Czech Television with information on the basis of a valid contract. If the requirements of Articles 16.11 and 16.12 are met, the editor-in-chief of the relevant department may decide to protect the source in question and authorize an exception from the rule of mandatory source identification. The aforementioned provisions shall not prejudice the legal right of the editors to protect their sources.

**5.12** Czech Television is obliged to ensure that the visual and graphic parts of the information in news and current affairs programmes contribute to the truthfulness and accuracy of the message. In this respect it must particularly avoid such methods of image processing that blend the news communicated by spoken word or written text with elements of judgment contained in the processing of the accompanying image (e.g. a deliberate selection of non-photogenic shots of the protagonists, artificial changes of dynamics or image quality etc.)

**5.13** Czech Television may acquire information only by means of honest methods allowed by law.

**5.14** The editors of Czech Television appearing in news and current affairs programmes must act in such a way as not to enable the viewer to divine their opinion on the issue about which they inform or report.

**5.15** Where possible and suitable, Czech Television shall accompany the broadcasting of a piece of news with the identification of the editors responsible for its preparation.

**5.16** The preparation of the content of Czech Television news and current affairs shall be governed by the principle of editorial autonomy, which consists principally in the duty of senior employees to exclude all external influences that could have bearing on the inclusion or non-inclusion of a piece of information in broadcasting, on its placement in the sequence or on its content. Apart from the organisational hierarchy of the relevant editorial department, only the Director-General or a senior manager of Czech Television authorised by the Director-General may influence the content of a piece of news or the decision on its inclusion or non-inclusion in broadcasting

or on its placement in the sequence, and even the aforementioned persons may do so only in cases where it is clear that the publication of the news in question has resulted or immediately threatens to result in a breach of law. The instruction whereby the aforementioned intervention is made must be submitted to the editor-in-chief of the relevant department in writing. The provisions of the present Article shall not prejudice the competence of the Director-General and other senior managers to control and direct the departments in matters concerning personnel and operation.

**5.17** The editorial decision-making is governed primarily by the criteria ensuing from the Code. The responsibility for news and current affairs programmes lies with the editors-in-chief of the respective departments.

**5.18** If the preparation of a piece of news for broadcasting involved also the use of information or material processed by a person operating a public relations business (PR agency), it is the duty of Czech Television to point out to the viewers during the broadcasting of the news that the information or material in question come from the aforementioned source. The above provisions shall not affect the provision of Article 5.11.

## Article 6 Discussion programmes and plurality

**6.1** Czech Television shall devote an appropriate amount of time to discussion programmes confronting ideas and concepts related to important issues of public interest. The overall make-up of discussion programmes must take into account that almost any problem may be looked at from different points of view and that a confrontation of opinions is a natural element in the development of any society. Czech Television is obliged to make sure that the main streams of opinion in a particular dispute get equal opportunity for expression. If this is not possible, the role of an informed opponent, especially as regards the presentation of counter-arguments that would not otherwise be included in the discussion, must be taken up by the moderator or by a guest invited by the moderator.

**6.2** The fulfilment of the provisions of Article 6.1 also requires the broadcasting of political discussions in the framework of the democratic competition of political parties and movements. The broadcasting time allowances provided to individual political parties and movements must be well balanced. The balancing must take into account especially the relative importance of individual political parties, estimated primarily from the results

of the elections in the principal bodies of representative democracy. At the same time, however, Czech Television must make sure that the ratio of discussion appearances of government and opposition politicians is balanced, i.e. the total time provided to each of the blocs should be approximately the same. Czech Television shall also create conditions for an adequate participation of non-parliamentary political parties and movements in the aforementioned discussions.

**6.3** In discussions focusing on political and social topics, Czech Television must ensure also the participation of a broad range of specialists, journalists, prominent citizens, but also “people from the street”, so that all relevant opinions get their share of voice and politicians may be confronted with them.

**6.4** Czech Television shall regularly but at least once in every three months commission an analysis that should examine how well the schedule has been balanced in the relevant period and compare the time provided to individual political parties and movements. The analysis shall be commissioned from a prestigious professional institution independent of Czech Television.

**6.5** The moderators of discussion programmes in Czech Television are obliged to remain impartial. The viewer should not be able to divine from their behaviour in the programme what is their personal attitude toward the problem discussed or toward the discussion participants. The moderators shall always initiate an open exchange of opinions among the invited discussion participants, while ensuring that the participants observe the rules of honest debate.

**6.6** Every invited discussion participant shall have the right to be informed in advance (depending on the time needed for the preparation of the programme) about the identity of other participants and about the thematic focus of the discussion. Czech Television shall never accept arrangements whereby one participant or a group of participants might try to gain advantage over others, not shall it give any advantage to any participant of its own accord.

**6.7** If any of the invited main guests refuses to take part in the discussion, Czech Television shall inform the viewers of his or her reasons for refusal. In the negotiations concerning discussion participation, Czech Television shall adhere to similar principles as in its contact with respondents. (Articles 16.3 to 16.10).

**6.8** Czech Television shall devote special attention to the period before the elections in the principal bodies of representative democracy, including the elections of representative bodies at the local and municipal level. Detailed rules and the plan of pre-election broadcasting shall be published as soon as it is possible with regard to the announcement of the election date and to the number of candidates.

## Article 7 Religious and ethical issues

**7.1** In relation to religious issues, the schedule of Czech Television shall be based on the principle of openness and tolerance of various religions, churches or religious communities, believers as well as atheists. Czech Television shall in particular refrain from the broadcasting of any programmes that may promote intolerance among people or groups of different religious affiliation, or between believers and persons without religious denomination.

**7.2** The broadcasting time devoted to religion shall be structured according to the stratification of the society and its current relationship to spiritual issues. The structuring may rely partially on the data from the last population census, but also on expert analyses of the current migration of new spiritual trends across Europe.

**7.3** Acknowledging the importance of European cultural and historical tradition, Czech Television shall through a variety of genres and programmes draw attention to biblical topics and their significance for cultural development and moral attitudes, while presenting various possibilities of their historical and contemporary interpretation (Christian churches, Judaism). Czech Television programmes shall also provide insight into the intellectual and cultural foundations of other religions of the world, with the aim to disseminate knowledge, enhance mutual understanding and promote tolerance among different religions and cultures.

**7.4** The schedule and behaviour of Czech Television shall always be judged also by ethical standards. Czech Television draws on the moral tradition of European civilisation. It is obliged to consider the fact that its audience is made up by different citizen-viewer groups, of which some may perceive the content of certain programmes as an attack on their religious or ethical attitudes. In this respect, special attention must be devoted to senior citizens and to members of national or ethnic minorities. Czech Te-

levision is obliged to inform its viewers in advance that the content of the programme to be broadcast is strongly controversial from an ethical or religious standpoint. This shall be done by providing the audience in a suitable form with factual information about the character of the programme.

## Article 8 Art programmes and individual preferences

**8.1** Czech Television shall promote the development of culture and the arts in the Czech Republic. It is therefore its duty to offer the viewers a broad range of programmes, diverse both in genre and content, thus contributing to the cultural and artistic enrichment of the audience. In its overall schedule, Czech Television shall provide a comprehensive overview of artistic tradition and current developments in the field of art both at home and abroad. It shall present to the viewers artistically valuable works of film, drama, music and the visual arts from both the domestic and international scene. The offer of art programmes shall comprise also documentary works, including the works of independent producers. Czech Television must fulfil its vital obligation in the area of original art programming and it shall respect the highest professional criteria of artistic work.

**8.2** Czech Television must be aware of the fact that the viewers, or individual audience groups, differ in their cultural and artistic perception and in their preferences for particular genres or artistic trends. It is the duty of Czech Television to satisfy, if possible, the whole range of its audience groups.

**8.3** Czech Television shall respect both individual and group differences in the tastes and preferences of the television audience. It must take into account the plurality of viewer expectations and through the broadcasting of a variety of programmes, differing also in style and design, satisfy different audience groups.

## Article 9 Language

**9.1** Czech Television is obliged to maintain high standard of the use of language in broadcasting. Newscasters, moderators and editors must express themselves in a way that can serve as a model of correct language use, especially considering the fact that their speech may be perceived by the viewers as having normative significance.

**9.2** Czech Television is obliged to select linguistic devices carefully, with regard to topic and genre, and use them with due precision. Newscasters, moderators and editors of news and current affairs programmes shall use only standard codified language, unless they quote or interpret a statement of another person or unless the use of a non-standard expression seems necessary with regard to the given situation (i.e. the need to preserve the authenticity of an interview, the use of the reporter's licence under Article 16.17 etc.).

**9.3** Formulations used by newscasters, moderators or editors in broadcasting should be free of platitudes, clichés and other forms of linguistic superficiality degrading content. In communicating information, the aforementioned persons may not prefer currently popular expressions and phrases at the expense of precision and the factual value of information. Czech Television is obliged to make sure that its programmes are free from a stereotype repetition of expressions that can be replaced by others without any detriment to accuracy.

**9.4** Czech Television shall systematically co-operate with language experts and whenever doubts arise about the correctness of a specific expression, it is obliged to request their opinion, if possible, prior to the recording of the programme. Czech Television shall regularly but at least once in every six months commission an analysis of the linguistic standard of its broadcasting (from a prestigious linguistic institution, independent of Czech Television). The analysis shall subsequently be published. The correction of linguistic mistakes shall be governed by reasonable application of Article 1.13.

## Article 10 Educational programmes

**10.1** Czech Television shall make educational programmes targeted at different age and interest groups and reserve appropriate time for them in its schedule. It shall exploit the advantages and special forms of television communication and thus suitably broaden the pool of sources from which people may gain new knowledge. Where possible and suitable, it shall supplement the broadcasting of educational programmes by offering further information on the relevant topics, including the publication of educational information on its web pages (e-learning).

**10.2** In the offer of educational programmes of Czech Television, significant attention shall be paid to programmes promoting the knowledge of foreign languages.

**10.3** Czech Television shall take part in public-benefit campaigns aimed at educating people through the free broadcasting of spots and information material. In selecting the themes of such campaigns and its campaign partners, Czech Television shall proceed in accordance with Articles 20.1 to 20.7.

## Article 11 Entertainment programmes

**11.1** In addition to its other tasks, Czech Television must also satisfy the interest of its viewers in programmes offering entertainment and relaxation. In the selection and treatment of entertainment programmes, Czech Television shall ensure that the creative approaches used do not reduce the content to crude primitiveness. Czech Television shall select entertainment programmes for its schedule in such a way as to prevent fluctuation in the standard of programme quality characteristic of the whole programme offer. It shall give preference above all to those entertainment programmes that at least to a certain extent offer the viewers art or develop their knowledge and understanding. Czech Television must also pay attention to certain exclusive forms of entertainment – the so-called “alternative” entertainment. In the area of entertainment as in other areas, Czech Television shall endeavour to make original programming and to ensure in-house production of a broad variety of programmes.

**11.2** Czech Television is obliged to monitor carefully, whether its entertainment and leisure programmes, or parts thereof, do not openly or covertly promote certain commercial interests. Czech Television shall refrain from scheduling any entertainment programmes that violate the aforementioned principle. In particular, it shall always refuse any performance aimed primarily at promoting specific consumer behaviour or otherwise manipulating the public.

## Article 12 Sports broadcasting

**12.1** In its programmes dedicated to sports and fitness, Czech Television shall offer its viewers top domestic and international sports events as well as inform them about other forms of sport, including junior sport, performance-oriented and recreational sport or new sport disciplines. The amount of time dedicated to individual disciplines shall reflect the public interest therein, which is related also to the number of sportsmen of the particular branch officially registered in the Czech Republic. Within the limits of the programme schedule, however, Czech Television shall not fail to inform also about the development of minority sports.

**12.2** Czech Television shall traditionally dedicate a large proportion of its broadcasting time to the Olympic games and the Olympic movement.

**12.3** Czech Television also follows Paralympic sports and acquaints its viewers with Paralympic games competitions.

**12.4** The presentation of sport in the broadcasting of Czech Television shall adhere to the values of fair play, regardless of the identity of the adversary or the field of competitors. It is unacceptable to promote or excuse a violation of the rules as a means of achieving a successful outcome. The makers of sports programmes must take into account that sports events often provide children and young people with models of behaviour and that there is a large group of children and teenagers among the viewers of sports programmes on Czech Television.

**12.5** Czech Television presents sport to its viewers primarily as entertainment or game, but in addition to that also as an important part of human culture.

**12.6** Sports broadcasting of Czech Television must refrain from any provocation or support of intolerance among sport fans. In particular, Czech Television shall avoid any elements of nationalism, racism or other extremist attitudes in its sports broadcasting. The aforementioned obligation shall not prevent Czech Television from fulfilling its duty to inform the viewers about the occurrence of such phenomena in connection with sports events.

**12.7** Czech Television shall not give its viewers reason to think that, contrary to sporting principles, it gives preference to a particular sport club or commercial interest connected with sport. Czech Television must treat with special sensitivity the issue of club rivalry and remain a television for all sport fans, regardless of club allegiances.

**12.8** Articles 5.1 to 5.18 shall be reasonably applied also to the provision of information (news) on sports and physical training. The editors of sports broadcasting shall respect the rules of proper and ethical practice of the journalistic profession. Czech Television shall not withhold from its viewers any information on the potential problematic aspects of sport, such as death of people or animals, permanent health damage, doping, or damage to nature.

**12.9** With regard to the specific nature of sports programmes, it shall not be considered a violation of Articles 12.7 and 12.8 if sports editors or commentators express their support to the sportsmen of the Czech Republic. Even in the aforementioned case, however, the taking of sides and cheering may not completely prevail over the provision of objective information and critical judgment.

## Article 13 Ban on discrimination

**13.1** The schedule of Czech Television may not give rise to or confirm notions that the social status of people belonging to certain racial, national, ethnic or social groups is, for reasons of such group membership, different from the status of others. Czech Television is obliged to refrain from the use of stereotypes in portraying concrete groups or their members.

13.2 Czech Television shall not discriminate anyone in either its operation or its programme schedule on the grounds of sex, age, race, sexual orientation, nationality, ethnicity, religion or membership in any social group.

**13.3** On the basis of current demographic trends, Czech Television shall ensure, where possible, that the cast or the selection of supernumeraries for in-house programming would reflect the national and ethnic diversity of the population living in the Czech Republic, especially as regards programmes with audience participation in the studio. The viewers should be led to perceive the participation of the aforementioned persons as a commonplace.

**13.4** As with minorities included in Article 13.3, Czech Television shall also create opportunities for the participation of the physically handicapped in its programmes. In designing and constructing the stage and decorations for the recording of programmes with the participation of audience or supernumeraries, Czech Television must take into account the potential participation of physically handicapped persons. In all of its buildings and facilities, Czech Television is obliged to ensure free movement of persons on a wheelchair, in particular their easy access to studios and service facilities. The reception service in buildings visited by collaborators, programme protagonists and the public shall ensure proper assistance for physically handicapped persons, as well as for elderly people with limited movement ability.

**13.5** Czech Television shall pay special attention to the equality of opportunities for men and women, both in the operation of Czech Television and in the composition of its schedule.

## Article 14 Presumption of innocence

**14.1** Czech Television is obliged to respect the principle of the presumption of innocence. According to the aforementioned principle, an

accused person shall be deemed innocent and may not be spoken of as the perpetrator of the crime or misdemeanour in question till the coming into force of the court decision ascertaining his or her guilt. The principle of the presumption of innocence is binding in the first place on state authorities and in relation to Czech Television it may not be interpreted as an obstacle that would prevent Czech Television from informing the viewers about suspected criminal behaviour of a concrete person or from the publication of testimonies and information on the steps taken by state authorities in criminal or misdemeanour proceedings. Such interpretation would not enable Czech Television to inform truthfully about matters of public interest. However, Czech Television shall always have the duty to refrain from any statements that would present the suspect (the accused) as though he or she were already convicted by a legitimate decision.

**14.2** If the publication of information gained by Czech Television independently of the bodies responsible for penal proceedings could jeopardise the tracing or detention of the perpetrator of a serious crime, Czech Television shall on the basis of a decision by the relevant editor-in-chief observe information embargo imposed on the case by the bodies responsible for penal proceedings, i.e. it shall not for the necessary period of time publish the relevant information. However, in such cases Czech Television shall always inform the viewers about its acceptance of the embargo.

**14.3** If Czech Television informs its viewers that a certain person is suspected of having committed a crime, for which he or she has not yet been convicted by a legitimate decision, Czech Television shall broadcast also a corresponding statement of the suspect (the accused), if, with regard to the ongoing proceedings, such statement is available and may be published. The responsibility for the non-inclusion of the aforementioned statement in broadcasting for reasons of its unavailability or unsuitability for publication, shall be borne by a senior editor authorised by the editor-in-chief.

**14.4** When informing about persons suspected of the perpetration of a minor crime, Czech Television shall refrain from the publication of the full name of the suspect (or, possibly, the convict) unless public interest in the particular case requires full identification. Under no circumstances, however, shall it publish the full name of the suspected or convicted person in cases of minor crimes perpetrated by juvenile delinquents.

**14.5** When informing about criminal activities or misdemeanours, Czech Television shall not identify the relatives of the suspected or convicted person, except in cases where they do not conceal their identity or where

they themselves took part in the wrongful activities, benefited from them or could exert practical influence on the course of the criminal or misdemeanour proceedings. If the suspected or convicted person has among its relatives a representative of public interest (e.g. a politician or a public official), the editor-in-chief of the relevant department may decide to identify such person in broadcasting even if none of the aforementioned conditions is met, provided that the criminal or misdemeanour proceedings could be significant for the judging of the actions of such person in a certain function, profession or office.

**14.6** When broadcasting programmes or information on criminal activities, Czech Television shall refrain from provoking or enhancing sentiments conducive to revenge or to an illegal ostracising of suspected or convicted persons. It shall also refrain from scheduling programmes whose content would exert pressure on judges to deliver a specific judgment on guilt or penalty.

## Article 15 Respect for privacy

**15.1** Czech Television shall respect the intimate nature of human privacy and the right of all people to decide freely which parts of their privacy they will lay open to others. However, in cases where originally private activities may influence matters of public interest (e.g. the discharge of an office or the observance of legal norms), Czech Television shall be authorised after the consideration of all circumstances to inform about such behaviour, particularly in relation to public interest representatives.

**15.2** Czech Television shall refrain from the publication of sound and image material recorded “on the threshold” of a house, flat or office before the consent of the relevant person has been obtained, unless the matter concerns important public interest and unless Czech Television has sufficient reasons to assume that the relevant statement or opinion could not otherwise be obtained. The aforementioned provisions shall not affect the rules governing the use of a hidden camera or microphone as stipulated in Articles 16.13 to 16.16.

**15.3** Similar approach as in Article 15.2 shall be used in cases where Czech Television has to decide whether to make or publish recordings of those parts of telephone conversations preceding the moment when the respondent learns about the identity of the editor and his or her reason for calling.

**15.4** In live broadcasting, Czech Television shall refrain from inconveniencing people with telephone calls that have not been agreed upon in advance. Other methods of encroaching upon people's privacy in live broadcasting without their prior consent are also inadmissible.

## Article 16 Recording rules

### General rules

**16.1** In the recording of sound and image material, persons working for Czech Television shall act in such a way as to make clear that the crew and its members taking part in the recording belong to Czech Television. Editors shall not conceal their name, surname and professional identity, nor the fact that they work for Czech Television or their work assignment, unless they are authorised to use the procedure under Articles 16.13 to 16.18.

**16.2** Czech Television is obliged to ensure that the TV recording does not infringe upon the rights of third persons, damage the environment or disturb peace. Before the start of the recording, which may take place only on the basis of prior authorisation or contract, Czech Television is obliged to follow the prescribed procedure or conclude the appropriate contract. Czech Television must also ensure that its recording at public places and other locations accessible to the public would not disturb everyday life more than is inevitable. If possible, Czech Television shall notify especially elderly citizens and the parents of young children about the time of the recording and its likely impact on the course of everyday life. The aforementioned notification shall include information on potential transport irregularities, noise, light or other influences that the recording may involve. Czech Television is also obliged to inform the parents of children living in the relevant area about any potential negative influence that the watching of the recording may have on the development of a child.

### Respondents

**16.3** Before the start of the recording with the respondent, the members of the Czech Television crew shall inform the respondent truthfully about their identity and about the character of the programme for which the recording is being made. Exceptions to the present rule are provided for in Articles 16.13 to 16.18.

**16.4** When conducting a telephone interview that is to be used in broadcasting, Czech Television is obliged to act in accordance with Article 16.3 and thereafter ask the respondent whether he or she agrees to the interview and its recording. If the respondent refuses, the recording of the interview may not continue, unless the conditions justify the use of the procedure provided for in Articles 16.13 to 16.18.

**16.5** The respondent may decline to give consent to the recording. Czech Television does not have any right to force the respondent to participate and it shall particularly refrain from threats or any other forms of pressure. However, where public interest representatives are concerned, Czech Television may, depending on the situation, point out to such persons that with regard to their position in society the public rightfully expects them to express their opinion or provide information concerning a matter of public interest. If the statement of the respondent is important for the programme and if Czech Television has been rejected by the respondent, it may use his or her earlier statements on the topic, provided that they are available and that the amount of time lapsed since the aforementioned statements were made does not threaten to distort the message. Where the use of the respondent's earlier statements is not possible, Czech Television shall briefly inform the viewers that the respondent has refused to make a statement on the issue and give his or her reasons for refusal.

**16.6** Czech Television shall not accept any additional conditions or yield to pressure concerning material recorded in accordance with the Code. In justified cases it can accept an offer of agreement concerning authorisation before the start of the recording. The authorisation agreed upon with the respondent, however, may consist only in his or her right to obtain, prior to the broadcasting of the relevant programme, the recording or written rendering of those parts of the interview used in the programme. If Czech Television accepts such authorisation agreement, it is bound to observe it. Any potential objections of the respondent concerning alleged distortions of his or her statements shall be examined and decided upon by a senior editor authorised by the relevant editor-in-chief. Under no circumstances shall Czech Television accept an agreement that would grant the respondent the privilege to give his or her consent to the use of the recorded material only depending on the impression produced by the whole programme.

**16.7** Czech Television shall not provide one or more respondents with any advantage over the rest of the respondents taking part in the programme. In particular, it shall not permit any respondent to make a statement only after he or she has heard an authentic recording or a reproduced version of another respondent's statement on the topic. The aforementioned provision, however, does not prevent Czech Television from asking a respondent to comment on the opinion or statement of another person. In news and current affairs reporting with critical focus, the respondents must be informed in detail about the character of the reported story, about all substantial criticisms alleged against them by other respondents or

stated on factual basis. The respondents must be given the opportunity to respond to all substantial criticisms.

**16.8** In selecting those parts of the recorded interview that are to be used in the programme, Czech Television must eliminate all potential mistakes, e.g. the linking of the respondent's answer to a different question, or changes and distortions of his or her statements during editing.

**16.9** Czech Television is obliged to ascertain in advance whether respondents expect financial reward or a compensation of the expenses incurred and inform them what they can expect in this respect. An agreement on the provision of financial compensation must be concluded before the recording takes place. Czech Television shall not provide financial reward to respondents who are political figures, or to respondents holding public office if their appearance in the programme is related to their activities as politicians or public officials. Czech Television may not provide financial reward to respondents who are supposed to inform on their criminal activities.

**16.10** When obtaining information from specialists (experts), Czech Television must clarify in advance whether the participation of the respondent will have the character of an informal interview or an expert statement provided for the programme. Czech Television shall select the experts appearing or quoted in its programmes with due care; in particular, it is obliged to ensure that in cases where the size of the expert community in the particular field or specialisation allows it, different respondents will be addressed, including experts belonging to various opinion trends and living in various regions of the Czech Republic. Czech Television shall not demand nor accept any economic benefit in exchange for the appearance or quotation of a particular expert in a programme.

### **Protection of the source and origin of information**

**16.11** Czech Television shall have the right to guarantee anonymity to persons that have provided information or background material for its recordings, if the topic to which the information relates concerns public interest and the provision of the aforementioned guarantee is justified by serious reasons. Serious reasons within the context of this rule shall include justified concern about the safety, livelihood or the preservation of dignity of the source or persons close to the source. If, after prior instruction of the source about the legal limits of the guarantee, Czech Television decides to provide it, it is bound to keep its obligation not to reveal the source within

the extent of its legal right to do so, except if it were uncovered that the source acted fraudulently in relationship to Czech Television. Czech Television is obliged to instruct the source in advance about the extent and limits of the aforementioned guarantee.

**16.12** Under the conditions specified in Article 16.11, Czech Television shall not reveal nor surrender documents or other material or objects on the basis of which the source could be identified. The provisions of Articles 16.11 and 16.12 shall not prejudice the right of individual editors to protect their sources within the limits stipulated by law.

### **Hidden camera or microphone**

**16.13** Czech Television is authorised to make recordings without the knowledge of the persons recorded only in the cases and under the conditions provided for in the following Articles. The aforementioned Articles lay down the rules for the use of a hidden camera or microphone in news or current affairs as well as in the making of entertainment or art programmes.

**16.14** Czech Television is authorised to use hidden camera or microphone for news or current affairs purposes in the treatment of a topic seriously concerning public interest, on the condition that the material to be recorded cannot, even with increased effort, be obtained otherwise and that such material is necessary for the treatment of the topic in question. When using a hidden camera or microphone, Czech Television shall pay special attention to the observance of restrictions protecting privacy (Articles 15.1 to 15.4). The selection of those parts of the recorded material that are to be used in the programme may include only sections directly related to the topic of the programme. Czech Television shall prevent any unauthorised use or publication of those parts of the material not used in the programme. Recording with a hidden camera or microphone shall include also situations when the person being recorded sees the camera or microphone, but has sufficient reasons to believe, that they are not in operation. When the recordings made with hidden camera or microphone are broadcast, the viewer must be informed of the fact that the shots have been obtained with the use of the aforementioned techniques.

**16.15** In the recording of entertainment or art programmes, Czech Television may use hidden camera or microphone on the condition that the use of such devices does not inconvenience the persons being recorded or otherwise encroach upon their rights as private individuals. The use of the

recorded material shall be subject to prior consent of the persons whose shots recorded by the hidden camera are to be used in the programme. Similar approach as with news and current affairs may be used also in the area of art documentaries. (Articles 16.13 and 16.14).

**16.16** Czech Television is authorised to make sound and image recordings at public places for illustration purposes. In the incorporation of illustrative shots in the programme, the persons responsible for its composition must treat the material sensitively and rule out the possibility that the depiction of a particular person involving the use of illustrative shots might mislead the viewers and leave them with the false impression that the person in question is connected with a particular topic (e.g. illegal or unethical behaviour). A basic but not sufficient condition for the fulfilment of the aforementioned obligation is the designation of such shots with a notice informing the viewers about their illustrative function. Similar approach shall be used in the selection of archive shots that are to be used again for new purposes.

### **Reporter's licence**

**16.17** In exceptional cases which involve the monitoring of matters of public interest in news and current affairs programmes and in which information cannot be obtained or verified otherwise, Czech Television may resort to the use of a reality test. The test consists in the provision of fictitious information or the simulation of a non-existent position on the condition that such behaviour would not lead to any breach of legal obligations nor be detrimental to the rights of third parties. As soon as the revelation of the real state of affairs no longer jeopardises the outcome of the test, Czech Television shall explain the real situation to the persons who have been mystified by the use of the reporter's licence.

**16.18** The use of the reporter's licence in the recording of entertainment and arts programmes shall be possible under conditions similar to those stipulated in Article 16.15, provided that such use will not result in any breach of legal obligations.

### **Protagonists and supernumeraries**

**16.19** It is the duty of Czech Television to respect the dignity of the programme participants, including supernumeraries, as well as other rights they have as private individuals. Such persons may not be subjected to any pressure or manipulation and may not be deprived of their right to decide

freely whether to take or not to take part in the recording of the programme. Czech Television shall always inform the participants in advance about the character of the programme to be recorded and about the demands the recording will make on them.

**16.20** Czech Television shall not treat programme participants in a way that would lead to their extreme exhaustion, especially due to insufficient consumption of drinks or food or insufficient relaxation. Czech Television shall also take measures necessary for the prevention of accidents and the protection of health during the recording.

### **Recording with the participation of children (juveniles)**

**16.21** The capability of juveniles to consider properly the significance and consequences of their participation in the TV recording depends on the degree of development of intellectual and volitional faculties that they have achieved with regard to age and individual maturity. The decision on whether the recording may be made only with the consent of the juvenile participant or whether it will be necessary to obtain the consent of his or her legal guardian depends above all on the character of the programme or on the conditions and circumstances of the recording. If, with regard to the character of the programme or the conditions of the recording, the juvenile participant is not capable of considering fully all substantial aspects of his or her participation, or if there are doubts about his or her capability to do so, Czech Television must request the consent of the juvenile's legal guardian. As a rule, juveniles may appear without the consent of their legal guardian in news and current affairs programmes, while in the case of art programmes the consent of the guardian will generally be required. Czech Television shall always request the consent of the legal guardian with persons under 16, if the recording is to take place in the studios of Czech Television or in special facilities (or exteriors), which it has reserved for the recording and which will not be accessible to the public during the relevant recording time.

**16.22** When recording an interview with children, Czech Television must eliminate any, even indirect pressure that might ensue for example from the environment in which the interview is to take place. Czech Television is not allowed to expose children to manipulation of any kind.

**16.23** Czech Television must ensure that children participants do not become the object of psychic or even physical violence. The recording

shall be planned in such a way as not to overburden the children and not to expose them to influences that might be detrimental to their development.

**16.24** Upon request, Czech Television shall provide legal guardians of juveniles without delay with information on the participation of children in the recording of programmes. Only under the conditions specified in Article 16.11 (e.g. case of an abused child), it shall refuse to provide information even without prior agreement with the juvenile.

### **Treatment of animals**

**16.25** Czech Television shall not allow the tormenting of animals during recording or in connection with it. No animals may be killed or injured exclusively for recording purposes. The health and dignity of animals must be spared and animals may not be overworked, especially by being made to suffer excessive exhaustion, hunger or thirst. Czech Television shall not conclude any agreements about participation in the recording with persons whose activities would violate the present Article.

### **Recording abroad**

**16.26** When recording in a foreign country, the crew of Czech Television is obliged to observe local regulations and refrain from any actions that may be considered offensive with respect to local customs, religion and culture.

### **Non-standard conditions**

**16.27** In cases where Czech Television was subjected to censorship in the treatment of the given topic (particularly by states with undemocratic regimes) or to other non-standard conditions that influenced the treatment of the topic, the editor-in-chief of the relevant department shall decide, whether the recorded material may be used in broadcasting, taking into account in particular the potential significance of the material for viewers. If the relevant editor-in-chief decides to use the material, it is the duty of Czech Television to accompany the programme, or the relevant part thereof, by an explanatory notice describing the circumstances that did not allow optimal treatment of the topic. The aforementioned rules also apply to acquired material.

## Article 17 Depiction of certain phenomena

### Violence

**17.1** Czech Television is aware of the danger posed by the ever more frequent depiction of violence. The presentation of violence in its programmes therefore shall not be given more prominence than is necessary for an artistic depiction of a certain topic or for the coverage of reality in news or current affairs programmes. Czech Television shall not broadcast any declarations that could instigate violence, because they might be justifiably understood as declarations supporting and disseminating violence, hatred, racial intolerance or other forms of discrimination or hatred based on intolerance.

**17.2** Czech Television is obliged to follow the results of expert studies on the influence of the depiction of violence on the public and adjust its programming decisions without unnecessary delay to confirmed conclusions of such studies.

**17.3** In the depiction of violence that is adequately motivated it is necessary to seek balance between the imperative of truthfulness, or authentic artistic expression, and the danger that the viewers will become insensitive to violence. Shocking pictures are sometimes necessary to make the viewers fully understand the meaning of the message. Frequent shocking of the viewers, however, leads to a situation in which more and more violence must be presented to achieve the original aim. In the preparation of programmes dealing with acts of violence, it is necessary to be very careful in the treatment of archive material about events of similar nature. Their use must be relevant i.e. it may not result in a distortion of reality or give rise to confused notions.

**17.4** Shocking pictures may never be an end in itself. The camera work must be extremely sensitive and close-ups may be included only where their presentation is sufficiently justified. Czech Television shall never broadcast images of violence for the sole reason of their availability. When including the depictions of violence in news programmes broadcast during the day, Czech Television must take into account that they may also be watched by a significant number of children. Each drastic picture must be approached with full awareness of the fact that the viewer, as opposed to persons working for Czech Television, will see it for the first time, while editors and cameramen are as a rule used to violent scenes on the screen.

Last but not least, it is necessary to remember that some information may have instigating and instructive effect on children or unstable individuals.

**17.5** Violence perpetrated in remote countries should be depicted on the same principles as violence that takes place in the immediate vicinity of the audience. Human life and suffering have the same generally accepted value regardless of place or time.

## **Victims**

**17.6** Czech Television shall pay special attention to the consideration of circumstances under which pictures of victims of violent acts, accidents or natural disasters may be used in broadcasting. Although in justified cases the inclusion of the relevant picture in a programme may bear important message, the rule is that close-ups of the dead and wounded or of people deranged by shock may be broadcast only exceptionally and with the consent of the editor-in-chief of the relevant department. Groups and individuals that are unable to set the limits within which they will make their suffering accessible to television cameras, e.g. people who lost consciousness or people in deep shock, people devastated by grief, or children, shall have claim to special protection and regard.

**17.7** Czech Television shall not identify victims of serious violent crimes nor relatives of such victims (particularly in cases of attempted murder, serious bodily harm, rape or sexual abuse), if the persons in question do not give their consent to such identification. In exceptional cases, if the full identity of the aforementioned persons is already publicly known, the editor-in-chief of the relevant department may authorise an exception from the above rule for reasons of especially important public interest.

## **Nudity and sexually explicit behaviour**

**17.8** The approach to nudity and open manifestations of sexuality in human behaviour (sexually explicit behaviour) shall depend on the character of the programme prepared for broadcasting. While viewers in the Czech Republic are comparatively liberal minded in their approach to nudity and scenes with sexual undertones in evening art or entertainment programmes, they may consider as inappropriate the inclusion of similar content in news or current affairs programmes.

**17.9** The depiction of nudity or sexually explicit behaviour must be motivated and justified with regard to the nature of the programme by either

artistic or professional editorial criteria. It is unacceptable to include the depiction of nudity or a sexual act only on the basis of an expected viewer interest.

**17.10** Programmes containing sexually very explicit pictures may not be scheduled within the time interval from 6 a.m. to 10 p.m. every day. If such programme is scheduled and broadcast at other hours, Czech Television shall always notify the viewers about the character of the programme content. The scheduling restrictions specified above also apply to spots promoting the programmes, if they have the aforementioned content.

**17.11** It is not allowed to include pornographic material in broadcasting.

**17.12** In the preparation of news and current affairs programmes of Czech Television it is necessary to consider carefully where the depiction of nudity or sexually explicit behaviour may be used for documentation of the news. If concrete individuals could be identified on the recorded material, the programmes shall not include the depiction of sexual organs, with the exception of artistic performances and people who voluntarily undressed in public

### **The use of archive material**

**17.13** Archive material may be used for the illustration of a current event or issue only on the condition that it will not confuse the viewer. It must therefore be clearly designated as such and in cases where the archive picture of one event is being used for the illustration of another, it may not mislead viewers into believing that they are witnessing something that they are not.

**17.14** The use of archive material may be traumatising for some people, e.g. in the case of pictures of identifiable persons who have already died. Also the repeated use of the same images of identifiable persons in delicate situations as a “neutral” illustration (e.g. breathalysing of suspected drunk drivers) may be very humiliating and traumatising for the individual in question. Czech Television shall therefore refrain from repeated use of such archive pictures.

**17.15** Archive pictures depicting suffering, pain, violence, grief or death may not be used mechanically, especially if they include images of living people or people whose close relatives are still alive. If the author of the programme intends to use archive shots of the aforementioned kind, depicting identifiable persons, he or she must request in advance the consent of the

editor-in-chief of the relevant department. The aforementioned provisions shall not affect Articles 17.6 to 17.7 of the present Code.

### **Computer graphics**

**17.16** Although computer graphics is a useful tool in the making of programmes, it may sometimes create the illusion of a real documentary. In cases where the viewer could be misled into believing that he or she sees pictures of reality, it is necessary to accompany the material broadcast with the information that the picture is e.g. not a photo, but merely an illustration created by computer processing. The aforementioned rule need not be applied in the making of art and entertainment programmes.

## Article 18 Live broadcasting

**18.1** Czech Television shall devote appropriate attention to the preparation of live broadcasting, since live broadcasting may involve events that cannot be planned in advance. The host (moderator) of a live programme must keep control over the situation and be ready to react to unplanned events. Czech Television shall devote special attention to non-professional participants in live broadcasting for whom their participation may be connected with increased nervousness.

**18.2** Where possible, Czech Television shall not allow persons from whom it may reasonably expect offensive or vulgar behaviour or who are under the influence of alcohol or toxic substances to participate in live broadcasting.

**18.3** If a person participating in live broadcasting acts in a way which would prevent Czech Television from fulfilling the duties stipulated by law or by the present Code, the host (moderator) of the live programme is authorised to interrupt the aforementioned person and prevent him or her from continuing. If the behaviour or actions of such a person seriously exceed the tolerable limit, the host of the programme is obliged to distance himself or herself on behalf of Czech Television from the behaviour or statements of the aforementioned individual.

## Article 19 Critical situations

**19.1** Czech Television must inform its viewers about extraordinary events that seriously disturb the normal course of life of people at home and abroad. Such events include war conflicts, terrorist attacks, violent encounters, natural disasters, technological or transport accidents (hereinafter referred to as critical situations). The decision on the inclusion or non-inclusion of the aforementioned information in broadcasting, including the decision on the amount of broadcasting time devoted to it, shall depend on the seriousness of the impact of the aforementioned events on the community living in a particular area or on the population of the whole country. Czech Television therefore shall not attribute exceptional significance to events that have only individual impact on the persons who are adversely affected (e.g. a regular traffic accident), if there is no other public interest motive for reporting about such events (e.g. the need to inform drivers about a dangerous segment of the road).

**19.2** In case of a serious threat to safety, health or property of the population, the priority of Czech Television broadcasting must be to contribute to the salvation of human lives, health, material values and the environment, until the passing of the imminent danger.

**19.3** In the news coverage of critical situations it is necessary, while the situation lasts, to pay priority attention to the prognosis and current development of the event, including its actual or potential impact and only in the second place analyse the causes and consequences that are or may be drawn with regard to the aforementioned causes. Czech Television must inform about critical situations in a rational manner; the commentaries of the editors may not be predominantly emotional. It is the duty of Czech Television to inform about critical situations rapidly, accurately, but also soberly, not to use them to improve ratings or to boost the popularity of individual editors. The commentary may not provoke panic.

**19.4** In informing about wars and armed conflicts in news and current affairs programmes, Czech Television shall not omit humanitarian issues, including the treatment of civilian population, prisoners and refugees, and shall report about the aforementioned issues irrespectively of the sides of the conflict.

**19.5** The on-the-spot activities of the crew of Czech Television in critical situations may not interfere with the provision of help to the afflicted nor with the alleviation of other consequences. If the Czech Television crew is on the

spot before help comes, the members of the crew are obliged to provide necessary assistance to the afflicted and shall fulfil this duty in preference to the recording of events.

**19.6** Members of the Czech Television crew are obliged to pay due attention to their safety and in a confused situation in which their lives are in danger seek shelter rather than try to record the events.

**19.7** In cases where in the coverage of a critical situation Czech Television uses image or sound material which it knows to be incomplete or modified by authorities or another third party, but which it wants to use because of its topicality or because of the lack of its own material on the issue, the broadcasting of such material must be accompanied by a notice informing the viewers that the material in question has been recorded or processed outside the control of Czech Television. The provision of Article 16.27 shall remain unaffected.

## Article 20 Charity work

**20.1** Czech Television shall support cultural and public-benefit activities, in particular within the framework of the so-called media partnership which consists in providing time for the broadcasting of promotional spots for collections, educational projects and other non-commercial activities. The number of accepted projects shall depend on the priorities that stem from the mission of Czech Television as a public service broadcaster. In this respect, preference shall be given to charity, humanitarian and educational projects.

**20.2** Individuals or entities interested in media partnership shall submit to Czech Television an application for the broadcasting of promotional spots for collections, educational projects and other non-commercial activities, together with the project whereto the spots would be related. Prior to the conclusion of the appropriate contract, Czech Television shall verify the non-commercial nature of the project and the applicant's capability of carrying it out. For this purpose it shall also request information on the personal, organisational and financial backing of the project.

**20.3** If the number of eligible applications submitted within a particular period of time exceeds the scheduling possibilities of Czech Television, the projects whose promotional spots would be broadcast in the framework of

the media partnership shall be selected by a selection committee. Czech Television is obliged to nominate at least one third of the members of the committee from among personalities independent of Czech Television and having sufficient knowledge of the non-profit non-governmental sector. The nominees may not be in any way related to the submitted projects; otherwise they must be temporarily excluded from the work of the committee for potential bias.

**20.4** The content and technical make-up of the promotional spots to be broadcast must meet the quality criteria used for other programmes of Czech Television and may not mislead the viewers as to the focus and purpose of the project. In particular, it is inadmissible to allow the broadcasting of false or distorted information about the purpose and management of the funds raised by a public collection.

20.5 Czech Television shall seek also other possibilities of informing about charity projects and about the activities of non-profit non-governmental organisations that play an important cohesive role in any open civic society.

**20.6** In cases whose exceptional nature justifies such action, Czech Television may donate financial or material resources or provide free or discounted service in order to offer humanitarian assistance to people in need. It may do so either directly, or via a prestigious non-governmental organisation or the public-benefit company People in Need that works under the auspices of Czech Television and whose statutory bodies include representatives of Czech Television. However, the resources thus donated may come only from the revenues from Czech Television's commercial activities and their amount must be reasonable with regard to the economic situation of Czech Television.

**20.7** Where suitable, Czech Television may, within the limits of its possibilities, support cultural, educational or humanitarian public-benefit projects by offering its services at a discount, but always exclusively on the basis of a written contract accessible to the public.

**20.8** As the founder of the public-benefit company People in Need operating under the auspices of Czech Television, Czech Television shall collaborate with the aforementioned company, within the limits of its possibilities support the activities thereof and make sure that the high credit of the humanitarian activities of the organisation is maintained. The provision

of information on the activities of People in Need in news and current affairs programmes shall be subject to reasonable application of Article 23.5.

## Article 21 Commercial parts of the schedule

**21.1** Czech Television shall see the legally authorised forms of broadcasting the commercial parts of the schedule reserved for advertisers primarily as one of the sources of revenue for the fulfilment of its public service obligation. The relationship to advertisers may be based solely on the aforementioned commercial motive and it is forbidden to negotiate agreements that would be inconsistent with the aforementioned motive and with the usual commercial relationship between the advertiser and the provider of advertising time. In particular, Czech Television may not become involved with the business or commercial activities of the advertiser.

**21.2** Czech Television shall not permit advertisers to influence the content of its programmes. It also may not make any promises that would violate the aforementioned rule. The fact that a certain individual or entity has been or is to become an advertiser with Czech Television or is bound to Czech Television by another commercial relationship may not provide the individual or entity in question with any advantage or special treatment in relationship to the content of programmes, with the exception of the commercial whose broadcasting he or she has ordered.

**21.3** Czech Television is obliged to act in such a way as to maximise revenues from the sale of its commercial time to advertisers. In adopting decisions in this area, it shall therefore, without prejudice to other duties stipulated in the Code, exclude any other criteria except commercial interest.

**21.4** Advertising and other forms of commercial presentation allowed by law (sponsoring and teleshopping) may be broadcast only in such a way as will enable the viewer to discern easily that these are commercial expressions of persons independent of Czech Television. A potential presentation of the commercial offer of Czech Television (e.g. audiovisual recordings, souvenirs) must be advertised in such a way as to enable the viewer to distinguish between such commercial expression and the rest of the programme.

**21.5** In all of its programmes, Czech Television shall avoid hidden and subliminal advertising.

**21.6** Czech Television shall not broadcast any advertisement about which it would know that it violates the law or is capable of causing serious harm to people or the environment.

**21.7** Czech Television shall not deliberately take part in covert presentation of commercial interests in broadcast programmes, which means e.g. that the style or the overall character of the performance of a programme protagonist may not be determined by his or her commercial activities.

**21.8** Czech Television may trade objects or rights that are related to the programmes broadcast by it (merchandising), if such activities do not jeopardise the fulfilment of its public service obligation. However, Czech Television shall not allow the interest in the future commercial use of certain elements of its broadcasting to influence the character of the aforementioned elements at the expense of professional quality.

## Article 22 Conflict of interests

**22.1** A conflict of interests in the case of employees of Czech Television or its external collaborators is inadmissible. Persons working for Czech Television must exclude the possibility that personal interest may influence the inclusion or non-inclusion of a particular piece of information or a particular programme in broadcasting. Anyone who could be subject to doubt as to the existence of a conflict of interest is obliged to report the fact to his or her superior and wait for the superior's decision. The Director-General in the same situation shall inform the Czech Television Council and wait for its recommendations. A conflict of interests exists even if those cases where doubts may arise as to the impartiality or bias of any person participating in the preparation of the programme content, regardless of whether the relevant person participates in the audience or is among individuals or entities about whom information is collected. The aforementioned doubts as to impartiality or bias arise particularly in cases where a certain person is or has been connected by family ties, friendship, work relationship, membership ties, contractual relationship or conflict with the individual or entity that is to become the subject of the information, or where such person accepts or has accepted from the individual or entity in question any benefits or emoluments or has otherwise participated in the activities of such individual or entity. The aforementioned connection exists also in cases where it may concern the immediate human environment of the person participating in the preparation of the news (e.g. family members, partner or closest friends). A mere appearance in the position of a citizen or consumer shall not be considered a conflict of interests if it stays within the limits of customary behaviour.

**22.2** Persons working for Czech Television may not, even *ex post facto*, accept any gifts or other economic benefits from a third party for recording or broadcasting, or not recording and not broadcasting, a particular programme, or a part thereof, if the acceptance of such gift or benefit might cast doubt on their impartiality in the sense of Article 22.1.

**22.3** The use of insider information for private economic benefit is strictly forbidden. Persons working for Czech Television must also refrain from exploiting the informational advantage that they may gain thanks to their working for Czech Television. In particular, they may not make use of any new information before it is broadcast, neither for their own benefit, nor for the benefit of related persons (e.g. for the conclusion of a commercial transaction).

**22.4** The abuse of the resources of Czech Television for personal or group interests is forbidden.

**22.5** If a conflict of interests arises during the conclusion of a contract or in connection with other commercial decision that may bring the participants some economic benefit, employees and external collaborators of Czech Television must act similarly as in the situation provided for in Article 22.1.

**22.6** Collaboration of the employees of Czech Television with other media is subject to prior written approval of the employee's superior who may give consent on the condition that the activity in question will not interfere with the duties and obligations ensuing from employment with Czech Television and will not create impression that the relevant employee is connected with particular political or religious views or commercial interests. The approval issued in writing may include conditions under which the collaboration has been authorised.

**22.7** If an editor or other employee is asked by another medium for an original contribution, it is his or her duty to consider whether the character of the medium is such that the potential collaboration may not cast doubt on his or her personal professional integrity, impartiality and independence, and with it also the integrity, impartiality and independence of Czech Television. The original contribution prepared for another medium must observe editorial principles and comply with quality standards of Czech Television. Employees of Czech Television appearing in its programmes may not present themselves in other media in a way that would be unacceptable in Czech Television.

## Article 23 Czech Television as an institution

**23.1** Czech Television has been established by the Czech Television Act as an operator of television broadcasting providing public service by the creation and distribution of television programmes. In accordance with the legal system and with the institutes of public control embedded therein, Czech Television shall be independent, impartial and neutral in the pursuit of its activities.

**23.2** Czech Television shall not allow anyone outside its own organisational structure to decide on the inclusion or non-inclusion of a particular piece of information or material in its schedule. The competence of the courts,

administrative authorities or other bodies, stipulated by law, shall remain unaffected. Persons working for Czech Television may not yield to any kind of pressure to include or not to include a particular piece of information or material in the schedule, if the inclusion of the aforementioned information or material would be at variance with the present provision or with other provisions of the Code.

**23.3** To preserve its impartiality and neutrality, Czech Television, as an institution, must refrain from the publication of its own positions on issues of public interest, apart from issues concerning the range of its activities as defined by law and issues related to the regulation of television broadcasting. The present provision shall not affect the publication of judgments not representing views of Czech Television as an institution, which are broadcast within the framework of individual programmes in accordance with their conception and in keeping with the rules of the Code.

**23.4** Czech Television may not abuse its schedule, especially its news and current affairs programmes, for the pursuit of its own institutional interests.

**23.5** News and current affairs programmes concerning affairs of Czech Television must invariably respect the rules of Articles 5.1 to 5.18 and adopt the same approach as if they informed about another institution or enterprise in the Czech Republic. In cases where Czech Television becomes a party to a dispute, it may not be advantaged in its news coverage by any extra space devoted to the presentation of its statement or position.

**23.6** Articles 23.1 to 23.5 shall not prevent Czech Television from scheduling spots promoting programmes to be broadcast or other activities related to the performance of the public service obligation.

## Article 24 Care of the archives

**24.1** Czech Television shall archive programmes broadcast as well as the source audiovisual and written records related to such programmes in accordance with the Archives Act and other relevant legal regulations. Czech Television shall archive the aforementioned programmes beyond the limits of its legal obligation, if a legal regulation or a contract does not prevent it from doing so. Czech Television is obliged to treat the accumulated archive material with utmost care; in particular, it is obliged to protect the stored material against loss, damage or unauthorised use and subject it to

systematic classification. Provided that the quality of the stored material remains unaffected, Czech Television shall ensure a gradual copying of the archived audiovisual works with the help of new technological devices of image and sound recording.

**24.2** Within the limits of its possibilities, Czech Television shall endeavour to make its archives more complete by complementing them with missing material or material related to works that have already been archived.

**24.3** On request, Czech Television shall enable other persons to access its archive material for study and scientific purposes, if there is no danger of damage or other loss of value of the material made available in this way. If the archive material is made available for the aforementioned purposes, Czech Television may demand only the defrayment of the costs incurred.

**24.4** Czech Television shall examine carefully any request for the provision of a copy or the conclusion of a licence agreement concerning material that forms part of its archives, if the request is motivated by commercial interest. Czech Television shall not make its archives available for advertising nor other purposes, if such step could detract from the value of the archived work or from good reputation of Czech Television

**24.5** Czech Television shall reserve in its schedule a regular slot for a programme presenting the riches contained in its archives.

## Article 25 Basic principles of financial management

**25.1** The legal regulations in force as well as the obligation provided for in Article 3.1 stipulate the duty of Czech Television to manage its economic and financial affairs with the care of a good husbandman. In the application of the aforementioned rule, the term “with the care of a good husbandman” shall always be interpreted in the same way as it is interpreted by Czech courts in the settling of commercial disputes.

**25.2** Czech Television must manage its financial affairs with economy, be considerate in its use of resources and thoughtful in its relationship to the environment. Persons working for Czech Television are obliged to act in a way economically advantageous for Czech Television. Each operational decision shall include as one of its integral parts the economic calculation of its impact. Anyone working for Czech Television must know the price of

the material, services and other values that he or she directly uses for work and must be motivated to manage the aforementioned resources economically. The reasonableness of expenses shall be judged in relation to quality that should be achieved in the programmes of Czech Television, as well as in relation to financial possibilities of the public broadcaster.

**25.3** The property of Czech Television may be used for the fulfilment of the public service obligation stipulated by law; apart from that it may be used or handled only under the conditions stipulated by the Czech Television Act, the Czech Television Statute or the present Code. Czech Television shall act in such a way as not to damage the property, nor unreasonably diminish its extent and value or revenues ensuing from it.

**25.4** Czech Television shall ensure the preservation and maintenance of the property, and, where the character of the property admits it, also its improvement or augmentation. Czech Television shall protect its property against damage, destruction, loss, theft or abuse.

**25.5** Czech Television shall use all legal means to assert and defend its rights as an owner and to protect its property against unauthorised interference. It shall assert in time its right to be compensated for damages and to recover unjustified enrichment. Czech Television shall monitor whether its debtors discharge their obligations in a regular and timely manner, and by the timely assertion of its own rights shall prevent prescription or extinction thereof. Unless special legal regulations stipulate otherwise, Czech Television shall demand of its debtors the payment of default interest (default charge) at a level stipulated by a special legal regulation as well as the sufferance of contractual sanctions agreed upon in advance.

**25.6** If a part of its property ceases to be useful, Czech Television shall always try to sell it at a market price. If an economically advantageous sale is not possible, Czech Television shall offer to transfer the property free of charge on condition that it will be used for charity of humanitarian purposes, except in cases where such transfer would burden Czech Television with excessive costs. Only in cases where such transfer of the property to another owner proves impossible, the property may be liquidated. The property that ceased to be useful includes property that exceeds the needs of Czech Television, or assets and objects that have lost their technical and functional properties, whose technical and functional properties have grown obsolete or whose operation would be too costly to allow their further use by Czech Television.

## Article 26 Court actions and administrative proceedings

**26.1** In court disputes and administrative proceedings ensuing from its activities, Czech Television shall act in such a way as to adequately defend its rights and in accordance with the legal system contribute to the protection of the freedom of expression and the right to disseminate and receive information. Persons working for Czech Television are obliged to co-operate with the courts or administrative authorities in the obtaining of evidence. The aforementioned provision shall not prejudice the right to protect the source and origin of information, stipulated in Articles 16.11 and 16.12.

**26.2** In dealing with the courts and administrative authorities, Czech Television is obliged to preserve its integrity; in particular, it may not deliberately provide wrong information or submit false evidence.

**26.3** When entering in arbitration with an adverse party, Czech Television is obliged to act in good faith and use all reasonable means whereby court proceedings and administrative procedure could be prevented without prejudice to the rights of Czech Television and in accordance with the legal system and the Code. Czech Television shall refrain in particular from deliberately misleading the adverse party by raising expectations that an agreement can be reached on a certain issue. The content of the potential agreement concluded with the adverse party may not violate the provisions of the Code.

## ETHICAL PANEL

An ethical panel of Czech Television shall be established to provide assistance in the consideration of questions that will arise in connection with the application of the Code. The ethical panel shall be composed of five members, appointed and recalled by the Director General after consultation with the Czech Television Council. The ethical panel should enhance public trust in the responsible approach of Czech Television to issues of professional ethics and its observance. A related task of the panel is the imperative to protect from outside pressures above all the freedom of expression and the conditions necessary for the existence of independent journalism, but also all other elements of creative work, production and broadcasting in public service television. Membership in the ethical panel is an honorary unpaid function.

The ethical panel is a consultative body to the Director-General of Czech Television and it shall follow its own rules of procedure, which will be adopted at its session and subsequently approved by the Director-General. The Czech Television Council shall have the right to ask the ethical panel to give opinion on issues related to the application of the Code.

## FINAL PROVISIONS

In the interpretation of the Code, priority shall be given to the requirement of its compliance with the legal system of the Czech Republic and its respect for the rules of professional ethics generally accepted by professionals in the field. The Code may not prejudice any of the duties of Czech Television or persons working for it, which ensue from generally binding legal regulations.

If the Code does not expressly refer to some of the generally accepted ethical rules, such omission shall not be interpreted as an authorisation of the behaviour that would violate the rules in question.

Czech Television is obliged to ensure that its new employees get acquainted with the Code prior to the commencement of the employment, or, in the case of external collaborators, prior to the conclusion of the relevant contract. Upon request, it shall explain the meaning of individual provisions and the procedures followed in their implementation. The agreement on the binding nature of the Code shall as a rule form part of the contracts concluded with external collaborators.

The practical implementation of the Code, if it is to provide persons working for Czech Television with true assistance and criteria for the judgment of their actions, requires regular evaluation of experience with its application, including the consideration of potential modifications and amendments. For this purpose, the management of Czech Television together with professional organisations and trade unions shall initiate regular discussions about issues and problems arising in connection with the practical application of the Code, so that the document may live on as a useful and generally accepted instrument of public service support, capable of adaptation to the development both in the television industry and in the society at large.

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