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Chapter I
General Provisions

Article 1. The Freedom of the Press

(1) Freedom of the press represents a fundamental right in the Republic of Moldova, enshrined in the Constitution. The state guarantees to every person the right of free expression of opinions and ideas, truthful information by means of periodicals and press agencies, which hold their activity in conditions of political pluralism, as well as observance of the legislation as for copyrights.

(2) The censorship of any kind concerning periodicals and press agencies, the interference in their activity of drafting and spreading the information is prohibited.

Article 2. Legal status of news agencies and periodical publication editorships

Editorships of periodicals and news agencies are legal entities and operate in accordance with the law in force and their statutes.

Article 3. Submission of information by officials

Officials of public authorities' timely offer the facts and information requested by periodicals and news agencies, with the exception of those classified as state secret and the ones listed in art. 4.

Article 4. The Freedom of Expression and the Limitation of Publicity

The periodicals and the press agencies publish, according to their own appreciation, any kind of materials and information, bearing in mind the fact that the exercise of these freedoms, since it carries with it duties and responsibilities that shall be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, for national security, territorial integrity or public safety, prevention of disorder or crime, protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of confidential information or for maintaining the authority and impartiality of the judiciary.

Chapter II
Organization of periodicals and press agency work

Article 5. The Right to Establish Periodicals and Press Agencies

(1) Any legal entity of the Republic of Moldova or natural person, citizen of the Republic of Moldova, who has reached the age of 18 and lives on its territory, has the right of establishing periodicals and press agencies.

- (2) A periodical or a press agency may be founded by two or more legal entities or natural persons, who in this case are considered co-founders.
- (3) Foreign natural persons and legal entities have the right to take part in the founding of periodicals and press agencies only as co-founders and to own at most 49% of the statutory capital.
- (4) If the newspaper or news agency has two or more founders, the statutory capital is divided into shares (parts), in written agreement between them, confirmed by the constitutive contract, and the profit is distributed proportionally among them.
- (5) Periodicals and news agencies financed from the state budget are based only on the approval of competent authority.
- (6) Founder (co-founders) may reorganize the periodical publications and news agency in accordance with the law, honoring their obligations to the subscribers (readers).
- (7) The editor of the newspaper may be the founder (co-founders) or any other person or entity.

Article 6. Registration periodicals and news agencies

- (1) The registration of periodicals and news agencies is done by the Ministry of Justice.
- (2) If the newspaper or news agency practices economic activities other than those related to the dissemination of information and promotional materials, registration is done in accordance with the Law on entrepreneurship and businesses.
- (3) Periodicals and news agencies operate from the moment of their registration. The activity of unregistered periodicals and news agencies are considered illegal and subject to liability under the law.

Article 7. Termination of activity

- (1) Periodicals and news agencies cease their activity based only on the decision of the founder (co-founders) or court of justice.
- (2) If the founder (co-founders) takes the decision to stop the activity of the newspaper or news agency, and does not create a new periodical publication or press agency with the same name or does not re-registered within 30 days after the closure, the editorial staff, the editor, head of the agency have the right to establish a periodical publication or press agency with the same name.
- (3) The General Attorney has the right to initiate the procedure of ceasing the activity of a periodical publication or news agency, or to institute legal proceedings to end their work.
- (4) In case of systematic violation of this law, the court takes a decision on the closure of the periodical publication or news agency.
- (5) The decision is taken within maximum 3 months after the appearance of the

grounds provided in this Article. This decision can be appealed within 10 days to a higher court of justice.

Article 8. The Leadership of the Periodicals and Press Agencies

(1) The periodical and news agency is headed by the founder (cofounder) or a person appointed by him.

(2) The Founder (cofounders) approves the status and program (basic principles) of the periodical or news agency.

(3) The periodical and news agency implements the program in terms of professional autonomy.

(4) The profile, general orientation, frequency, price and other conditions of activity of periodicals or news agency and employment scheme, are set independently by the founder (co-founders) and their editor.

(5) Professional leadership of the periodical and news agency is exercised by the editor (the editor-in-chief) and the head of the agency.

(6) Only the citizen of Republic of Moldova can be editors (editors-in-chief) of the periodicals and heads of the press agencies.

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Chairman of the Parliament
Petru Lucinschi
Chisinau, 26 October, 1994
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