



REPUBLIC OF SAN MARINO

We the Captains Regent of the Most Serene Republic of San Marino

Having regard to Article 4 of Constitutional Law no. 185/2005 and to Article 6 of Qualified Law no. 186/2005;

Hereby promulgate and order the publication of the following Ordinary Law, approved by the Great and General Council during its sitting of 24 November 2014:

LAW NO. 211 OF 5 DECEMBER 2014

LAW ON PUBLISHING AND THE PROFESSION OF MEDIA OPERATORS

TITLE I PURPOSES AND PRINCIPLES

Art.1

(Purpose)

1. The purpose of this Law shall be to promote and protect information pluralism understood as the freedom to inform and the right to be informed in order to guarantee and protect users and operators in the sector.
2. This Law shall recognise and regulate the professions in the information sector in the Republic of San Marino.
3. With a view to achieving the purpose set out in the preceding paragraphs, this Law shall lay down rules aimed at:
 - a) the identification of media operators, working in all media and disseminating information;
 - b) the establishment of a qualifying training course for the career of journalist;
 - c) the adoption of a Code of Conduct for Media Operators;
 - d) the redefinition of the supervisory body for the activities of media operators to guarantee the principles of pluralism and freedom of information;
 - e) the qualitative and quantitative increase in the creation, production and dissemination of publishing products, i.e. daily newspapers and/or periodicals, books and other literary works, whether on paper or in digital form, or through radio and television broadcasting, excluding discographic or cinematographic products;
 - f) the definition of publishing entity, news outlet, online news outlet, news agency and the limits within which they may operate;
 - g) the rational distribution of benefits for the publishing industry.

Art. 2

(Definitions)

1. For the purposes of this Law:

- a) Publishing entity shall mean any natural or legal person who is the holder of a licence and carries out exclusively or predominantly publishing activities, i.e. publication of daily newspapers or periodicals, books and works of various kinds, in accordance with the regulations governing licences to perform industrial, service and handicraft activities;
- b) news outlet shall mean a media listed in the appropriate register, with the indication of the editor-in-chief, the name of the news outlet and its owner, and its seat;
- c) online news outlet shall mean a media which is solely produced in digital form and only published online;
- d) news agency shall mean a journalistic entity providing specialised services in the collection and distribution to other media of news and updates in any format useful for distribution;
- e) publisher shall mean the owner of the publishing entity and/or the news outlet listed in the appropriate register;
- f) journalist shall mean the professional media operator who exclusively and continuously exercises the profession of journalist and belongs to the professional categories listed in Annex A to this Law, who holds the relevant professional qualification and/or certificate of registration with an Association of Journalists established abroad, and holds a Press Card;
- g) Freelance journalist shall mean the media operator who carries out non-occasional and remunerated journalistic activity even if he/she exercises other professions or occupations, and holds a freelance journalist's card.

TITLE II DISCIPLINE OF MEDIA PROFESSIONS

CHAPTER I RIGHTS AND DUTIES OF THE PROFESSIONALS AND PROFESSIONAL TRAINING

Art. 3 *(Rights and duties of Media Operators)*

1. Media operators' freedom of information and press freedom shall be an integral part of the right to free expression of thought, guaranteed by Article 6 of the Declaration on the Citizens' Rights and Fundamental Principles of San Marino Constitutional Order. Journalists shall have the inviolable right to freedom of information and opinion. This freedom shall be exercised in compliance with the legal provisions protecting the honour and dignity of others, with respect for the substantial truth of facts and with the duties imposed by loyalty, good faith and the Code of Conduct.
2. Each news outlet shall designate an editor-in-chief who shall have criminal and civil liability for the contents of the editorial product.
3. Publishers and media operators shall be obliged to rectify incorrect or inaccurate news, with the same importance given to the incorrect news and in the manner and within the timeframe defined by the Code of Conduct.
4. Publishers and media operators may claim professional secrecy on news sources.
5. Media operators shall have the right to:
 - a) inform citizens about events and news of public interest;
 - b) access public data and documents issued or used for public purposes by State authorities.
6. Media operators shall have the duty to:
 - a) respect, promote and defend the right to information of all citizens by researching and disseminating news and opinions they consider to be of public interest;
 - b) intervene with clarifications and/or corrections where necessary, also without a request; give space to the replies of those who have been the subject of the news;

- c) verify the information acquired prior to its publication, in order to ascertain its reliability as a guarantee for the information disseminated to the public;
 - d) respect the principle of non-discrimination, personal dignity and the right to privacy, except in cases where a substantial public interest is involved.
7. Media operators shall be obliged to register with the Council for Information referred to in Article 5.
8. The Code of Conduct shall contain a list of the rights and duties of media operators to supplement and clarify those provided for by this Law. The Code of Conduct shall be adopted by delegated decree within three months of the entry into force of this Law.
9. The regulatory and remuneration aspects of the professions disciplined by this Law shall be regulated by specific collective labour agreements.

Art. 4

(Professional training of Media Operators)

1. In order to promote professional, cultural and technological innovation, the Council for Information shall set up training projects for media operators.
2. The projects may be managed directly by the Council for Information or promoted in collaboration with public bodies, private entities, companies operating in the sector, universities and/or journalism schools.
3. The Ministry responsible for Information may, in cooperation with the Council for Information and the local publishing entities, establish special scholarships for the professional training of San Marino journalists or professionals living in San Marino.

CHAPTER II

SUPERVISORY BODIES - CODE OF CONDUCT

Art. 5

(Council for Information)

1. The Council for Information, hereinafter referred to as the Council, shall be hereby established.
2. All journalists with a Press Card, i.e. all the categories of journalists referred to in Annex A, freelance journalists and publishers, may join the Council.
3. The Council shall internally appoint the Governing Council, which shall be composed of nine members and remain in office for three years. The President shall be appointed by the Council from among its members and shall periodically convene the Governing Council of the Council for Information.
4. The members of the Governing Council shall be appointed as follows: four by journalists working in the written press and radio-television sectors, three by the other categories listed in Annex A and by freelance journalists, two by publishers. At least five of the members shall be citizens of San Marino or residents.
5. The Governing Council shall be deemed validly convened if the majority of its members is present; it shall decide by a majority of votes: in the event of a tie, the President shall have the casting vote. The sittings of the Governing Council shall not be public.
6. The Council for Information shall be responsible for:
- a) drawing up and approving the Code of Conduct for Media Operators and promoting any subsequent amendments and updates;
 - b) keeping and updating the registers referred to in paragraphs 10, 11, 12 and 13;
 - c) accepting applications for admission to the examination of professional qualification as a journalist, on the basis of forms prepared by the Council itself;
 - d) performing the other functions assigned to it by this Law and other regulatory provisions;
 - e) periodically verifying the permanence of the conditions necessary for the issue of the Press card referred to in Article 13, in support of the Authority for Information.

7. The Council for Information shall annually communicate the list of its members to the Supervisory Authority for Information referred to in Article 6, specifying the category to which they belong, as set out in Annex A. The list may be amended by delegated decree.
8. The Council shall adopt its own internal regulation and set up a special website to provide information and publish the registers for which it is responsible. The cost of enrolment in the registers shall be established in the regulation. The Council may obtain recognition of legal personality by decree of the Court.
9. The Council and the Labour Office shall share data on freelance journalists and qualified journalists.
10. The Council shall keep and update the Register of journalists. In order to be enrolled in the Register of journalists, it shall be required to have successfully passed the examination of professional qualification (wherever acquired), to have been enrolled in the Register of trainees, and not to have received a criminal conviction as referred to in paragraph 15. Paragraphs 16, 17, 18 and 19 shall apply. A journalist shall be removed from the register when the requirement of professional exclusivity is no longer met and during periods of professional inactivity as regulated by the Council.
11. The Council shall keep and update the Register of Trainee Journalists.
12. The Council shall keep and update the special Registers of correspondents and reporters in the Republic of San Marino, as well as the special Register of freelancers.
13. The Council shall keep and update the Register of freelance journalists. In order to be enrolled in the register, the applicants shall prove that they have produced written content signed them which was published in news outlets and periodicals or in online news outlets or radio and television outlets and certified by the directors of the news outlets. They shall also prove that they have been regularly remunerated as freelance journalists for at least two years and not on an occasional basis or, by virtue of the Convention on Friendship and Good Neighbourhood, that they are duly registered with the Italian Association of Journalists - List of Freelance journalists. The Council shall assess the appropriateness of the declared remuneration, the production of at least forty reports or articles in the two years and the absence of any criminal conviction of the applicant as referred to in paragraph 15. Paragraphs 16, 17, 18 and 19 shall apply. Removal from the Register of freelance journalists shall be ordered after two years of professional inactivity. The Council shall issue the freelance journalist's card and define and assess the elements useful for its issuance. The freelance journalists' adherence to the Code of Conduct and enrolment in the register shall be indispensable requirements for the issuance of the card. The Council shall be responsible for monitoring the continued compliance with the conditions necessary for the maintenance of the freelance journalist's card.
14. The Council shall define and evaluate the elements useful for the accreditation of the correspondent media operator referred to in Article 40.
15. The Council shall be responsible for defining the procedures for enrolment in the registers referred to in this Article and for verifying the applicant's eligibility for enrolment and the absence of convictions for intentional criminal offences entailing the restriction of personal liberty for a period of not less than one year, or entailing, for the same period of time, disqualification from public offices. The applicant shall submit a general criminal certificate at the time of registration.
16. Those who have received a criminal conviction entailing disqualification from public offices, except in case of rehabilitation, may not join the Council or be enrolled in the registers referred to in this Article for the entire duration of their disqualification. In the case of a conviction that does not entail disqualification from public offices, or if the disqualification has ceased, the Governing Council may only grant registration if, after assessing all the circumstances and the applicant's conduct since the conviction, it deems that the applicant is worthy of being registered.
17. The decision to reject an application submitted to the Council for enrolment in the registers referred to in this Article shall be notified to the applicant by registered letter with acknowledgement of receipt within fifteen days of the decision. Appeals may be lodged pursuant to Law no. 68 of 28 June 1989.
18. The Governing Council shall decide ex officio to remove the journalist from the Council and from the registers referred to in this Article in case of loss of civil rights, for whatever reason, or

loss of San Marino citizenship or residence or of professional collaboration with a San Marino news outlet. In the latter case, upon request, the journalist may be registered in the special Register of foreign correspondents.

19. The Governing Council shall be obliged to remove from the Council and from the registers referred to in this Article those who have received a final criminal conviction entailing permanent disqualification from public offices. In the event of a conviction entailing temporary disqualification from public offices, the registered person shall be automatically suspended during the period of disqualification. If an arrest warrant is issued, the effects of registration shall be suspended automatically until the warrant is revoked. In the event of a criminal conviction that does not entail the accessory punishment referred to in the preceding paragraphs, the Governing Council shall initiate disciplinary proceedings if the conditions laid down in the Code of Conduct are met.

Art. 6

(Supervisory Authority for Information)

1. The Supervisory Authority for Information, hereinafter referred to as the Authority, shall be responsible for protecting the right to information, understood as the freedom to inform and the right to be informed, as well as for supervising the principles and purposes of the radio and television service as referred to in Article 13 of Law no. 41 of 27 April 1989 and the principles and provisions of this Law. It shall meet at least once a month.

2. The Authority shall take over the competences attributed, by Articles 15, 16 and 17 of Law no. 41/1989, to the Supervisory Board referred to in Article 14 of the same Law.

3. The Authority shall consist of five members, including the President, who shall be appointed by the Great and General Council and shall have knowledge of the media or educational and professional qualifications relevant to the sector. The Authority may be assisted by a legal expert from the public administration. The Authority shall remain in office for three years. The appointment as a member of the Authority shall be incompatible with the position of member of the Great and General Council and with positions in the governing bodies of trade unions and professional associations as well as president, secretary and member of the secretariat of political parties and movements.

4. The President of the Authority shall be appointed upon proposal of the Minister responsible for Information.

5. Two members of the Authority shall be appointed upon proposal of the Council for Information to the Great and General Council. One shall represent written press (daily newspapers or periodicals), online news outlets and news agencies, and one shall represent State radio or television news outlets.

6. One member of the Authority shall be appointed upon proposal of the majority parliamentary groups and one upon proposal of the minority parliamentary groups.

7. The Authority shall perform the following tasks:

- a) It shall keep the Register of publishing entities operating in San Marino territory;
- b) it shall keep the List of news outlets;
- c) it shall keep the Register of Media Operators Associations, which shall be registered, and keep the list of media operators submitted annually by the relevant associations;
- d) it shall monitor the correct exercise of activities in the sector, establishing and applying sanctions in case of non-compliance;
- e) it shall perform the other tasks provided for by this Law and decide on applications for publishing benefits referred to in Title III, Chapter III;
- f) after assessing the information in its possession and that brought to its attention by anyone interested, it shall exercise powers of investigation and verification with a view to preventing and combating limitations and distortions of pluralism of information, concentration between entities operating in the sector, in accordance with the provisions of this Law, also with a view to ensuring transparency of ownership structures;
- g) upon completion of the investigation, it shall order the entities concerned to suspend the acts

carried out in violation of the prohibitions provided for by this Law and shall bring before the Law Commissioner the action for invalidity of the acts referred to in paragraph 4 of Article 28;

- h) it shall examine the reports received concerning alleged violations of the rules contained in the Code of Conduct for Media Operators and apply the sanctions provided for by the same Code; it shall report to the Judicial Authority the violations provided for by Article 18 of Law no. 41/1989;
- i) it shall submit to the Minister responsible for Information an annual report on the state of publishing activities, which shall be filed with the State Institutional Secretariat;
- l) it shall carry out checks in order to recognise the professional status of journalists who have acquired their professional qualification in foreign states, as well as the professional status of the operators referred to in paragraphs 10 and 11 of Article 13, for the purpose of issuing the Press Card;
- m) it shall verify that the depositors referred to in Article 30 comply with the legal deposit obligation and shall apply the sanctions referred to in the same Article.

8. Within three months of its appointment, the Authority shall adopt its own internal regulation, which shall be filed with the Court.

9. The Authority may avail itself of the administrative support of the Office for Industry, Handicraft and Trade in the activity of recording and keeping the registers.

10. The Authority shall be obliged to communicate the sanctions imposed to the Council for Information.

11. The Authority may identify useful elements for the assessment of publishing projects of public interest.

12. The Authority shall have the right to access the data held by the competent offices of the public administration pursuant to Law no. 159 of 5 October 2011 in order to acquire the information necessary for the performance of its duties, as well as for the purposes of verifying the truthfulness of the statements in lieu of certificates produced pursuant to paragraph 1 of Article 5 of the same Law.

13. Publishing entities and news outlets shall submit annually to the Authority a copy of the financial statement for the preceding financial year.

Art. 7

(Radio and television programmes during elections or referendums)

1. On the occasion of elections or referendums in the Republic of San Marino, the radio and television broadcasting service referred to in Law no. 41/1989 shall allocate radio and television spaces to illustrate the programmes or positions of each list taking part in the elections or by the Committees provided for by law. The spaces shall be used in accordance with the provisions issued by the Supervisory Board.

2. The Supervisory Board shall be composed of seven members appointed by the Great and General Council in proportion to the Council groups, shall remain in office for the duration of the legislature and shall appoint a President from among the members nominated by the minority political lists.

3. The Board shall take decisions by majority vote and, after each consultation referred to in paragraph 1, shall report to the Great and General Council on the activity assigned to it.

4. The Supervisory Board shall be responsible for defining and regulating the spaces referred to in paragraph 1 while respecting freedom, pluralism, the equal dignity of the lists participating in general elections and their representativeness, as well as for defining and regulating the spaces that shall be allocated to recognised associations and bodies for expressing their opinions on general themes and topics, provided that they do not conflict with the purposes assigned to the public service and are compatible with the radio and television broadcast schedule referred to in Law no. 41/1989.

5. The activities of the Board and the spaces referred to in the preceding paragraph shall be the subject of a regulation that the Board shall submit to the Great and General Council for

approval within six months of the entry into force of this Law.

6. The Supervisory Board shall also be given prior knowledge of the six-month institutional radio and television broadcast schedule.

Art. 8

(Code of Conduct for Media Operators)

1. The Code of Conduct for Media Operators shall mean the document setting out ethical standards, rights and duties, and rules relating to:
 - a) protection of minors and other physically and socially disadvantaged persons;
 - b) protection of fundamental human rights and privacy;
 - c) verification of the accuracy and completeness of the information disseminated and the explicit and clear distinction between facts and opinions;
 - d) sanctions applicable to media operators in the event of violations of ethical duties;
 - e) exercise of disciplinary action to ascertain violations and apply disciplinary sanctions and appeals against disciplinary measures.
2. The Code of Conduct shall be drawn up and approved by the Council for Information.
3. The Code of Conduct shall be adopted by delegated decree on the proposal of the Council for Information.
4. Violations of the rules contained in the code may be reported to the Authority by natural persons, associations and institutions.
5. The Authority shall be responsible for applying the sanctions provided for in the Code of Conduct.

CHAPTER III

JOURNALIST'S PROFESSION AND QUALIFICATION REQUIREMENTS

Art. 9

(Professional journalist qualification)

1. Eligibility to exercise the journalist's profession shall be assessed by means of a specific examination of professional qualification.
2. Admission to the journalist's profession shall be determined by passing an examination of professional qualification for the profession of journalist set periodically by the Council referred to in Article 5.
3. Candidates who meet the requirements of Article 10 shall be admitted to the examination of professional qualification.
4. The examination shall be held annually or every six months depending on the number of applications submitted under this Law by persons interested in obtaining professional journalist qualification.

Art. 10

(Requirements for admission to the examination of professional journalist qualification)

1. The person interested in acquiring a professional journalist qualification shall prove to meet the following requirements:
 - a) being at least 21 years old;
 - b) holding an academic qualification not inferior to a high school diploma;
 - c) Being a San Marino citizen or resident or having a professional collaboration relationship with a San Marino news outlet;
 - d) being enrolled in the Register of Trainees referred to in Article 5, paragraph 11;
 - e) having been practising as a trainee journalist continuously for twelve months;

- f) having attended training or theoretical courses with a minimum duration of thirty hours promoted and/or recognised by the Council.
2. By delegated decree, the requirement referred to in letter b) above may be amended to reflect developments in the journalist's profession.
3. Persons holding a Master's Degree in Information and Publishing Systems or a two-year Master Course in Journalism shall be exempt from the examination of professional qualification referred to in Article 9 and may apply for a Press Card if they meet the requirements, excluding letter f).

Art. 11

(Journalistic traineeship)

1. Any person interested in obtaining a professional journalist qualification, hereinafter referred to as a trainee, shall be required to complete a minimum period of twelve months of journalistic traineeship.
2. The journalistic traineeship shall take place at a San Marino or foreign publishing entity recognised by the Council. The journalistic traineeship may also be attested by a certificate of attendance at a Journalism School with a traineeship period of at least twelve months, recognised by the Council or by the Association of Journalists of a foreign State.
3. During the traineeship period prior to admission to the examination of professional qualification, the candidate shall be supervised by a tutor, i.e. a qualified professional journalist employed by a publishing entity or Editor-in-Chief of a news outlet.
4. The employer shall not assign to the trainee any tasks or activities that are not related to the journalist's profession.
5. After twelve months, upon the trainee's request, the Editor-in-Chief of the news outlet or qualified journalist of a publishing entity shall issue a report on the journalistic activity carried out.
6. The trainee shall be enrolled in the Register of Trainees and may not be enrolled for more than three years. Persons intending to start working as journalists and who are at least 18 years old, are San Marino residents or citizens or have a professional collaboration relationship with a San Marino news outlet, have an academic qualification not inferior to a high school diploma and do not have any criminal convictions referred to in Article 5, paragraph 15 may be entered in the Register of Trainees. Paragraphs 16, 17, 18 and 19 of Article 5 shall apply.

Art. 12

(Examination of professional qualification - Examination board)

1. The Council shall decide on the admission of each candidate to the examination of professional journalist qualification.
2. The examination shall take place before the Examination Board, which shall consist of three members, including the President.
3. The Examination Board shall be appointed by the Congress of State. The President shall be chosen among personalities of the San Marino and/or foreign media. One of the members shall be proposed by the Council and the third member shall be an expert in San Marino law.
4. The examination referred to in Article 9 shall consist of a written test and an oral test on general knowledge, legal rules pertaining to the field of journalism, and San Marino law and history. Other tests may be envisaged depending on the relevant category.
5. The examination shall assess the skills and knowledge acquired during journalistic traineeship.
6. The technical procedures for conducting the examination, publicity and the contents of the announcement, as well as the grounds for ineligibility, shall be determined by a specific regulation adopted by the Council.
7. The Council shall certify successful completion of the examination of professional journalist

qualification for the purpose of issuing the Press Card.

Art. 13
(Press Card)

1. The Press Card shall certify the status of professional journalist. The Press Card shall serve as proof of registration for the purposes of exercising professional activity. The document shall have security features and show a photo, personal details and date of validity.
2. The Labour Office of the Republic of San Marino shall issue the Press Card if the requirements set out in paragraph 4 are met.
3. The cost of the Press Card shall be determined and updated by a decision of the Congress of State upon recommendation of the Labour Office. The revenue shall be collected by the Labour Office in a specific chapter to be established in the Budget.
4. The following requirements shall be met for the card to be issued:
 - a) the journalist's adherence to the Code of Conduct, as regulated by the Council;
 - b) successful completion of the examination of professional journalist qualification referred to in Article 12, without prejudice to the derogations referred to in paragraphs 10 and 11 of this Article and paragraph 3 of Article 10;
 - c) enrolment in the Register of Journalists referred to in paragraph 10 of Article 5.
5. Compliance with the Code of Conduct and enrolment in the Register of Journalists shall be requirements to maintain the Press Card.
6. Checks on the continued compliance with the conditions for maintaining the card shall be the responsibility of the Authority.
7. Press Card holders shall be subject to the Collective Labour Agreement for journalists.
8. The San Marino public administration shall assist media operators by facilitating access to public sources of information in terms of timing and form, in compliance with Law no. 160 of 5 October 2011.
9. The Council shall keep a special Register of Journalists, in which Press Card holders shall be required to enrol.
10. Professionals residing in the Republic who are duly registered with the Italian Association of Journalists - List of Professionals, by virtue of the Convention on Friendship and Good Neighbourhood, shall be entitled to exercise the journalist's profession and shall be exempt from the requirement under letter b) of paragraph 4 for the issue of the Press Card.
11. Media operators who have been regularly registered with the Italian Association of Journalists - List of Freelance journalists for more than fifteen consecutive years, with proven experience and professional competence assessed as such by the Supervisory Authority for Information referred to in Article 6, shall also be entitled to exercise the journalist's profession, and shall be exempt from the requirement set forth in letter b) of paragraph 4 for the issue of the Press Card, by virtue of the Convention on Friendship and Good Neighbourhood.

CHAPTER IV
SPECIAL REGISTER OF JOURNALISTS

Art. 14
(Foreign correspondent in the Republic of San Marino)

1. A special Register, kept by the Council, shall be established for the registration of each foreign correspondent in the Republic of San Marino, i.e. of journalists qualified to practice their profession in foreign countries, who carry out their journalistic activity in the correspondence offices or in the editorial offices of publishing entities and/or news outlets of the Republic of San Marino.
2. Correspondents in the Republic of San Marino who are duly registered with the Italian Association of Journalists - List of Professionals or List of freelance journalists - shall be entitled to

exercise the journalist's profession and shall be assimilated to San Marino professionals, with the obligation to adhere to and comply with the Code of Conduct referred to in this Law.

3. Entry and stay in the Republic of San Marino of foreign correspondents of foreign news outlets shall be allowed in compliance with the provisions of Law no. 118 of 28 June 2010 and subsequent amendments and implementing rules.

Art. 15

(Freelance journalist)

1. The freelance journalist shall be a self-employed journalist who is not bound by a relationship of employment or subordination.

2. The freelance journalist shall propose, edit and provide journalistic services to regularly registered news outlets and other media.

3. In order to exercise their profession within the Republic of San Marino, freelance journalists shall meet the requirements provided for by this Law and be duly registered in the Special Register kept by the Council, pursuant to Article 5.

4. Freelance journalists may request the Press Card from the Labour Office if they hold the professional journalist qualification referred to in Article 9, and if they provide documentary evidence of this qualification.

5. For the purposes of issuing the Economic Operator Code, the Labour Office shall register the freelance journalist operating in the territory upon presentation of the certificate of registration with the Council.

TITLE III

EDITORIAL PRODUCT AND ACTIVITY

CHAPTER I

EDITORIAL PRODUCT

Art. 16

(Definitions and regulation of the editorial product)

1. Editorial product shall mean the publication on paper, in electronic form or by means of radio or television broadcasting of information of public interest, or the dissemination by any means of any product having the purpose of information, education, dissemination and entertainment intended for publication in any form, with the exclusion of discographic or cinematographic products.

2. For the purposes of legal protection, editorial products shall be considered literary works.

Art. 17

(Protection of the editorial product)

1. The originality of the editorial product shall be recognised and protected as an expression of the human creativity and work. Intellectual property on the editorial product shall take into account the general interest in the circulation of information and dissemination of knowledge.

2. The reproduction, even partial, of the editorial product by electronic or mechanical means shall be permitted for personal use within the limit of 15% of each editorial product.

3. The copyright on the editorial product shall be protected by the relevant regulations in force.

4. In the event of reproduction beyond the limit envisaged in paragraph 2, copyright shall be deemed infringed and an administrative pecuniary sanction of € 100.00 for each illegal copy shall

be applied, up to a maximum of € 50,000.00.

Art.18
(Pure Publishers)

1. The natural person and the legal person who hold a licence and whose main activity is publishing, shall be defined as pure Publishers if the prevalence of the publishing activity is unequivocally evident from the purpose of the licence and from the corporate purpose for legal persons.
2. Publishing entities which are controlled or participated by banks, financial companies, fiducial companies or, with a majority share, by companies which do not have publishing as their main activity, or which are associated with them, shall not be considered pure publishers within the meaning of this Law and shall be excluded from the benefits of Articles 32 and 33.

Art.19
(News outlets)

1. News outlets, as defined in letter b) of Article 2, shall be obliged to register specifying their frequency of publication (daily or periodical) and main characteristics (printing place, publication deadline, print run, publisher, owner, editor-in-chief).
2. News outlets shall have an editor-in-chief holding a professional journalist qualification and at least one professional journalist holding a Press Card.
3. News outlets may be printed, broadcast on radio or television and published online.
4. Print news outlets shall hereinafter also be referred to as newspapers.

Art. 20
(Online news outlets)

1. The same principles and operating methods, including legal obligations, applied to other types of news outlets shall also apply to online news outlets as defined in Article 2, letter c). Therefore, it shall be regularly enrolled in the list of news outlets, indicating the editor-in-chief holding a professional journalist qualification. Its staff shall include at least one professional journalist holding a Press Card. The news outlet shall also indicate the host provider of the website, i.e. the authorized party granting access to the computer network, as well as the space on its server for the publication of news and/or comments of public interest.
2. On-line news outlets shall submit to the Supervisory Authority for Information the useful data for the identification of persons involved in the publication, as indicated below:
 - a) name and residence of the publisher or Administrator, or author of the website;
 - b) place and year of publication
 - c) name and residence of the printer or hosting provider.

Art.21
(List of news outlets)

1. A List of news outlets shall be established at the Authority.
2. The news outlets' editors-in-chief referred to in Articles 19 and 20 shall be obliged to enrol in the list if they exercise this activity exclusively or predominantly.
3. In order to be included in the list, the following requirements, which shall be duly proven in accordance with Law no. 159/2011, shall be met:
 - a) enjoyment of civil rights;
 - b) possession of a professional journalist qualification;
 - c) deposit of a copy of the financial statement for the previous financial year, as well as what provided for in letters b), c) and d) of paragraph 7 of Article 34.

CHAPTER II
PUBLISHING ACTIVITY

Art.22

(Publishing activity and publishing entities)

1. The publishing activity shall be understood as the activity aimed at the creation and distribution of editorial products.
2. The publishing activity may also be carried out in a non-business form for non-profit purposes.
3. The publishing activity shall be carried out in a business form by publishing entities as defined in letter a) of Article 2.
4. The publishing activity may be carried out by cooperatives under San Marino law in compliance with the provisions of the legislation in force.
5. In order to safeguard transparency, competition and pluralism in the publishing sector, all publishing entities that carry out their activity exclusively or predominantly, in order to be recognized as such, shall enrol in the Register of publishing entities at the Supervisory Authority for Information.

Art.23

(Register of publishing entities)

1. A Register of publishing entities shall be established at the Authority.
2. Publishers who carry out this activity exclusively or predominantly shall be obliged to enrol in the Register of publishing entities.
3. Enrolment in the register shall be subject to the Authority's verification of ownership and validity of the license (if the applicant is a legal person) and to the deposit of the relevant certificates if requested by the Authority, as well as to the deposit of:
 - a) a declaration indicating the number of staff members divided according to professional categories;
 - b) a declaration containing a list of the news outlets published or controlled and, for each of them, an indication of the place of publication;
 - c) a copy of any agreements with other entities for the production or purchase of common goods and services;
 - d) a copy of a valid identity document of the news outlets' editor-in-chief holding a professional journalist qualification, and/or a certificate of regular registration with an Association of Journalists - List of professionals established abroad, or a statement in lieu thereof certifying professional journalist qualification pursuant to this Law;
 - e) a copy of the financial statement for the previous financial year, as well as what provided for in letters b), c) and d) of paragraph 7 of Article 34.
4. Entities entered in the register shall be obliged to notify the Supervisory Authority for Information of any change in their registered office within thirty days of the adoption of the relevant act by the Office for Industry, Handicraft and Trade. They shall also be obliged to notify the Authority of any act establishing or amending profit participation rights on the company, even on a pro rata (or partial) basis, within thirty days of the adoption of the relevant act, as well as of any change regarding what is stated in the previous paragraphs within thirty days of the change in question.
5. Entities that do not comply with the above provisions or that present untruthful declarations shall be excluded from the benefit of public contributions.
6. Publishers of news outlets who do not exercise this activity on an exclusive or predominant basis and who, therefore, cannot be enrolled in the register referred to in paragraph 1, while retaining the possibility of continuing to publish news outlets, shall not be subject to the

obligations referred to in this Article and shall not be entitled to the concessions and benefits provided for by this Law.

Art.24
(News agencies)

1. News agencies, as defined in letter d) of Article 2, shall gather news selected, carefully verified and disseminated.
2. News agencies shall be journalistic entities whose purpose is to distribute news to other media outlets such as newspapers, magazines, television and radio broadcasters, natural and legal persons, associations and institutions.
3. News agencies or press agencies may be companies and sell their services, or they may be cooperatives formed by different media outlets for the purpose of sharing information among themselves and/or with external parties.
4. News agencies shall have an editor-in-chief holding a professional journalist qualification and at least one freelance journalist or professional journalist holding a Press Card.

Art.25
(Press Office)

1. A Press Office, in accordance with this Law, shall be a body carrying out journalistic functions, which disseminates news on behalf of companies, bodies and private or public entities.
2. Press Officer shall mean a person working in a Press Office. In press offices, the identification and regulation of professional profiles shall be entrusted to collective bargaining. If a professional journalist works in a press office, he/she shall inform the Council.
3. If a professional journalist works as a Press Officer, he/she may not, during the period of validity of this employment relationship, take on collaborations, assignments or responsibilities in conflict with his/her role of impartial and reliable media operator.

Art.26
(Online publications)

1. Online publications on websites that do not have the characteristics referred to in Article 20, or that contain articles not produced within the publication itself, statements by individual citizens, associations or political parties, shall not qualify as online news outlets.
2. Blogs and social networks in which content is disseminated shall not be considered online news outlets but a form of free expression of thought. Therefore, they shall not fall within the types of journalistic activities provided for by this Law.
3. In online publications, blogs and social networks, offences committed against individuals, institutions or in any case against third parties, whether natural or legal persons, shall be attributed directly to the writer of the article, statement, letter or written text.
4. The author of the written text shall be liable for any damaging conduct towards third parties; if the author of the written text cannot be identified, the director and administrator of the website and/or blog shall be directly and jointly liable.
5. It shall be the responsibility of the website and blog manager to verify the identity of the author.
6. It shall be the responsibility of the website and blog manager, in the event of publication of news related to enquiries and/or investigations, to automatically link all articles related to the news in question.
7. Online publications that do not have the characteristics referred to in Article 20 shall be excluded from receiving contributions and benefits under this Law.

Art.27
(Periodical publications)

1. In amendment of the first paragraph of Article 22 of the Law of 28 May 1881, any person intending to publish a periodical that does not have the characteristics referred to in Articles 19 and 20 shall file with the Ministry responsible for Information, prior to publication, a written declaration indicating:

- a) the type of publication and its periodicity
- b) the editor-in-chief;
- c) proof of citizenship and residence;
- d) criminal records and certificate of pending charges.

2. In amendment of the first paragraph of Article 24 of the Law of 28 May 1881, the editor-in-chief of the publication shall notify the Ministry responsible for Information, within ten days, of any change to one of the conditions expressed in the above-mentioned declaration.

Art.28
(Prohibition of dominant positions)

1. The publishing sector shall comply with the principles of competition and pluralism.

2. Any understandings and agreements between entities as well as concerted practices that have or may have the effect of limiting or distorting pluralism of information or competition between entities operating in the mass media sector shall be prohibited.

3. In the publishing sector, creating or maintaining dominant positions in the publishing market or in any case detrimental to pluralism, even through controlled, controlling or associated companies, shall be prohibited, with the exception of public and private radio and television broadcasting, without prejudice to the adoption of regulatory acts or publishing projects of public interest defined by the Congress of State after consultation with the Authority.

4. The deeds of sale and transfer contracts of news outlets as well as the transfer contracts inter vivos of shares or holdings of daily newspapers publishing companies shall be null and void if, as a result of the transfer, the successor in title assumes a dominant position in the publishing market.

5. Dominant position shall mean the position of the person, company or group of interrelated companies that publish or control entities that:

- a) publish more than 60% of the number of daily and/or periodical newspapers published in the previous calendar year in the territory of San Marino, provided that there is more than one daily and/or periodical newspaper;
- b) collect 60% of the total advertising turnover in the sectors governed by this Law.

6. Acts and contracts leading to concentrations which conflict with the prohibitions and limits set forth in the preceding paragraphs shall be null and void.

7. Entities operating in the publishing sector shall notify the Supervisory Authority for Information in advance of transfers of shares/holdings, acquisitions, agreements and concentration operations in which they take part.

8. The Authority, having received the above communications, following a report by any interested party or ex officio, shall verify that no dominant position or position otherwise detrimental to pluralism is created or maintained. If it ascertains that a person is in a position to violate the above-mentioned prohibitions and limits, it shall issue a public warning, informing the persons concerned of the risk situation.

9. Without prejudice to the aforementioned nullity, the Authority, following a preliminary investigation carried out in compliance with the principle of the adversarial process, shall adopt the necessary measures to eliminate or prevent creating or maintaining the prohibited situations. If it ascertains the performance of acts or operations likely to create a dominant position or in any case detrimental to pluralism, it shall prohibit the continuation of such acts or operations and order their removal within an appropriate timeframe, in any case not exceeding twelve months.

10. Publishing entities shall lose the right to the benefits and concessions provided for by this Law from the moment when a dominant position or a position detrimental to pluralism, duly ascertained as such by the Authority, is established, and for as long as such position is maintained.

11. In the event of non-compliance with the measures adopted by the Authority pursuant to this Article, the Authority shall apply to the persons concerned an administrative pecuniary sanction of not less than 2% and not more than 5% of the turnover achieved in the last financial year closed prior to the notification of the public warning or the opening of the investigation.

Art.29

(Advertising intended for editorial products)

1. Advertising on editorial products shall guarantee the principles of competition and pluralism, in compliance with transparency of commercial policies, correctness and reliability of surveys and data on reading and circulation.

2. Advertising intermediation, for the purposes of this Law, shall mean:

- a) the search and purchase, on behalf of third parties, of spaces in the media and means of communication, including electronic networks, for publication and dissemination of advertising messages;
- b) the assessment, planning, management, control of investments and any other service connected with the purchase of the spaces referred to in letter a) above;
- c) the possibility for persons exercising the activity of advertising intermediation to purchase advertising spaces in the media exclusively on behalf of a client and on the basis of a written mandate.

3. Advertising spaces shall be made immediately distinguishable from spaces intended for information.

Art.30

(Legal deposit)

1. In order to preserve the historical and cultural memory of the country and of San Marino social life, the editorial products referred to in this Law shall be subject to compulsory deposit, hereinafter referred to as "legal deposit".

2. The purpose of legal deposit shall be to create an archive of editorial production and to set up national bibliographic information and access services for deposited documents.

3. Documents intended for legal deposit shall be those produced wholly or partly in San Marino, offered for sale or otherwise distributed, and in any case not disseminated in an exclusively private context, on publishing matters.

4. The obligation to deposit the documents shall be extended to all the media on which the same work is produced. The obligation shall be deemed completely fulfilled when the documents are intact, free from defects and include any possible attachments.

5. The documents referred to in this Article shall be deposited at the State Library of the Republic of San Marino.

6. The legal deposit shall be made by the publisher and the editor-in-chief of the publication.

7. Publishing entities and news outlets recognised as such by this law, as well as those who intend to publish a periodical publication shall be obliged to make the legal deposit.

8. The persons obliged to make the legal deposit referred to in paragraph 6 shall deliver two copies of the editorial product in paper format or any other format within sixty days after the first distribution.

9. The editorial product may be filed electronically on a magnetic medium or sent by e-mail.

10. Anyone violating the rules referred to in this Article shall be subject to a pecuniary administrative sanction equal to the commercial value of the document increased from three to fifteen times, up to a maximum of 1,500.00 (one thousand five hundred/00) euros. The provisions referred to in Article 33 and 34 of Law no. 68 of 28 June 1989 shall also apply.
11. Payment of the sanction shall not exempt from the obligation of deposit of the copies due.
12. The administrative sanction referred to in paragraph 10 shall be reduced to between one third and two thirds if the obliged person deposits the copies due after the expiry of the time limit provided for in paragraph 8, provided that the violation has not yet been challenged.
13. The Regulation adopted by the Congress of State, upon proposal of the Department of Culture, shall establish:
 - a) the categories of documents intended for legal deposit and special criteria and modalities for the deposit, including the annual deposit, of documents;
 - b) the cases of total or partial exemption from the deposit of documents;
 - c) the identification elements to be placed on each document;
 - d) the criteria for determining the commercial value of the documents for the purposes of applying the administrative sanction referred to in paragraph 10;
 - e) the control instruments;
 - f) the depositors and depository institutions for particular categories of documents;
 - g) the modalities for the application of the administrative sanction, as well as any reductions, referred to in paragraph 10;
 - h) the identification of other types of deposit and the related criteria and modalities;
 - i) the modalities for collecting and having access to documents.

Art.31

(Promotion of reading)

1. Publishing entities and news outlets which receive direct and/or indirect contributions under this law shall provide the Department of Culture with copies of their daily newspapers to be used in classrooms as teaching and dissemination of information and culture material.

CHAPTER III MEASURES TO SUPPORT PUBLISHING ACTIVITIES

Art.32

(Support for publishing entities and news outlets)

1. In order to promote pluralism of information, measures shall be envisaged to support publishing entities and news outlets, the dissemination of editorial products, technological innovation and the entry of new operators in the market, professional qualification and employment.
2. Without prejudice to the rules in force on subsidised credit for companies, social safety nets, etc., a special delegated decree shall identify measures to support the training of journalists, aimed at creating training courses authorised by the Authority, as well as measures for advertising revenues.

Art.33

(Benefits for the publishing industry)

1. In order to promote and support the information sector, the following benefits shall be provided:

- a) a contribution up to a maximum of 7% of the documented cost of the editorial product, as referred to in Annex B to this law, up to a maximum of €10,000.00 (ten thousand/00) for each individual publication. The aforementioned percentage and Annex B may be amended by means of a delegated decree;
 - b) a contribution up to a maximum of 30% of the cost of the news reports provision service by major news agencies, up to a maximum of €5,000.00 (five thousand/00) for each individual news outlet.
2. The calculation of the cost of the editorial product referred to in letter (a) above shall not include costs incurred:
 - a) for personnel with functions other than those of media operator;
 - b) for general management expenses;
 - c) for deriving debt interests at any title.
 3. The costs arising from the payment of the contributions referred to in letters a) and b) of paragraph 1 above shall be charged to a specific chapter in the State budget "Interventi di sostegno per le attività editoriali" (Support interventions for publishing activities) and shall be disbursed annually within the limits of the available budget.
 4. All publishing entities and news outlets operating in the territory shall be entitled to the benefits provided for in paragraph 1. Provided that they operate in the territory, book-publishing entities shall be entitled to enjoy only the benefits provided for in letter a) of paragraph 1.
 5. The benefits referred to in this Article shall not be incompatible with other business support measures, provided that any subsidised credit under Delegated Decree no. 93 of 24 July 2013 or de-taxation of reinvested profits does not relate to the same goods and services for which the benefits are granted.
 6. The periodical publications referred to in Article 27, of parties, movements or non-profit associations, legally recognised, with the exclusion of those printed by the State or public bodies, those with a predominantly advertising or commercial information and promotion purpose and occasional and non-continuous publications, shall obtain an annual public contribution, if the periodical news outlet publishes at least six separate issues in a calendar year, of €100 (one hundred/00) for each issue of the periodical publication, up to a maximum of twenty-four issues.
 7. The Authority shall decide on the requests for benefits referred to in paragraph 6 and shall verify the requirements pursuant to Article 27 and paragraph 6 above.
 8. The costs arising from the payment of the contributions referred to in paragraph 6 shall be charged to a specific chapter in the State budget "Contributo alla stampa periodica" (Contribution to the periodical press) and shall be disbursed annually within the limits of the available budget.

Art.34

(Companies eligible for benefits and admission procedure)

1. In addition to pure publishers, i.e. publishing entities entered in the Register of publishing entities referred to in Article 23, news outlets registered in the list of news outlets referred to in Article 21 shall also be entitled to the benefits referred to in this Law.
2. The subjects referred to in paragraph 1 shall not be eligible for publishing benefits if:
 - a) their advertising content exceeds 40% of the publication;
 - b) they incur the prohibitions referred to in Article 28;
 - c) they produce publications the editorial content of which consists mainly of columns, timetables, calendars, telephone directories and so on, and the drafting of which is the result solely of the assembly of pre-established elements by persons other than media operators;
 - d) their editors-in-chief have been convicted by a criminal judgement having the force of res judicata for libel by a newspaper at least twice. In that case, they shall not be eligible for benefits for a period of two years from the last conviction;
 - e) they undergo a change of ownership, which alters the characteristics possessed at the time of entry into force of this Law with the subsequent total or partial, but decisive, transfer of their control to publishing groups already operating outside the territory of the Republic;

- f) they are promoters of new daily and periodical news outlets in San Marino, if their total or partial control is in the hands of publishing groups already operating in San Marino;
 - g) they are established in San Marino for the printing and distribution of local editions of daily newspapers established outside the territory of San Marino, even if the news outlet is not the same;
 - h) they fail to certify or falsely certify the regularity of their tax position;
 - i) they have been sanctioned in the previous three years for violating the rules on the recruitment of workers.
3. For the purposes of letter (a) of the preceding paragraph, articles or reports the primary purpose of which is to give a favourable image of activities, products or services to the public, shall be treated as advertisements. Advertising messages, initiatives promoted by institutions, bodies and associations involved in social initiatives shall not be counted.
4. For editorial products published on the Internet, the calculation of the advertising content shall be carried out in accordance with criteria that are as similar as possible to those used for printed publications.
5. In order to receive benefits, publishing entities and news outlets meeting the requirements and intending to benefit from the contribution provided for in paragraph 1 of article 33 shall apply with the documents indicated in paragraph 7 below to the Office for Industry, Handicraft and Trade, which shall prepare the relevant file, verify that the requirements are met, and forward it to the Authority for final assessment. The person in charge of the administrative procedure of the Office for Industry, Handicraft and Trade, who carries out all the checks, prepares the relevant file and the post-assessment part, shall be obliged to attend the meetings of the Authority if invited by it.
6. The application shall be submitted no later than 31 December of the financial year for which the request is to be made and shall be completed by sending the documents referred to in the following paragraph no later than 30 April of the following year, together with a declaration stating the number of copies printed per day or per issue.
7. In order to complete the application, the subjects referred to in paragraph 1 shall submit:
- a) a copy of the balance sheet for the previous financial year;
 - b) a breakdown of the turnover by type of activity;
 - c) a list of the financiers for contributions exceeding €5,000.00 (five thousand/00) in the reference calendar year;
 - d) the amount of advertising revenue;
 - e) copies of invoices relating to costs directly attributable to the cost of the editorial product referred to in Annex B;
 - f) details of the calculation for each requested benefit;
 - g) a declaration certifying the regularity of the company's tax position and that the company has not been sanctioned in the previous three years for violating the rules on the recruitment of workers.
8. The Authority may withdraw the contribution referred to in paragraph 1 if it finds distortions or violations.

Art.35

(Information-related activities and initiatives)

1. The Ministry responsible for Information, within the scope of the purposes referred to in Article 1, shall promote activities, initiatives and events to encourage and protect pluralism of information. The deriving costs shall be charged to the “Attività ed iniziative connesse con l’Informazione” (Information-related activities and initiatives) chapter in the State Budget.

2. The costs arising from the creation of the Press Card shall be charged to the same chapter "Attività ed iniziative connesse con l'Informazione" (Information-related activities and initiatives).

Art.36

(Transparency of funding at any title)

1. For the sake of transparency towards readers and users of information services, all the media, including news agencies, with the exception of periodical publications of parties, movements or non-profit associations, legally recognised, publications printed by the State or public bodies, those with a predominantly advertising or commercial information and promotion purpose and those published occasionally and non-continuously, shall be obliged to transmit, by April each year, to the Authority, the data concerning the names of natural and legal persons that have shareholdings in the publishing entity and of natural and legal persons that have had such shareholdings in the previous year, or that, in the previous year, for any reason, have contributed to financing the news outlet. They shall indicate the total amount paid by each subject and the form and purpose of the payments, whether they were made by way of contribution, or payment for advertising or sponsorship or otherwise.

2. By 15 May each year, the Authority shall publish on a dedicated website the data referred to in the above paragraph, in a clear and complete manner and with adequate space and visibility.

3. The subjects referred to in paragraph 1 shall be required to advertise in their news outlets, for at least five issues for daily newspapers and two issues for periodical publications, with adequate space and visibility for the site referred to in paragraph 2, the publication referred to in the same paragraph.

4. The subjects referred to in paragraph 1 that omit to do the above or do so in an unclear or incomplete manner or without adequate space and visibility, shall not be eligible for public funding.

TITLE IV

TRANSITIONAL AND FINAL PROVISIONS

Art.37

(Transitional provision for Media Operators)

1. Those who work as media operators in San Marino, as their main activity, in order to be eligible to practice the profession of journalist and to be entered in the register of the Council for Information, shall be required to obtain the qualification to practice the profession of journalist referred to in Article 9 and to receive the Press Card within 24 months from the entry into force of this Law.

2. Those who have been working as media operators in San Marino for at least two years and have been entered in the "Register of journalists" working in the Republic of San Marino kept at the Labour Office, at the date of entry into force of this Law, if they are not qualified as journalists or are not registered with the Association of Journalists - List of Italian Professionals, shall be treated as Freelance Journalists.

3. Those who have been working as media operators in San Marino as their main activity for at least two years, at the date of entry into force of this Law, shall automatically be entered in the Register of trainees referred to in Article 5, paragraph 11, and in order to qualify for the profession of journalist under this Law, they shall be exempt from the practice referred to in letter e) and from attending the training or theoretical courses referred to in letter f), paragraph 1, of Article 10, provided that they meet the requirements referred to in letters a), b) and c) of the same Article. Any person who has not obtained a high school diploma, as referred to in letter b), paragraph 1 of Article 10, shall be required to attend a specific course organised by the Department of Education of the University or by the Vocational Training Centre of the Republic of San Marino, in

cooperation with the Council, within eighteen months from the date of entry into force of this Law.

4. Those who operate exclusively and continuously as journalists in San Marino with proven experience and professionalism assessed as such by the Supervisory Authority for Information referred to in Article 6, if they have been registered in the Italian List of Freelance Journalists for at least fifteen years, at the date of entry into force of this Law, shall be treated as professional journalists and be exempt from the examination of professional qualification. They shall also be required, within eighteen months from the date of entry into force of this Law, to enter in the Register of Journalists and apply for the Press Card pursuant to this Law.

5. Those who operate exclusively and continuously as journalists in San Marino and are registered with the Association of Journalists - List of Professionals of Foreign States, shall be exempt from the examination of professional qualification and shall be required, within 18 months from the date of entry into force of this Law, to enter in the Register of Journalists and apply for the Press Card pursuant to this Law.

6. Those who operate not exclusively as media operators in San Marino, and who are registered with the Association of Journalists - List of Freelance Journalists of Foreign States, shall be required to enter in the Register of Freelance Journalists and apply for the Freelance Journalists' card pursuant to this Law, within eighteen months from the date of entry into force of this Law.

7. Those who operate exclusively and continuously as journalists in San Marino with proven experience and professionalism assessed as such by the Supervisory Authority for Information referred to in Article 6, if they submit to the same Authority documents attesting their activity as full-time, regularly paid journalist and proving that they have regularly published articles, or carried out the activity of editor-in-chief of a news outlet duly registered in the appropriate list pursuant to the relevant legislation in force, for at least seven years in the last ten years at the date of entry into force of this law, including of different news outlets, shall be treated as a professional journalist and be exempt from the examination of professional qualification. Within eighteen months of the date of entry into force of this law, they shall also be required to enter in the Register of Journalists and apply for a Press Card under this law.

8. Until the definition of the Code of Conduct for the media operators referred to in Article 8, journalists and freelance journalists shall be subject to the disciplinary sanctions governed by the relevant rules in force.

Art.38

(Transitional provision for the Supervisory Authority for Information and benefits)

1. Until the Supervisory Authority for Information referred to in Article 6 takes office, the functions entrusted to it shall be performed by the Supervisory Board referred to in Article 14 of Law no. 41/1989.

2. The procedures for obtaining benefits for the publishing industry shall be governed by the rules in force at the beginning of the financial year to which they relate.

Art.39

(Transitional provision for publishing entities and news outlets)

1. Publishing entities and news outlets which do not comply with the provisions of this law shall comply with these provisions within a maximum of 24 months from the entry into force of this law. Until such regularisation takes place, all the benefits provided for by the rules in force in favour of the publishing entity shall be suspended. If the regularisation takes place within the above-mentioned time limit, the publishing entity shall be eligible for benefits from the entry into force of this law.

Art.40

(Provisions for the accreditation of the media operator of foreign news outlets sent to the Republic of San Marino)

1. For the entry in the special Register referred to in paragraph 12 of Article 5 for media operators of foreign news outlets sent to the Republic of San Marino, the Council for Information shall be required to regulate the accreditation on the basis of the elements referred to in paragraph 14 of the same Article. The regulation shall be adopted by means of a decision of the Congress of State.

Art.41

(Final provisions and repeals)

1. The provisions of Articles 22, 24, 25 and 26 of Chapter V of the Law of 28 May 1881 "Law on press offences" shall not apply to the publishing entities of daily and periodical news outlets subject to the obligation of entry in the Register referred to in Article 23 of this Law.
2. Any provision contrary to this Law shall be repealed, such as:
 - a) Law no. 31 of 19 December 1957;
 - b) paragraph 2 and 3 of Article 3 of Law of 28 May 1881;
 - c) the last paragraph of Article 13, Article 14, paragraphs 2 and 3 of Article 15 of Law No. 41 of 27 April 1989;
 - d) Law no. 25 of 13 February 1998;Articles 8 and 9 of Law no. 38 of 28 December 1982 shall remain repealed.
 - e) Decree no. 108 of 28 October 1999.

Art.42

(Entry into force)

1. This Law shall enter into force on the fifth day following that of its legal publication.

Done at Our Residence, on 5 December 2014/1714 since the Foundation of the Republic.

THE CAPTAINS REGENT
Gian Franco Terenzi – Guerrino Zanotti

THE MINISTER OF
INTERNAL AFFAIRS
Gian Carlo Venturini

CATEGORIES OF THE JOURNALIST'S PROFESSION

1. Journalists working in the written press: a journalist employed by a daily or periodical print news outlet.
2. Radio and television journalist: a journalist employed by a radio or television news outlet; or Radio reporter: a journalist specialised in radio reports on events; or TV commentator: a journalist specialised in television reports on events.
3. Web journalist: a journalist employed by an online news outlet who mainly carries out office work by collecting and processing information not only from traditional sources (news agencies, interviews, conferences, press releases) but also from online sources. The web journalist shall know how to use multimedia languages, i.e. to use information obtained from images, films or audio files.
4. Press officer: a journalist working for a press office.
5. Photo reporter: a special correspondent of a print, radio, television, on-line news outlet or news agency who carries out a photo report on a particularly significant event.
6. Television director: a journalist who supervises, coordinates and selects the video recordings of a television newscast or of another television programme.

COST OF THE EDITORIAL PRODUCT

1. Production costs
 - a) costs for the purchase of consumables:
 - costs relating to the purchase of paper in general;
 - costs related to the purchase of consumables linked to the use of IT and printing equipment;
 - b) costs for services:
 - costs for maintenance and technical assistance for electronic equipment, PCs, softwares, printing machines;
 - binding costs;
 - graphics costs;
 - printing costs;
 - costs for photographic services;
 - costs for the provision of hosting connection services.
2. Corporate labour costs
 - a) staff costs;
 - b) costs for external collaborators.
3. Distribution costs
 - a) transport costs for deliveries.
4. Costs of electronic equipment and devices
 - a) leasing fees for the purchase of machinery.