



Association "Latvian Media Ethics Council"

Registration No. 40008283017

Legal address: Dzirnavu Street 21, Riga, LV-1010

Association

"Latvian Media Ethics Council"

STATUTES

Purpose of the Association

The purpose of the association "Latvian Media Ethics Council" (hereinafter - Association) is to promote the development of ethical media practice and to promote media self-regulation in the Latvian media environment

1. Becoming a member, withdrawal and exclusion from the Association

1.1. Any legal person or partnership, which has legal capacity and whose main working sphere is in media, or which actively supports such an activity and is interested in the success of Association can become a Member by submitting the application to the Board of the Association. Any person who has the legal capacity and capacity to act and agrees with the Statutes of the Association can become an Associate Member. The Associate Member may participate in all activities of the Association, but does not enjoy the rights of the Member under paragraphs 2.1.1 and 2.1.4 of these Statutes

1.2. The Board of the Association makes a decision on the admission of a member to the Association. The request of the applicant shall be examined by the Board within 1 (one) month from the date of receipt of the application. Applicant shall be notified with a reasoned decision in writing within 2(two) weeks from the time when decision is made.

1.3. The applicant can appeal the dismissive decision of the Board to the general meeting of members. If the General meeting of members rejects the request of the applicant, the applicant has not been admitted as a member of the Association, and the applicant may submit a repeated application no sooner than after a year.

1.4. A Member may withdraw from the Association at any time by giving a written notice to the Board beforehand.

1.5. A Member may be excluded from the Association by the decision of the Board if:

1.5.1. the Member has not paid the membership fee;

1.5.2. the Member fails to comply with the decision of the General meeting of members, Statutes or Code of Ethics, and that has been established in the decision of the Ethics Council;

1.5.3. the Member fails to fulfill its duties and obligations;

1.5.4. the Member carries out any other activities, which are contrary to that laid down in the Statutes.

1.6. Exclusion of a Member is decided by the General meeting of members, by inviting and hearing the Member to be excluded. The absence of the Member to be excluded shall not be an obstacle to the adoption of a decision. The Board has to notify the Member to be excluded about the decision and the reasoning in writing to the Member to be excluded within 5 (five) days from the adoption of a decision.

1.7. In the case of the Member withdrawal or exclusion the lodged accession money and membership fee shall not be repaid.

2. Members rights and obligations

2.1. Members have the following rights:

- 2.1.1. to participate in the administration of the Association, to nominate their representative for the position of the Board and for the Ethics Council;
- 2.1.2. to use the symbols of the Association;
- 2.1.3. to participate in all events organised by the Association, to submit proposals on the functioning of the Society and to improve it, to defend its opinion;
- 2.1.4. to receive information about the activities of the Association, including the financial statements of the Association and the protocols, decisions and orders of all institutions of the Association.

2.2. Members have the following obligations:

- 2.2.1. to comply with the Statutes and the Code of Ethics of the Association, comply with the decisions of the General meeting of members and Ethics Council;
- 2.2.2. to regularly pay the membership fee;
- 2.2.3. to support the pursuit of the aims of the Association, through active participation;
- 2.2.4. if a member combines several organisations and the representative of such Member acts in the Ethics Council of the Association, inform the Board of the Association of its member organisations in order to ensure compliance with the rules provided for in Paragraph 5.6. of these Statutes.

2.3. Additional obligations may be determined by a decision of the General meeting of members, the Board and the Ethics Council. In determining a Member's additional obligations, which differ from that of other Members, the consent of that Member shall be required.

3. Convocation of a General meeting of members and decision making

3.1. The General meeting of members is the supreme decision-making body of the Association.

3.2. All Members of the Association shall be entitled to participate in the General meeting of members. All the Members except Associate Members have the right to vote. Members may participate in the meeting of members either personally or through an authorised representative.

3.3. Regular General meeting of members shall be convened once a year not later than 31st March.

3.4. An extraordinary General meeting of members may be convened by the initiative of the Board, or if it is requested by not less than 1/10 of the Members in writing, indicating the reason for the convening.

3.5. The General meeting of members shall be convened by sending a written invitation to each Member no later than 2 (two) weeks before the meeting. An invitation to Members may be sent electronically.

3.6. The General meeting of the members should have the power of decision only if more than half of the Members are participating.

3.7. If the General meeting of members has no power of decision due to lack of quorum, new General meeting of members, which is entitled to make decisions regardless of the number of Members present, shall be convened within 3 (three) weeks, provided that at least 2 (two) members participate.

3.8. The competence of the General meeting of members shall include:

- 3.8.1. Amendments of the Association's Statutes;
- 3.8.2. Election and revocation of the members of the Board and Ethics Council;
- 3.8.3. Election and revocation of an auditor;
- 3.8.4. Member exclusion from the Association;

- 3.8.5. Making a decision on termination, reorganisation or continuation of the Association;
- 3.8.6. Approval of the annual report;
- 3.8.7. Amends of the Association`s Code of Ethics
- 3.8.8. Deciding other matters which, in accordance with regulatory enactments or Statutes of the Association, fall within the competence of the meeting of members.

3.9 The decision of the General meeting of members shall be legitimate if more than half of the Members of who are present vote. A decision on amendments of the Statues of the Association, termination and continuation of the activities of the Association shall be taken if more than two-thirds of the members of who are present voted in favour.

4. The Board of Association

4.1. The Executive body of the Association shall be the Board of the Association composed of one member of the Board (Chairman)

4.2. The duties of the Board shall include all matters other than the exclusive competences of the General meeting of members and the Ethics Council, including:

- 4.2.1. administrating and managing day-to-day work of the Association;
- 4.2.2. accepting new Members to the Association and administrating the Member registry;
- 4.2.3. organising the accounting of the Association in compliance with regulatory enactments;
- 4.2.4. organising the preparation of the Association`s budget;
- 4.2.5. organising the preparation of Association`s annual reports;
- 4.2.6. evaluating the need of new employees in the Association to ensure its functioning, if necessary, concluding contracts with such employees;
- 4.2.7. performing the tasks specified in the decisions of the General meeting of members;
- 4.2.8. preparing the cases and questions to be reviewed by the Ethics Council;
- 4.2.9. informing the Ethics Council about any received complaints to the Association.

4.3. The member of the Board (Chairman) shall be entitled to represent Association separately.

4.4. The Board is elected for a period of 3 (three) years.

4.5. The member of the Board (Chairman) shall perform his or her duties in regards for remuneration.

5. Ethics Council

5.1. The monitoring and controlling body of the Association's Ethics Code is the Ethics Council, which consists of 9 (nine) members of the Ethics Council consisting of one member from each organisation - Latvian Press Publishers Association, Latvian Broadcasting Association, Latvian Journalist Association, Latvian Advertising Association, as well as representatives from different media organisations, different media platforms (not more than two representatives from each), if they had become Members of the Association.

5.2. Members of the Ethics Council may be Media, Ethics or Legal Professionals delegated by the Members of the Association and with an excellent reputation.

- 5.2.1. Members of the Ethics Council shall be elected by the General meeting of members for a period of one year. The removal of a member of the Ethics Council may be proposed by the Member who delegated the relevant member of the Ethics Council as well as by one quarter of the Members. A member of the Ethics Council may leave his or her occupation at any time.

5.3. The members of the Ethics Council shall elect from among themselves the Chairman of the Ethics Council, who shall that runs the work of the Ethics Council.

5.4. Members of the Ethics Council shall perform their duties without remuneration.

5.5. The meeting of the Ethics Council shall be convened on the initiative of the members of the Ethics Council or the Board of the Association, but not less than 1 (once) a month.

5.6. In order to avoid the conflict of interest, the members of the Ethics Council can not participate in decision-making on matters where the responding party is associated with media or organisations represented by the member of the Ethics Council. Members of the Ethics Council shall respect the principle of integrity, by revealing the potential conflicts of interest. The members of the Ethics Council are required to declare their obligations towards the involved parties in the dispute. Ethics Council shall decide upon the matter of the necessity of a member of the Ethics Council to abstain from taking a decision on a certain matter.

5.7. The meeting of the Ethics Council has the authority to make a decision if there are participating at least 6 (six) out of 9 (nine) members of the Ethics Council. A decision shall be taken by at least 6 members of the Ethics Council who have the right to vote. If, in the event of conflict of interest, the members of the Ethics Council have been abstained or abstains from making a decision and it is not possible to make a decision due to lack of quorum, a General meeting of members shall be convened to appoint the *ad hoc* members of the Ethics Council for dealing with a specific case.

5.8. The competence of the Ethics Council shall include:

5.8.1. reviewal of complaints submitted by natural and legal persons and provision of an opinion ethical breaches committed by media;

5.8.2. reviewal and opinion issuing on complaints submitted by media companies, journalists in the event of ethical breaches or violation of freedom of expression;

5.8.3. expression an opinion on issues related to the threat or influence of the media, the deterioration of the state of the media sector, editorial autonomy or independence, or other circumstances in which the media can pursue its objectives and objectives;

5.8.4. organisation of public conferences presenting the Council's expertise, expert reports on various issues and activity of media ethics, as well as researches about media environment and survey results.

5.9. Decisions of the Ethics Council shall be binding only to the Members of the Association.

5.10. Decisions of the Ethics Council shall be made public on the official Association's website.

5.11. The meetings of the Ethics Council are closed. Ethics Council has rights to organize public meetings.

6. Complaint handling procedure

6.1. An initial assessment of complaints submitted by natural and legal persons shall be carried out by the Board. The Board, in accordance with the Code of Ethics, shall determine the format for the submission of a complaint and the amount of (minimum) information to be indicated in the complaint. The Board shall take a decision within 5 (five) working days and shall respond to applicant:

6.1.1. on the acceptance and referral of a complaint to the Ethics Council;

6.1.2. rejecting a complaint if its content does not fall within the competence of the Ethics Council;

6.1.3. requesting additional information necessary for the initial assessment of the complaint.

6.2. After referring the complaint to the Ethics Council, the Board shall send a true copy of the complaint to the person concerned (the defendant). The defendant shall have the right to submit explanations to the Ethics Council within a period of 10 (ten) working days at the latest.

6.3. The Ethics Council shall examine the complaint at a closest meeting and give its resolution, except if the meeting of the Ethics Council is held less than 2 (two) days after receipt of the explanations of the defendant.

6.4. The Ethics Council may invite, parties to the meeting for the hearing and implement the conciliation process between the parties.

6.5. If the person complained for is a member of the Association, the Ethics Council may impose an obligation on him to acknowledge his error, to withdraw the information made public and to apologise.

6.6. Ethics Council shall inform about its resolutions the media and in organisations related to the financing projects thereof, including the Ministry of Culture of the Republic of Latvia and its Media Policy Department, the Ministry of Justice of the Republic of Latvia, Ministry of Environmental Protection and Regional Development of the Republic of Latvia, and the Society Integration Foundation. If the complaint filed relates to the lawsuit, the Ethics Council may give a resolution that the parties involved may use in the trial.

7. Auditors

7.1. The control of the financial and economic activities of the Association shall be performed by an auditor who shall be elected by the General meeting of members for a period of 1 (one) year.

7.2. The Auditor of the Association can not be a Member of the Board or Ethics Council.

7.3. Auditor:

7.3.1. carry out audits of the Association property and financial means;

7.3.2. gives a resolution on the budget and annual accounts of the Association;

7.3.3. evaluates the accounting and recording work of the Association;

7.3.4. provides recommendations on improving the financial and economic activities of the Association.

7.4. The auditor shall carry out audits within the time limits specified by the General meeting of members, but not less than once a year.

7.5. The General meeting of members shall approve the annual report of the Association only after receipt of the opinion of the auditor.

8. Financing of the Association

8.1. The Association shall be financed from the membership fee, which shall be determined by the General meeting of members, donations and public funding.

Statutes approved in Riga, 27 February 2019