

Regulations for opening a correspondent office of a foreign media outlet in Belarus

Enacted by Resolution
of the Belarusian Council of Ministers
No. 2015 dated 25.12.2008

1. The present Regulations are guidelines for opening a Correspondent Office of a foreign media outlet in Belarus (hereinafter referred to as Correspondent Office).
2. The present Regulations contain terms and definitions set out in Law of the Republic of Belarus of 17 July 2008 entitled “Media Law” (National Register of Belarusian Legal Acts, 2008, No. 196, 2/1524).
3. Correspondent Offices may be opened under a decision made by the Council of Ministers of the Republic of Belarus.
4. To obtain permission to open a correspondent office, the head of a foreign media outlet shall send a letter to the Council of Ministers requesting to open a Correspondent Office (hereinafter referred to as Request) written on the official letterhead of such media outlet. The letter shall be sent through the Ministry of Foreign Affairs, Diplomatic or Consular Offices of Belarus in a relevant country.

The Request shall indicate:

- Purpose(s) of the opening of a Correspondent Office;
- Full title of the Foreign Media Outlet;
- Location, postal address of the editorial office of a foreign media outlet or legal entity that is authorized to be the editorial office of such foreign media outlet;
- Date of the governmental registration of the foreign media outlet;
- Where, when and who established this foreign media outlet, its ownership form;
- Specialization, circulation and frequency of the foreign media outlet output;
- Projected location of the Correspondent Office in Belarus;
- Persons authorized to conduct business on behalf of the Correspondent Office.

The following papers shall be attached to the Request:

- Code of Practices applicable in the correspondent office;
- Legalized copies of the documents confirming the governmental registration of the foreign Media outlet.

The Request and Code of Practices for the correspondent office shall be set out in either official language of the Republic of Belarus.

5. The Council of Ministers of the Republic of Belarus shall decide whether to open a correspondent office within two months after the application has been received.
6. Once the Council of Ministers of the Republic of Belarus has decided to open a correspondent office, the Ministry of Foreign Affairs issues a certificate about the opening of correspondent office (hereinafter referred to as Certificate) signed by the Minister of Foreign Affairs or his or her Deputy, registers and submits it to the person conducting business on behalf of the correspondent office.

The Certificate shall indicate:

- Title of the foreign media outlet;
 - Date of issue and registration number of the Certificate;
 - Registration number and date of the decision of the Council of Ministers of the Republic of Belarus on the opening up of the Correspondent Office;
 - Expiry dates of the Certificate.
7. The Certificate is valid from one to three years.
 8. The Ministry of Foreign Affairs shall provide the Certificate to a person who is authorized to conduct business on behalf of the Correspondent Office, upon presentation of a document, confirming his or her authority to conduct business on behalf of the Correspondent Office issued by the foreign media outlet.
 9. Opening a Correspondent Office may be denied in the event that:
 - Documents are not submitted as provided in Paragraph 4 of the present Regulations;
 - The request does not meet requirements as provided in Parts 1, 2 and 4 of Paragraph 4 of the present Regulations;
 - Code of Practices for the correspondent office do not meet requirements as provided in Part 4 of Paragraph 4 of the present Regulations;
 - The documents submitted contain deliberately erroneous details;
 - Professional activities of the foreign media outlet contradict the legislation of the Republic of Belarus.

In case the request is refused, the Ministry of Foreign Affairs shall inform the foreign media outlet about the refusal within 10 days indicating reasons for refusal.

10. The Correspondent Office shall be opened up within six months after the Council of Ministers took the relevant decision.

After the Correspondent Office is opened, it shall send samples of its stamp as well as information about its location, postal address, telephone and fax numbers, and bank account to the Ministry of Foreign Affairs within 10 days.

Failure to make use of its right to open a Correspondent Office within six months from the date of the decision by the Council of Ministers of the Republic of Belarus renders the Certificate null and void.

11. The Certificate may be renewed. To this end, the head of the foreign media outlet shall, not later than 30 days before the expiry of the Certificate, send a letter to the Council of Ministers of the Republic of Belarus through the Ministry of Foreign Affairs requesting the renewal of the Certificate.

The renewal decision shall be taken by the Council Ministers of the Republic of Belarus within 30 days from the date of the application's receipt.

12. A decision to close a Correspondent Office may be taken by:

- Foreign media outlet;
- Council of Ministers of the Republic of Belarus as requested by the Ministry of Foreign Affairs in case of systematic violations (two or more times per year) of the media legislation of the Republic of Belarus.

13. If a Correspondent Office is closed as initiated by the foreign media outlet, the following documents shall be sent to the Ministry of Foreign Affairs:

- Written request by the head of the foreign media outlet to close the Correspondent Office sent to the Council of Ministers of the Republic of Belarus, indicating details of no debts owed to the government and elimination of all seals of the Correspondent Office;
- Bank statement that all accounts of the Correspondent Office were closed;
- Original Certificate.

Based on those documents, the Ministry of Foreign Affairs shall send a letter to the Council of Ministers of the Republic of Belarus requesting to close the Correspondent Office.

14. In the event that a Correspondent Office is closed as decided by the Council of Ministers, a person authorized to conduct business on behalf of the Correspondent Office shall send to the Ministry of Foreign Affairs the following documents:

- Bank statement indicating that accounts of the Correspondent Office were closed;

Original Certificate.