



## CONSILIUL NAȚIONAL AL AUDIOVIZUALULUI

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### Romania Country Report

#### 45th EPRA meeting in Edinburgh

17-19 May 2017

#### 1. Key developments at a national level

Between November 2016 and March 2017, the National Audiovisual Council (NAC) focused on aspects of the regulation and on development of the audiovisual market. It has regulated and monitored the election for the Chamber of Deputies and the Senate. Consequently, the NAC has issued Decision no. 592/2016 on rules of conduct in the audiovisual of the electoral campaign in 2016 for the Chamber of Deputies and the Senate.

During the whole electoral campaign for parliamentary elections (11 November — 9 December), the NAC has monitored the radio and television channels, including on 11 December 2016, the voting day. NAC was very active in ensuring observance of legal provisions as well as protection of the best interest of:

- the electorate to receive correct information,
- the candidates to present themselves and their respective programmes,
- the broadcasters to exert the rights and the responsibilities of the journalists.

The National Audiovisual Council promptly sanctioned the non-observance of the legal provisions and applied, between November 2016 and March 2017, 84 legal sanctions (out of which 32 fines and 52 public summons), including those applied for infringements during the electoral campaign. Most of the sanctions applied by the NAC regard the protection of human dignity and the right to its own image, correct information and pluralism, the protection of minors in program services, in keeping with the provisions of the Audiovisual Law no. 504/2002 and the Regulatory Code of the Audiovisual Content (Decision no. 220/2011).

Regarding the audiovisual market, a number of 30 licences and audiovisual authorisations were granted during this period, for radio and TV channels (cable and satellite), to companies that have submitted documentation according to the audiovisual legislation, 21 decisions of authorisation to start broadcasting of the programme service and 9 digital audiovisual licences for Romanian public television.. In the same time, the Council withdrew 29 licences for failure to comply with the legal provisions in force.

## **2. Legislative updates**

In order to harmonize the secondary legislation with the EU acquis in the field of audiovisual media services, the Council made public for debate and then adopted several decisions, namely:

- Decision no. 63/2017 amending and supplementing the Regulatory Code of the Audiovisual Content (Decision no. 220/2011). Thus, additional provisions were added concerning protection of minors, protection of human dignity and the right to its own image, ensure the correct information and pluralism, audiovisual commercial communications (the decision was published in the Official Gazette of Romania no. 141 of 24 February 2017, Part I).
- Decision no. 128/2017 amending the Decision No 72/2012 on the conditions for issuing and amending notice of retransmission (published in Official Gazette of Romania No 190 of 17 March 2017, Part I).
- Decision no 141/2017 concerning organization of the contest for granting digital audiovisual licences for broadcasting television programmes by digital multiplexes.
- Decision no. 592/2016 on rules of conduct in the audiovisual of the electoral campaign in 2016 for the Chamber of Deputies and the Senate

## **3. Digital switchover**

According to the „Strategy on digital switchover and the implementation of digital multimedia services” (Government Decision no. 403/2013), the responsible institution is the National Authority for Management and Regulation in Communications of Romania (ANCOM), which concluded the digital switchover on 17 June 2015.

Although the terrestrial analogue broadcasting of television service programmes ceased as from 17 June 2015, the broadcasting of public service programmes will continue,

temporarily, in the 174-230 MHz radio frequency band, up to 31 December 2019, under the provisions of Government Emergency Ordinance no. 21/2016, due to the complexity of the implementation process. Private broadcasters had the opportunity to request to the NAC to continue to broadcast by other electronic communications networks (cable or satellite). For this purpose, the Council approved the changes required in the audiovisual licences.

Up to now, ANCOM awarded three national multiplexes (one multiplex in UHF for public programs - free to air; coverage conditions: 90% of population, 80% of territory), 13 regional and one local multiplex. The contest for granting digital audiovisual licences for broadcasting television programs by digital multiplexes will be organised by the NAC in 19 April, according to Decision No 141/2017.

#### **4. Cultural and new research responsibilities**

The Council resumed its multiannual program, successfully carried out in 2007 - 2012 in partnership with the Romanian Academy - "Iorgu Iordan - Al. Rosetti", aimed to improve the Romanian language used in audiovisual programmes.

Thus, in November 2016, were monitored twelve TV and two radio stations that were selected for this purpose according to the following criteria: audience, national coverage and number of news and debate programmes. The channels were monitored for a total of 300 hours with a highlight on prime time shows, news and debates.

#### **5. Cooperation with other bodies**

European Regulators Group for Audiovisual Media Services (ERGA):  
The NAC attended the two ERGA plenary meetings that took place on 29 November 2016, respectively on 9 March 2017.

CNA Romania