

## **National Audiovisual Council - Romania**

### **Country Report 48<sup>th</sup> EPRA meeting Bratislava, 10 - 12 October 2018**

Between May and September 2018 the National Audiovisual Council has continued to manage aspects related to the regulation of audiovisual media services, has assured the ongoing monitoring of programme services, including on demand services, in order to comply with the existing audiovisual legislation and was interested in developing a free, pluralistic and competitive audiovisual market.

#### **Key developments at national level**

1. The National Audiovisual Council promptly sanctioned the infringement of legal provisions and applied, during the reported period, a number of 46 legal sanctions (out of which 17 fines amounting to 485.000 lei (approximately 105.400 euros) and 29 public summons. Most of the sanctions applied by the Council are related to the infringement of the provisions regarding the protection of human dignity and the right to own image, ensurance the correct information and the pluralism, the protection of minors, and of the legislation concerning licences and authorizations, in keeping with the provisions of the Audiovisual Law no. 504/2002 and the Regulatory Code of the Audiovisual Content (Decision no. 220/2011). Also, the Council issued decisions to enter into legality for 6 advertising spots.
2. Regarding the audiovisual market, the Council granted, to the companies that have submitted the documents required under audiovisual legislation, a number of 27 audiovisual licences for radio stations, 6 audiovisual licences for TV channels, 1 licence for digital terrestrial broadcasting of TV programme services, 18 notices of retransmission, as well as 25 audiovisual authorization decisions for start the broadcasting of the programme service. Also, the CNA has issued an on demand audiovisual media service provision note. At the same time, the Council withdrew for failure to comply with the legal provisions in force a number of 18 audiovisual licences (6 for the broadcasting of radio services, 2 for broadcasting of TV programme services via satellite and 10 for broadcasting of TV programme services via satellite), 70 notices of retransmission, 1 licences for digital terrestrial broadcasting of TV programme services and 12 audiovisual authorization decisions.
3. The NAC initiated the procedure for the modification of the existing Decision No 220/2011 regarding

the Regulatory Code of the audiovisual content with the aim of supplementing the legal provisions in force regarding the protection of human dignity and the right to one's own image, ensuring the correct information of the public, interactive programs, gambling and gaming, as well as the updating of the messages concerning the public health. The draft decision was opened for public debate on the 6 September 2018.

4. The digital switchover. 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 (the National Authority for Management and Regulation in Communications in Romania), in charge of coordinating and monitoring the technical conditions for transition to the digital terrestrial television, has 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 two local multiplex. Moreover, the NAC organised last year a competitive selection procedure in view of awarding the licences for digital terrestrial broadcasting of TV programme services. Until now, the Council has granted 15 licences for digital terrestrial broadcasting of TV programme services and 13 audiovisual authorization decisions and withdrawn a digital audiovisual licence.
5. International relations. During the reported period the NAC was represented in the AVMSD Contact Committee meeting.