

National Audiovisual Council - Romania

Country Report 49th EPRA meeting Sarajevo, 29 - 31 May 2019

Between October 2018 and April 2019 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 168 sanctions to national and local broadcasters (out of which 41 fines amounting to 652.500 lei (approximately 137.100 euros) and 121 public warnings to enter legality). 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 one's own image, ensurance the correct information and 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 21 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 2 audiovisual licences for radio stations, 17 audiovisual licences for TV channels, 1 notice of retransmission, as well as 29 audiovisual authorization decisions for start the broadcasting of the programme service. Also, the CNA has issued 3 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 67 audiovisual licences (21 for the broadcasting of radio services, 5 for the broadcasting of TV programme services via satellite and 41 for the broadcasting of TV programme services via cable), 32 notices of retransmission, and 56 audiovisual authorization decisions.
3. On 14 November 2018, the Romanian Parliament validated seven new members of the National

Audiovisual Council. The new members are Cristina Pocora, Răsvan Popescu, Nicolaie Bălașa-Sorescu, Monica Gubernat, Elena Sorescu, Alexandru Kocsis-Cristea, and Eva Orsolya Borsos. Ms Gubernat, Ms Borsos and Mr Popescu had until 2018 a mandate within the Council, and they will continue to work within the NAC for an additional mandate. The NAC is composed of 11 members and is appointed for a term of six years. the amendment aims to protect people with hearing impairment

4. New modifications of the Audiovisual Law. In November 2018 was promulgated Law no. 246/2018 on the modification and completion of the Audiovisual Law (no. 504/2002). The amendment aims the protection of hearing-impaired persons. In March 2019 was promulgated Law no. 52/2019 on the modification and completion of the Audiovisual Law (no. 504/2002). The law introduces the obligation for broadcasters to display or communicate the single national non-stop free telephone number (Telverde) for victims of domestic violence throughout TV and radio programmes (news, debates, talk shows) which address domestic violence.
5. Secondary audiovisual legislation. The NAC adopted Decision No. 441/2018 on the rules for the audiovisual coverage of the campaign for the national referendum on the revision of the Constitution concerning Article 48 (1) of the Romanian Constitution (the definition of the family), scheduled in Romania on 6 and 7 October 2018. On 2 October 2018, the CNA adopted another decision (no. 454/2018) for the modification of Decision no. 441/2018. Decision No. 155/2019 on the modification and completion of the NAC Decision No. 72/2012 with regard to the conditions for issuing and amending the notice of retransmission. The NAC Decision No. 72/2012 was again amended and completed in April 2019. The NAC issued six Recommendation concerning the broadcasting by the audiovisual media service providers of public interest announcements within non-commercial campaigns.
6. The digital switchover. In February 2019, the National Radiocommunications Society S.A., a company that is part of the portfolio of the Ministry of Communications and Information Society (MCSI), signed the contract for the provision of the broadcasting equipment necessary for the implementation of the Multiplex 1 national network on which the public television stations will be broadcast. The digital terrestrial television project will be deployed in 228 broadcast stations and will allow for the free-to-air reception of national television broadcaster programmes by approximately 94% of Romania's population. Until now, the NAC has granted 15 licences for digital terrestrial broadcasting of TV programme services and 13 audiovisual authorization decisions and withdrawn a digital audiovisual licence.

7. International relations. The NAC organized the 9th Annual Meeting of the Black Sea Broadcasting Regulatory Authorities Forum - BRAF, in Bucharest, on the 4-5 October, 2018. The BRAF meeting, of whose main theme was “Monitoring Audiovisual Media Content via Internet in the Digital Age”, has created new opportunities for establishing cooperative relations among the BRAF members and yielded a reliable base for elaboration and realization of multilateral as well as bilateral cooperation.

The representatives of the BRAF Member Authorities, namely the Albanian Audiovisual Media Authority, Armenian National Commission on Television and Radio, Azerbaijan National Television and Radio Council, Greek National Council for Radio and Television, Moldovan Coordinating Council of Audiovisual, Romanian National Audiovisual Council, Serbian Regulatory Authority for Electronic Media, Turkish Radio and Television Supreme Council and Ukrainian National Council of Television and Radio Broadcasting participated in the meeting. At the end of the meeting in Bucharest, a Cooperation Protocol was signed between Turkish Radio and Television Supreme Council and Romanian National Audiovisual Council which would contribute to enhance the existing relations between signatory parties.

During the reported period the NAC was represented in the ERGA Plenary meeting and AVMSD Contact Committee meetings.