

## Country Report: National Audiovisual Council (NAC) Romania September 2022 - September 2023

### Legal and Regulatory Framework

After the legislative process regarding the transposition of the Directive (EU) 2018/1808 (AVMSD) into the national legislation<sup>1</sup>, the National Audiovisual Council focused on the secondary legislation, which is still in the stage of elaboration.

As well, according to its duties established by the Audiovisual Law n° 504/2002<sup>2</sup>, with subsequent modifications and amendments, the NAC issued an Instruction on 10<sup>th</sup> of January this year, concerning the dissemination of messages of public interest regarding the establishment of the state of epidemiological alert determined by the flu.

According to the new provisions of the Law, the NAC issued its first national report on Media Literacy and send it to the European Commission in order to be published on the ML site.

### Regulations

The 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.

The main objectives of the Monitoring Department in this period have been to monitor the content of the audiovisual programmes broadcast by broadcasters at national level, in terms of compliance with the audiovisual legislation and the analysis of complaints received by the institution in relation to the content of audiovisual programmes. In addition to the regularly monitoring activity, the Monitoring Department has carried out *in line monitoring* regarding the framing of some topics, such as the Halloween party of the business man Elon Musk, organised in Romania, with the presence of Angelina Jolie at the Dracula's castle and the representativity of the political parties in the news programmes.

---

<sup>1</sup> Law n° 190/2022 for the amending and supplementing the Audiovisual Law n° 504/2002, amending the Government Ordinance n° 39/2005 on Cinematography and amending the Law n° 41/1994 on the organization and operation of the Romanian Radio Broadcasting Corporation and the Romanian Television Corporation was published in the Official Journal of Romania Part I, n° 651 of 30 June 2022 and entered into force on 3<sup>rd</sup> of July, 2022.

<sup>2</sup>Art. 15 (1) "The Council issues decisions, instructions and recommendations in the presence of at least 8 members and with the vote of at least 6 members in order to fulfill its functions and attributions incumbent thereupon according to this Law"

Regarding the audiovisual market, since September 2022 till now, the Council granted 10 audiovisual licences to companies that have submitted the documents required under audiovisual legislation, 12 notices of retransmission, as well as 30 audiovisual authorization decisions for starting the broadcast of the programme services. Also, the NAC issued six VOD service provision notices and withdrew one. In the same period, the Council withdrew 22 audiovisual licences, 195 notices of retransmission and 16 audiovisual authorization decisions for failure to comply with the legal provisions in force.

### **International relations**

During the reported period, the NAC was represented in the EPRA Plenary meetings, (in Antalya in October 2022 and the one from May-June this year in Oslo) and the EPRA/Cullen International joint event “Media for Good and for Everyone”, held in Brussels (on 29<sup>th</sup> of March, this year).

Also, NAC participated at the AVMSD Contact Committee on its virtual meeting on December 2022, at the 19<sup>th</sup> ERGA Plenary meeting (with virtual participation) in June, this year and the Media Literacy Expert Group Meeting in Brussels, in February this year.

### **National Audiovisual Council**