[RO] Romanian National Audiovisual Council publishes guidelines regarding the name and identifying features of on-demand audiovisual media services provided via electronic communications networks and online platforms

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On 21 April 2026, the Romanian National Audiovisual Council (*Consiliul National al Audiovizualului*) published a set of guidelines on the name and identifying features of on-demand audiovisual media services provided via electronic communications networks and online platforms.

Under Romanian Audiovisual Law no. 504/2002, an on-demand audiovisual media service is defined as an audiovisual media service based on a catalogue of programmes selected and made available by a media service provider, in which programmes are viewed at the individual request of a user and at a time chosen by the user.

In contrast, a television broadcasting service is defined as a linear audiovisual media service provided by a broadcaster, in which programmes are transmitted in a continuous sequence, with predetermined content and scheduling, for the simultaneous viewing or listening of programmes, based on a schedule and under specific identifying features of the broadcaster.

Pursuant to Article 3(2) of Law no. 504/2002, all audiovisual media services have an obligation to foster free thinking and to ensure that the public is informed in an objective manner through the accurate presentation of facts and events.

The guidelines aim to inform on-demand audiovisual media service providers how they should meet their obligations under Article 3(2) so as not to confuse the public in regard to the type of audiovisual content being transmitted, by ensuring a clear distinction between their own identifying features and the identifying features of television broadcasting services.

They require on-demand audiovisual media service providers to uphold various rules applicable to audiovisual programmes compiled in a catalogue provided via electronic communications networks and online platforms.

Firstly, the audiovisual programmes concerned must use a name and visual identity that clearly reflect the non-linear nature of the service and do not create

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confusion with a television broadcasting service.

Secondly, on-demand audiovisual media service providers must ensure that identifying elements specific to television broadcasting services (such as names, visual formats, presentation elements, symbols and identification marks) are not used by unregulated entities or by any natural or legal persons who carry out public communication activities in the online environment without complying with the applicable legal framework, where such use is likely to mislead the public as to the status, nature, legal regime or legitimacy of the respective entity. Additionally, such identifying elements should not be used by on-demand audiovisual services if their purpose or effect is to create in the public's perception the false impression that their respective content originates from an authorised television programme service, a lawful audiovisual media service provider or an entity subject to the control and obligations laid down by law.

Moreover, on-demand audiovisual media services should not use presentation formats that reproduce or imitate the basic format and structure of programmes specific to a television broadcasting service.

Lastly, on-screen text, including lower thirds, titles or information displayed in crawl format, must be drafted and presented in such a way as not to mislead the public in regard to the nature of the service, the character of the audiovisual content or the manner in which it is accessed.

Exclusively in the case of online platforms, both on-demand audiovisual media service providers and users who take over and distribute short sequences from on-demand audiovisual programmes (such as clips, fragments or excerpts) must ensure that these sequences :

(i) are clearly identified as excerpts from an on-demand audiovisual media service, so that users do not confuse them with sequences from television broadcasting services,

(ii) include visible references to the source and to the means of accessing the full programme, and

(iii) do not mislead the public as to the character, nature or content of the audiovisual programme, by complying with all the rules applicable to the format of on-demand audiovisual programmes.

Instruction No. 1 of 21 April 2026 regarding the name and identifying elements of on-demand audiovisual media services provided through electronic communications networks and online platforms

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