[RO] New Media and Information Legislation

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The proposal for an Act designed to guarantee public access to information has been approved by the new Cabinet and media representatives. A corresponding bill, drafted in collaboration with opposition party representatives by the new Ministry for Public Information, which was created in early 2001, was submitted to Parliament. The Bill was examined and approved by Parliament in mid-April and will now be debated by the Senate over the next few weeks. The Act on free access to information of public interest is designed to regulate how every citizen should enjoy equal access to such information. It provides for sanctions for civil servants who breach the Act's provisions. Information concerning defence, national security and law and order is not freely accessible insofar as it constitutes "classified information"; the same applies to certain "classified information" of economic and political significance. Access to personal or other data that could infringe the rights of minors is also restricted. Responsibility for protecting this kind of information lies with the persons and authorities in possession of it. The Bill guarantees media access to information of public interest and, to this end, obliges public bodies and institutions to hold regular press conferences. The procedure for journalist accreditation is also set out in the new Bill. The authorities are only allowed to refuse or withdraw accreditation if a journalist's statements jeopardise the normal activities of the public institution concerned; however, they may not do so merely on account of opinions expressed in journalistic articles.

It should be noted that the Romanian Parliament adopted a draft Data Protection Act early in 2001. Among its provisions were tough penalties for journalists and citizens who obtain information that falls within the broad category of "secret" information. As a result of public criticism, the Bill was not published by the President and was temporarily suspended by the Constitutional Court on account of procedural flaws.

Legea privind liberul acces la informatia de interes public, 24 April 2001

Draft Act on free access to information of public interest, 24 April 2001

Legea privind protectia informatiilor clasificate

Act on the protection of classified information

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