[RO] Audiovisual Act to be Amended

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Act 48/1992, which currently regulates the audiovisual market in Romania, is to be replaced in the second half of this year. The provisions of the new Bill, drawn up by the Ministerul Comunicatiilor si Tehnologiei Informatiei (Ministry for Communication and Information Technology - MCTI), created a fair amount of controversy among the parliamentary specialist committees in February. The proposed regulations are designed to cut bureaucracy (the number of different stages or levels of approval in the award of licences for the electronic media is to be cut from four to two) and conform with the relevant EU legislation. The new Act will set out a new method of licence distribution, for example. The Consiliul National al Audiovizualului (National Audiovisual Council - CNA) will remain the only authorised regulatory body as far as programme content is concerned. However, a new authority, known as the Autoritate de Treglementare în Telecomunicatii (Authority for Telecommunications Regulation), will be established as an independent body with responsibility for taking decisions related to all technical aspects of electronic communication. Electronic media will therefore require two licences: one concerning content and the other relating to transmission technology. Another new development is the provision for a Comisia Consultativa a Audiovizualului (Audiovisual Consultative Committee), which is described as a "collegiate body for discussion and analysis of individual relevant questions". This committee will comprise 17 members, including representatives of the CNA, the Ministry for Culture, Education and the Arts, public radio and television and civil society. The Bill contains a series of "anti-cartel provisions" designed to safeguard pluralism and cultural diversity and to prevent an excessive concentration of information media being owned by a single company.

The Bill also provides for a significant increase, compared to the 1992 Audiovisual Act, in fines for infringements of its provisions. For example, fines varying from ROL 50 to 250 million (EUR 1 = ROL 28.121 on 26 February 2002) are to be imposed for offences such as failure to include sufficient European productions in programme schedules, transmission of advertising spots without the requisite optical and acoustic warning, broadcasting of pornographic material, subjective coverage of an election campaign or the transmission of programmes without technical authorisation. The penalties are much higher, between ROL 250 and 500 million, for breaches of copyright law. Fines ranging from ROL 200,000 to ROL 800,000 are applicable if whole programmes are broadcast without the producer's permission or if a broadcaster uses frequencies other than those stipulated in its licence. The Bill on audiovisual activities will be debated in both houses of the

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Romanian Parliament during March.

Proiect de Legea Audiovizualului

Media Bill

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