

[RO] Electronic Media Act Adopted

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On 25 June, the draft Electronic Media Act, which had already been adopted by the Senate, was approved by the Romanian Parliament (see also IRIS 2002-6: 11).

In addition to the principles previously established, the Act regulates the ban on censorship in the audiovisual media and legally recognises and ensures the editorial independence of TV and radio editors. Natural and legal persons from Romania or abroad are prohibited from interfering with the form or content of programmes. The principles laid down by the Consiliul National al Audiovizualului (regulatory body for audiovisual activities

- CNA) are not considered to be interference and must be respected, along with all other legal provisions and standards governing respect for human rights and freedoms contained in international agreements that have been ratified by Romania. Professional codes of conduct drawn up by journalists' associations and institutions are also not considered to interfere with freedoms insofar as they correspond with laws currently in force. Journalists are allowed to keep their sources confidential.

The CNA will be controlled by Parliament and comprise 11 members. Contrary to the draft text published in May, three members will be appointed by the Senate, five by the Parliament, one by the Romanian President and two by the Government. Their term of office will be four years. Members of the CNA will not be allowed to hold any other public or private offices, except as teachers, although even this must not lead to any conflict of interest. They may not belong to any political party or organisation during their mandate. The Parliament will examine the CNA's activities by checking its annual accounts, which must be published no later than 15 April in the year following that to which they refer.

The list of events considered to be "of particular importance to society" will be drawn up by the CNA and forwarded to the European Commission by the Government.

Private broadcasters are considered to be legal persons and must adopt the structure of commercial companies.

A broadcaster will be considered to have a dominant market position in Romania if it has a 30% national market share.

Licences in the audiovisual sector, both for television and radio broadcasters, will be valid for nine years. The Autoritatea Nationala de Reglementare in Comunicatii (National Regulatory Authority for Communication) will draw up a national broadcasting frequency plan and allocate frequencies. The plan will have to make provision for at least four national radio frequency networks and three national television networks.

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