[RO] CNA Controls and Sanctions

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After checks carried out by the regional inspectors of the Council for Electronic Media (*Consiliul Naţional al Audiovizualului* – CNA) revealed infringements of its regulations, the CNA decided to impose three sanctions at its meeting on 5 August 2008. Under CNA decisions 651, 652 and 653, the companies TEHNOCONSTRUCT and MC ELECTRONIC SAT were each fined RON 5,000 (EUR 1 = RON 3.57) while a reprimand was issued against a third company, OTASAU.

The companies were punished for violating Art. 74 para. 3 of the *Legea audiovizualului* (Audiovisual Act) no. 504/2002, including the related amendments and additions, and Art. 6 para. 1 of CNA decision no. 12/2003 (amended through decision no. 262/2003) concerning the granting of retransmission licences. Art. 74 para. 3 of the Audiovisual Act requires service distributors to "notify the CNA in advance of any plans to change the supply structure of retransmitted programme services." Art. 6 of decision no. 12/2003 on the granting of approval (*Decizia nr. 12/2003, modificată prin Decizia nr. 262/2003 privind eliberarea avizului de transmisie*) provides that the CNA should be informed at least 15 days prior to the implementation of any change to the supply structure of retransmitted programme services.

However, checks carried out in various localities in July 2008 showed that the companies concerned had acquired and transmitted a large number of programmes without CNA approval, that retransmission licences granted by the CNA for some of the TV programmes being transmitted had already expired and that some of the channels included in the approved retransmission structure had not been carried by the cable network operators even though they had been approved. The CNA had not been informed of any of these discrepancies.

All three cable network operators sanctioned are also obliged, under the terms of *Decizia CNA Nr. 36/2008 privind obligaţia distribuitorilor de servicii de programe de a aduce la cunoştinţa publicului sancţiunile aplicate de Consiliul Naţional al Audiovizualului* (CNA decision no. 36 concerning the obligation for cable network operators to publish sanctions imposed by the CNA, see IRIS 2008-3: 17), to broadcast the wording of the CNA sanctions on the channels concerned by the sanctions in the localities in which the violations were committed on seven consecutive days.

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http://www.cna.ro/Decizia-nr-653-din-05-08-2008.html

CNA decision no. 653 of 5 August 2008

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http://www.cna.ro/Decizia-nr-652-din-05-08-2008.html

CNA decision no. 652 of 5 August 2008

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http://www.cna.ro/Decizia-nr-651-din-05-08-2008.html

CNA decision no. 651 of 5 August 2008

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