[RO] Audiovisual Law Enters into Force

IRIS 2010-1:1/36

Eugen Cojocariu
Radio Romania International

On 10 November 2009, Act no. 333/2009, amending Audiovisual Act no. 504/2002, was promulgated by the President. This enacts the *Ordonanţa de Urgenţă nr. 181/2008* (Emergency Government Decree no. 181/2008, OUG 181/2008) which modified the *Legea Audiovizualului nr. 504/2002* (Audiovisual Law 504/2002) (see IRIS 2009-3: 18). The amendments aim at implementing Directive 2007/65/EC into Romanian law (see IRIS 2009-2: 17 and IRIS 2009-3: 18) and set up the general framework inter alia for introducing digital radio and TV services for the public.

On the one hand the amended Act relaxes the rules on advertisement, by introducing new advertising techniques (such as product placement, split-screen advertising, virtual advertising) and altering the advertising limits: it maintains the advertising limit of 8 minutes per hour for public TV and 12 minutes per hour for commercial TV but the rules concerning the frequency of commercial breaks have been altered: TV films may be interrupted every 30 minutes instead of 45 minutes (see IRIS 2009-2: 17). On the other hand the Government is obliged to launch a strategy for the transition from analogue to digital TV, in accordance with European legislation. The amended Act assures the continuity of the programmes provided to the public, allowing all the holders of analogue licenses to keep these licenses after the switch off to digital transmission. Romania has to switch completely from analogue to digital TV by 1 January 2012 (see IRIS 2009-9: 17).

In addition to the other amendments to the Audiovisual Law, the fines that can be imposed by the National Council for Electronic Media due to, for example, surreptitious advertising, the rejection of the right of reply, broadcasting outside the geographical area specified in the license, the use of subliminal techniques for commercial communication etc., have been increased.

Lege Nr. 504 din 11 iulie 2002 Legea audiovizualului - Text actualizat prin produsul informatic legislativ LEX EXPERT în baza actelor normative modificatoare, publicate în Monitorul Oficial al României, Partea I, până la 19 noiembrie 2009

http://www.cna.ro/Legea-audiovizualului.html

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Act no. 333/2009 amending Audiovisual Act no. 504/2002, published on 19 November 2009 (Official Journal no. 790)

Government strategy for the transition from analogue to digital TV, adopted by Government Decision no. 1213 on 7 October 2009, published in the Official Journal no. 721 on 26 October 2009

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