[RO] Sanctions for Exceeding TV Advertising Times

IRIS 2010-1:1/38

Mariana Stoican
Journalist, Bucharest

At its meeting on 5 November 2009, on the basis of a monitoring report drafted by its own experts concerning compliance with legal advertising time restrictions, the *Consiliul Naţional al Audiovizualului* (national council for electronic media - CNA) sanctioned three private broadcasters for exceeding the legal advertising limit during the observation period (15-22 October 2009, between 7 p.m. and 11 p.m.).

CNA decision no. 927 imposed a fine of RON 20,000 (EUR 1 = RON 4.3) on TV broadcaster ANTENA 1 for non-compliance with the hourly upper limit for advertising. According to Art. 35 para. 1 of the *Legea audiovizualului Nr. 504/2002* (Audiovisual Act no. 504/2002), TV advertising spots, including teleshopping, may not constitute more than 20% of hourly transmission time (12 minutes). ANTENA 1 exceeded this limit by margins varying from 20 to 328 seconds.

CNA decision no. 928 imposed a fine of RON 30,000 on broadcaster *PRIMA TV* for exceeding the advertising time limit by margins varying from 11 to 441 seconds. This fine was so high because the broadcaster's owner, S.C. SBS BROADCASTING MEDIA S.R.L, had already been fined twice (a total of RON 25,000) for breaching the same legislative provisions.

CNA decision no. 929 imposed a fine of RON 10,000 on *KANAL D* for exceeding the hourly advertising limit by margins of between 24 and 236 seconds.

In addition, the broadcasters were obliged to inform their viewers of the wording of the CNA sanction at least three times between 6 p.m. and 10 p.m. within 24 hours of the sanctions being announced by visual and acoustic means. They were required to broadcast it at least once during their main news programme, but not during advertising breaks. The obligation to inform viewers was contained in CNA decision no. 52/2003.

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CNA press release of 5 November 2009

Decizia nr. 927 din 05.11.2009

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http://www.cna.ro/Decizia-nr-927-din-05-11-2009.html

CNA decision no. 927 of 5 November 2009

Decizia nr. 928 din 05.11.2009

http://www.cna.ro/Decizia-nr-928-din-05-11-2009.html

CNA decision no. 928 of 5 November 2009

Decizia nr. 929 din 05.11.2009

http://www.cna.ro/Decizia-nr-929-din-05-11-2009.html

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