[RO] Conditions for Non-commercial Campaigns

IRIS 2011-7:1/39

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On 3 May 2011 the *Consiliul Naţional al Audiovizualului* (National Council for Electronic Media - CNA) issued Instruction No. 1 concerning the broadcasting of non-commercial messages.

The Audiovisual Code (see IRIS 2010-9/34, IRIS 2011-4/31 and IRIS 2011-5/38), adopted by CNA-Decision no. 220/2011, allows in Section 10 the broadcasting of non-commercial messages, which are not included in the legal maximum time of advertising (8 minutes/hour for public stations, 12 minutes/hour for commercial stations). This exclusion from the advertising time applies only to three categories of messages mentioned in Art. 141 of the Code:

a) Announcements of public interest, made by a public institution or authority;

b) Social campaigns conducted by a foundation or NGO;

c) Charitable appeals developed within a humanitarian, philanthropic activity.

According to Art. 142 of the Code, broadcasting these categories of messages has to be free of charge, without any direct or indirect counterpart obligation.

The public interest messages have to be put together and announced clearly as such. The content of the message has to reflect the stated purpose and not to include commercial references. The logos of the sponsors can be presented only at the end of the charitable spot and no longer than three seconds in all.

The provision of Art. 143 (2) with regard to the obligation to inform the public about the precise results of fund-raising campaigns applies only to telethon organised by broadcasters.

For the broadcasting of announcements related to non-commercial campaigns through radio and television no special approval from the CNA is necessary. The solicitors have to address directly to the audiovisual media services providers, which have the editorial decision power, according to Art. 6 (1) of the Audiovisual Law no. 504/2002 as modified and completed. The Council can only take note of the carrying out of such a campaign.

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Instrucţiune nr. 1 din 03.05.2011 privind difuzarea mesajelor noncomerciale

http://www.cna.ro/INSTRUC-IUNE-nr-1-din-03-05-2011.html

Instruction no. 1 of 3 May 2011 with Regard to the Broadcasting of Non-commercial Messages

Comunicat CNA campanii noncomerciale

http://www.cna.ro/Campanii-noncomerciale.html

CNA press release on non-commercial campaigns

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