[RO] CNA-Sanctions for the Realitatea TV-Case

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The *Consiliul Naţional al Audiovizualului* (National Council for Electronic Media - CNA) issued on 25 October 2011 several sanctions (fines and public warnings) on the main actors of the commercial news station Realitatea TV case.

One of the main Romanian television news stations, Realitatea TV, was during the last few months at the centre of a big scandal, due to the fight about the taking over of the TV station by the new owner of the network (Elan Schwartzenberg) from Sebastian Ghiţă who had a management contract concerning the station, signed with its former owner, the Romanian tycoon Sorin Ovidiu Vântu. Ghiţă, who entered in a sharp conflict with Vântu last year (a conflict which has triggered an arrest warrant against Vântu for allegations of death threats) refused to step down after the change of the main shareholder.

After months of scandals, mutual accusations and attempts by Schwartzenberg and Ghiţă to obtain a court decision and to impose their will, on 23 October 2011 at 6.00 p.m., the team of the new owner took over the broadcast using the same satellite frequency, cut the programmes of the station aired from the usual Bucharest studio and started its own programmes, under the same brand Realitatea TV from a new studio in Bucharest. The most important stars of Realitatea TV joined the new team of Mr. Schwartzenberg. Shortly afterwards, the team of Mr. Ghiţă started its own programmes, from the usual Bucharest studios under the name RTV, a company based in south-western Romania, licensed for regional television programmes.

The CNA decided on 25 October to fine the company of Mr. Ghiţă in the amount of Lei 20,000 (EUR 4,580) due to breaches of Art. 54 (1), (2) and 58 (1) of the Audiovisual Law no. 504/2002 because the company had changed the structure of the authorised programmes (national instead of regional, as determined by the license of Ghiţă’s television, RTV; Art. 54) and broadcast a television service without having an audiovisual license (Art. 58).

On the other hand, the CNA decided on 25 October to fine the company of Mr. Schwartzenberg in the amount of RON 10,000 (EUR 2,290) due to infringements of Art. 58 (1) of the Audiovisual Law. Further the Council decided to reauthorize Realitatea TV to broadcast from the new studios.

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In the meantime, on 1 November 2011, the CNA authorised Ghiţă's television studio, along with the change of RTV's programme structure and format, from a general to a theme channel (news and information).

RTV's programmes were rebroadcast since the beginning by several rebroadcasting service providers, such as UPC and Romtelecom, which received on 25 October public warnings for transmitting the new RTV without permit of the CNA, which was a breach of Art. 74 of Law 504/2002.

Extras din procesul verbal al şedinţei de marţi, 25 octombrie 2011

http://www.cna.ro/Extras-din-procesul-verbal-al,4569.html

Excerpt of the minutes of the meeting of 25 October 2011

Extras din procesul verbal al şedinţei de marţi, 1 noiembrie 2011

http://www.cna.ro/Extras-din-procesul-verbal-al,4582.html

Excerpt of the minutes of the meeting of 1 November 2011

Decizia nr. 610 din 25.10.2011 privind amendarea cu 20.000 lei a S.C. RIDZONE COMPUTERS S.R.L pentru postul RTV

http://www.cna.ro/Decizia-nr-610-din-25-10-2011.html

Decision no. 610 of 25 October 2011 with regard to the Lei 20,000 fine issued to S.C. RIDZONE COMPUTERS S.R.L for the TV station RTV

Decizia nr. 611 din 25.10.2011 privind amendarea cu 10.000 lei a S.C. REALITATEA MEDIA S.A. pentru postul RTV

http://www.cna.ro/Decizia-nr-611-din-25-10-2011.html

Decision no. 611 of 25 October 2011 with regard to the Lei 10,000 fine issued to S.C. RIDZONE COMPUTERS S.R.L for the TV station REALITATEA TV

Decizia nr. 612 din 25.10.2011 privind somarea S.C. ROMTELECOM S.A.

http://www.cna.ro/Decizia-nr-612-din-25-10-2011.html

Decision no. 612 of 25 October 2011 with regard to the public warning of S.C. ROMTELECOM S.A.

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Decizia nr. 613 din 25.10.2011 privind somarea S.C. UPC ROMÂNIA S.R.L.

http://www.cna.ro/Decizia-nr-613-din-25-10-2011.html

Decision no. 613 of 25 October 2011 with regard to the public warning of S.C. UPC ROMÂNIA S.R.L.

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