[RO] CNA Withdraws Licenses of two Romanian TV Stations

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Eugen Cojocariu
Radio Romania International

On 22 January 2013, the *Consiliul Naţional al Audiovizualului* (National Council for Electronic Media - CNA), the audiovisual regulatory authority, has withdrawn with immediate effect the license of the commercial TV station OTV. The decision was taken because OTV has not paid the numerous fines issued by the CNA in the last years for repeated breaches of the audiovisual legislation (see IRIS 2002-9/21, IRIS 2011-10/36, IRIS 2012-3/30, and IRIS 2012-6/31).

The TV station was accused of breaching Art. 57 (1) d) of the *Legea Audiovizualului nr. 504/2002* (Audiovisual Law no. 504/2002), which provides that the license for analogue transmission is withdrawn if the holder does not provide to the Council proof of payment of the fines imposed upon it, within 6 months.

The Bucharest Court of Appeal on 31 January 2013 rejected OTV's request of temporary suspension of CNA's decision to withdraw the station's license. The owner of OTV stated he will contest this rejection before the High Court of Cassation and Justice. In addition, he had already on 28 January 2013 triggered a judicial procedure before the above-mentioned Court against the members of the CNA, for abuse of office in connection with the decision to withdraw the broadcasting license and for continuing to fine the station after the final decision.

Between 2009 and 2012, OTV was fined numerous times to a total of 1.17 million lei (approx. EUR 260,000) for breaches of the Audiovisual Law and of the *Codul Audiovizual - Decizia nr. 220/2011 privind Codul de reglementare a conţinutului audiovizual* (Audiovisual Code - Decision no. 221/2011 with regard to the Audiovisual Content Regulatory Code). OTV's license would normally have come to an end on 28 March 2013.

In 2012 the Council had reduced three times the duration of the license for OTV, but the decisions were contested and the station was allowed to continue its programmes. OTV has already been closed once in 2002 for repeated breaches of the legislation, but the station appeared again in 2004.

In another case, on 31 January 2013 the CNA also withdrew the license of the local TV station Televiştea Boişoara, from the Vâlcea County (southern part of Romania) for the same reason as for OTV, i.e., the lack of proof that the station had paid the fines due during 2010-2012 (a total of RON 290,000, approx. EUR

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64,450).

Comunicat CNA, 22.01.2013

http://www.cna.ro/Comunicat-CNA-22-01-2013.html

CNA Press Release of 22 January 2013

Comunicat de presă_Sancţiuni, 31.01.2013

http://www.cna.ro/Comunicat-de-pres-Sanc-iuni-31-01.html

CNA Press Release, 31 January 2013

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