[RO] Culture Standing Committee Rejects Bills for the Modification of the Audiovisual Act

IRIS 2013-3:1/26

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On 16 January 2013, the Culture Standing Committee of the Romanian Senate (upper Chamber of the Parliament) rejected a bill for the modification of the *Legea Audiovizualului nr. 504/2002* (Audiovisual Law no. 504/2002). The same day, the Committee also rejected a bill which intended to prohibit the use in radio and TV commercials of objects or symbols belonging to the national cultural patrimony. The plenum of the Senate will have the final decision on both bills, but there is no time limit (see IRIS 2010-1/36, IRIS 2011-4/31, and IRIS 2011-7/37).

The first bill was proposed by four members of the Parliament of PD-L (Democrat-Liberal Party) led by the former President of the above mentioned Committee, and was tacitly adopted on 17 May 2011 by the first chamber of the Romanian Parliament, the Chamber of Deputies.

The actual Culture Standing Committee of the Senate considered that there are too many amendments to the existing Act, which would modify 60-70% of the document, and - having regard to the legislative method - requested to draft a completely new Act, instead of amending the Act currently in force.

A sensitive subject currently being discussed is the future role of the *Consiliul Naţional al Audiovizualului* (National Council for Electronic Media - CNA), the regulatory body for the audiovisual media. It was argued that the Council should only regulate the technical broadcasting standards of the radio and TV stations, and leave to the consumers' protection watchdog and to prosecutors to decide upon legal breaches in connection with the editorial contents of the programmes.

One of the most important provisions of the bill was the possibility for the CNA to impose higher fines on broadcasters due to censorship and editorial interference. Another proposal was to gradually impose fines on TV and radio stations for breaches of the Act. The existing form of the Audiovisual Law, adopted through the Emergency Government Decree no. 181/2008, was promulgated by Romania's President on 10 November 2009 and was aimed at implementing Directive 2007/65/EC into Romanian law and to set up the general framework for introducing digital audiovisual services for the general public (see IRIS 2010-1/36).

On the other hand, Senators from the Culture Standing Committee unanimously rejected a bill that was also intended to modify the Audiovisual Law and to ban

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the use in radio and TV commercials of objects or symbols belonging to the national cultural patrimony, such as the Romanian Atheneum concert hall, the statue of the national poet Mihai Eminescu or ancient carols. The draft law was initiated in December 2011 by a former social-democrat member of the Parliament. The Culture Standing Committee held that the initiative would limit freedom of expression and the possibility of making commercials.

Proiectul lui Turcan de modificare a Legii audiovizualului, respins de Comisia de Cultură a Senatului

http://www.mediafax.ro/politic/proiectul-lui-turcan-de-modificare-a-legii-audiovizualului-respins-de-comisia-de-cultura-a-senatului-10476030

Turcan's project for the modification of the Audiovisual Law, rejected by the Culture Standing Committee of the Senate

Proiectul lui Socaciu de interzicere în reclame a patrimoniului, respins de Comisia de Cultură-Senat

http://www.gandul.info/politica/proiectul-lui-socaciu-de-interzicere-in-reclame-a-patrimoniului-respins-de-comisia-de-cultura-senat-10476423

Socaciu's project prohibiting patrimony in commercials, rejected by the Culture Standing Committee of the Senate

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