[RO] Rejection of Changes to the Romanian Cinematography System

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On 14 May 2013, the Camera Deputaţilor (Chamber of Deputies, Lower Chamber of the Romanian Parliament) rejected the Draft Law on the modification and completion of the Government's Ordinance no. 39/2005 with regard to cinematography. The decision was final (see IRIS 2009-1/106).

The rejected Draft Law was intended to correct some deficiencies of the existing Act, which had been claimed by many film producers. It was initiated in 2010 by a group of eight senators and adopted by the Upper Chamber on 17 May 2010.

One of the main deficiencies to be abolished would have been the loss of film producers' rights in case financial credits granted by the Fondul Cinematografic (Cinematography Fund) are not paid back in time. If the credit can not be paid back within ten years, the Centrul Naţional al Cinematografiei (National Cinematoghraphy Center - CNC) receives the films' exploitation rights and becomes the owner of the supported films. On the other hand, the film makers complained that too big a part of the Cinematography Fund is used for festivals and activities merely accessory to film production. Another weak point of the Law was considered to be the inefficient way in which the script contests are organised, without a real anonymous form regarding the authors' name, with subjective marks and without any warrant that a good script will lead to a good film. A fourth weak point was considered the fact that the Ministry of Culture also subsidizes film production in their own cinema studios, which is considered an unfair competition for the CNC.

The initiators of the modification and completion of the Government's Ordinance no. 39/2005 proposed several measures in order to correct the alleged deficiencies of the Act: the transformation of credits given by the Cinematography Fund into direct financial support for the film production, with the CNC as co-producer; the establishment of precise criteria for Cinematography Fund allocation; the main element of the subsidy application file will be no longer the script, but the director's cut. The projects will be only marked with „admitted"/„rejected" for subsidies; the cinema studios belonging to the Ministry of Culture will be transformed in studios exclusively for debut films and young directors, with the strict observation of the cinematography legislation.

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In this context, the Ministry of Culture released a Draft Government Emergency Ordinance for public debate, which is intended to reorganise public institutions under its control. According to the Draft, the Video Art Studio will be reorganised by merging it with the Arhiva Naţională de Filme (National Film Archive, under the control of the CNC) and with the Bucharest Cinematography Creation Studio, which ceases to exist. This newly-merged public institution will be the Institutul Naţional al Filmului (National Film Institute). It will be subordinated to the Ministry of Culture and financed by way of State budget subsidies or their own income.

On the other hand, the Romanian Government adopted on 30 April 2013 a Memorandum according to which the Sahia Film Cinematography Studio and the Animafilm Cinematography Studio, both of which are under the control of the Ministry of Culture, will be merged in order to improve the film production process and to reduce the debts by unifying the film production.

Proiect de lege pentru modificarea şi completarea Ordonanţei Guvernului nr. 39/2005 privind cinematografia

http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=11105

Draft Law on the the modification and completion of the Government Ordinance no. 39/2005 with regard to the cinematography

Forma adoptată de Senat a Proiectului de lege pentru modificarea şi completarea Ordonanţei Guvernului nr. 39/2005 privind cinematografia

http://www.cdep.ro/proiecte/2010/300/30/9/se339bis.pdf

The form adopted by the Senate of the Draft Law on the the modification and completion of the Government Ordinance no. 39/2005 with regard to the cinematography

Ordonanţă de urgenţă privind reorganizarea unor instituţii publice aflate în subordinea Ministerului Culturii - proiect

http://www.cultura-net.ro/DezbateriDownload.aspx?id=590

Draft Emergency Ordinance with regard to the reorganisation of some public institutions under the control of the Ministry of Culture

Memorandum cu tema: Stabilirea unor măsuri privind reorganizarea societăţilor comerciale din domeniul cinematografiei aflate sub autoritatea Ministerului Culturii

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http://www.gov.ro/informatie-de-presa-privind-actele-normative-care-au-fost-incluse-pe-agenda-sedintei-guvernului-romaniei-din-30-aprilie-ora-12-00__l1a119949.html

Memorandum with regard to some measures for the reorganisation of the cinematography commercial societies under the authority of the Ministry of Culture

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