[RO] Rejection of Audiovisual Law Modifications

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Eugen Cojocariu
Radio Romania International

On 5 November 2013, the Romanian Senate (i.e. Upper Chamber of the Parliament) rejected the Draft Law on the modification and completion of the Audiovisual Law no. 504/2002 at the request of the President of Romania, with a large majority.

The Draft Law included an obligation of the broadcasters to air weekly at least 120 minutes of programmes with cultural and educational content, excepting the period from 1 to 7 a.m. Furthermore, news channels would have had to air weekly at least 30 minutes of cultural and educational shows per week, excepting the same period (1 a.m to 7 a.m.). The decision of the Senate was final, to reject the Draft Law (see IRIS 2009-2/29, IRIS 2010-1/36, IRIS 2011-4/31, IRIS 2011-7/37, IRIS 2013-3/26, and IRIS 2013-6/27).

The request of the President to review the Law was sent to the Parliament on 5 January 2012. The Draft Law had been adopted by the Chamber of Deputies (Lower Chamber) on 15 February 2011 and by the Senate on 7 December 2011. The Chamber of Deputies had rejected the review request. The President had asked for the review because he considered the imposed conditions and limitations on the content of programmes as inappropriate and a limitation of media freedom.

Meanwhile, the Romanian Senate rejected another Draft Law on the completion of the Audiovisual Law with a large majority on 6 November 2013, which would have made broadcasting of explicit content between 6 a.m. and midnight illegal. Under Article 90 of the Audiovisual Law this would have entailed immoral, indecent or obscene aspects of the life of a person, violent attitudes and gestures, scenes with violence and strong language, erotic and vulgar scenes, physical exposure in erotic ways, exposure of intimate stories and other matters beyond the limit of decency.The Draft Law proposed in a new Article 95 the withdrawal of the audiovisual licence in cases of repeated violations of Article 90.

The initiator of the Draft Law argued that TV stations offer all day long shows full of inappropriate, violent, vulgar and indecent content because of their fixation with audience ratings. According to the initiator, sanctioning the violations mentioned above would be benefitial especially for minors, who are not able to differentiate between appropriate and inappropriate content.

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Legea pentru modificarea şi completarea Legii audiovizualului - forma adoptată de Camera Deputaţilor

http://www.senat.ro/Legis/PDF/2011/11L194DX.pdf

Law on the modification and completion of the Audiovisual Law - form adopted by the Chamber of Deputies

Propunerea legislativă pentru completarea Legii audiovizualului nr. 504/2002 - forma iniţiatorului

http://www.cdep.ro/proiecte/2013/100/40/2/pl274.pdf

Draft Law on the completion of the Audiovisual Law no. 504/2002 - as initially submitted

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