

[RO] Senate Rejects Modification of Cinematography Government Decree

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On 6 November 2013, the Romanian Senate (Upper Chamber of Parliament) rejected the Draft Law on the modification of the *Ordonanța Guvernului nr. 39/2005 privind cinematografia* (Government Decree no. 39/2005 on Cinematography) with a large majority (see IRIS 2003-2/23). The final decision will be taken by the Chamber of Deputies (Lower Chamber).

According to the Draft Law, Article 17 of the Government Decree no. 39/2005 on Cinematography, modified by Law no. 328/2006, would be repealed. Art. 17 decrees that the public Romanian Television TVR contributes 15% of its advertisement income to the *Fondul cinematografic* (Cinematography Fund) on a yearly basis to support national cinematography film production. At the request of producers, TVR has the option to finance film production directly with up to 50% of the mentioned sum, under the condition of notice to the *Centrul Național al Cinematografiei* (National Cinematography Centre - CNC).

The Draft Law was intended to correct what the sponsors claimed to be a discriminatory treatment of the public broadcaster. According to Art. 13 (1) b) of the Government Decree no. 39/2005, modified through the Law no. 328/2006, all the television providers (public and commercial) were already obliged to contribute 4% of their advertisement incomes to the Cinematography Fund, which meant that TVR would contribute to the Cinematography Fund twice (15% and 4% of advertisement income).

The Romanian Government issued a negative opinion on the Draft Law, considering that the repeal of Art. 17 would deplete the financial means of the Cinematography Fund, since there had just been another reduction: the obligation of gambling operators to contribute 4 % of their profit to the Cinematography Fund had just been repealed.

TVR has big financial problems due to mismanagement. The Draft Law would have partially helped the public broadcaster to recover from its difficult financial situation. TVR is funded by a licence fee, its own incomes (mainly advertising) and state subsidies.

Propunerea legislativă pentru modificarea Ordonanței Guvernului nr. 39/2005 privind cinematografia - forma inițiatorului

<http://www.senat.ro/Legis/PDF/2013/13L353FG.pdf>

