[RO] New „Must-Carry” List for 2014

IRIS 2014-3:1/39

Eugen Cojocariu
Radio Romania International

On 4 February 2014, the Consiliul Naţional al Audiovizualului (National Audiovisual Council - CNA) issued the list of TV stations included in the „must-carry” principle for 2014. The list was preceded by a dispute of the CNA members about the shortening of the „must-carry” list and by a recommendation of the Consiliul Concurenţei (Competition Council) to the CNA suggesting modifications of the „must-carry” legislation (see IRIS 2010-4/37, IRIS 2010-8/42, IRIS 2011-6/27, IRIS 2011-6/30, and IRIS 2012-4/36).

The 2014 „must-carry” list includes the national and regional channels of the public service broadcaster TVR along with TV5 Monde, a francophone channel, whose retransmission is mandatory due to international agreements. Furthermore, the list includes 31 commercial TV stations in the decreasing order of their 2013 measured audience shares. According to Art. 82 of the Audiovisual Law, a distributor has to include in his programme services („must-carry”) all public service channels and private broadcasters under Romania’s jurisdiction up to a limit of 25 % of the total number of the programme services distributed in the network. The private broadcasters are selected in decreasing order of their annual audience rating. Being subject to the must-carry list, the respective channels have to be distributed free of charge and technical or financial impediments. The regional and local TV service providers have to include in their offer at least two regional, respectively two local stations, in decreasing order of the measured audience shares.

Several CNA members campaigned for a shortening of the „must-carry” list and thus not to oblige the distributors to use up to 25 % of their offer for stations which often have hardly any audience. The CNA members’ intentions, however, could not be implemented due to clear legal provisions.

In spite of that, the Consiliul Concurenţei (Competition Council) recommended on 3 February 2014 that the CNA review the „must-carry” principle. The Consiliul Concurenţei recommended to the CNA that the „must-carry” principle be applied in line with technological neutrality regardless of the way of retransmission, be it cable or satellite direct-to-home (DTH) and not only to cable operators, as it is done today.

The Consiliul Concurenţei also suggested that the „must-carry” status be given only to channels whose overall content is of public interest (public service

© European Audiovisual Observatory (Council of Europe) 2026

channels and television services whose retransmission is prescribed by international agreements). This status may be granted to private channels only if they are deemed to be of general interest (cultural and information channels, etc.) and have an appropriate audience share. As a result, the number of channels in the „must-carry" list would be reduced (taking into account the forthcoming introduction of digital television), and the status would be granted within a competitive procedure. The suggestions, however, could not be implemented in the selection procedure as set out in Art. 82 of the Audiovisual Law.

Lista staţiilor în vederea aplicării principiului must carry, 04.02.2014

http://www.cna.ro/Lista-sta-iilor-TV-pentru-2014-in.html

List of stations to observe the „must carry" principle, 4 February 2014

Lista staţiilor particulare în vederea aplicării principiului must carry

http://www.cna.ro/IMG/pdf/Lista_statiilor_principiul_must_carry_04.02.14.pdf

List of private stations to observe the „must carry" principle

Consiliul Concurenţei recomandă revizuirea principiul "must-carry"

http://www.consiliulconcurentei.ro/uploads/docs/items/id9066/recomandari_cna_2014.pdf

The Competition Council recommends to review the „must-carry" principle

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026