[RO] New modification of the Public Audiovisual Services Law

IRIS 2014-7:1/30

Eugen Cojocariu
Radio Romania International

The *Legea nr. 71/2014 pentru modificarea şi completarea Legii nr. 41/1994 privind organizarea şi funcţionarea Societăţii Române de Radiodifuziune şi Societăţii Române de Televiziune* (Law no. 71/2014 with regard to the modification and completion of Law no. 41/1994 on the organization and operation of the Romanian Radio Broadcasting Corporation and of the Romanian Television Corporation) was published in the Official Journal of Romania, no. 398, of 29 May 2014, Part I. The Law is meant to help the financing of the production and broadcasting of programmes abroad by the Societatea Română de Radiodifuziune şi Societatea Română de Televiziune, (public audiovisual broadcasters from Romania - SRR and TVR), including through private legal persons set up by SRR or TVR or in which the above mentioned companies are associates/shareholders (see IRIS 2013-5/37, IRIS 2013-10/36, IRIS 2014-1/38 and IRIS 2014-4/25).

The Law had been approved by the Chamber of Deputies (lower Chamber) and by the Senate (upper Chamber) in September and October 2013, but it had been sent back to the Parliament in October 2013 by the President of Romania. After a second approval of the Draft Law, with slight modifications, by the Romanian Chamber of Deputies in December 2013 and by the Senators in February 2014, the President in March 2014 sent to the Constitutional Court of Romania asserting the unconstitutionality of the Draft Law. The President considered that the provisions of the Law breach Art. 1 (5) of the Romanian Constitution, they are inaccurately formulated and do not observe the criteria of clarity, precision and predictability. Because he did not succeed with the complaint, the President promulgated the Law on 26 May 2014.

According to the new legal provisions, the financing of the production and broadcasting of programmes abroad, including through private legal persons set up by SRR or TVR or in which the SRR and TVR are associates/shareholders, as well as for the development of these activities, is done through state budget allocated funds, run through the budgets of the two institutions (Art. 42 (1)). A new paragraph, was introduced after Art. 43 (1), providing for the extension/development of the activity of the public audiovisual providers outside Romania; SRR and TVR can set up, with the advisory opinion of the Culture and Mass-Media Standing Committees of the Romanian Parliament, that private legal persons, with or without profit, can become associates in such entities or can

© European Audiovisual Observatory (Council of Europe) 2026

acquire shares of an existing company.

Legea nr. 71/2014 pentru modificarea şi completarea Legii nr. 41/1994 privind organizarea şi funcţionarea Societăţii Române de Radiodifuziune şi Societăţii Române de Televiziune

http://www.avocatnet.ro/content/articles/id_37463/Legea-nr-71-2014-modificarea-si-completarea-Legii-nr-41-1994-organizarea-si-functionarea-Societatii-Romane-de-Radiodifuziune-si-Societatii-Romane-de-Televiziune.html

Law no. 71/2014 with regard to the modification and completion of Law no. 41/1994 on the organization and operation of the Romanian Radio Broadcasting Corporation and of the Romanian Television Corporation, Official Journal, no. 398, of 29 May 2014, Part I

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026