[RO] Modification of the Audiovisual Act rejected

IRIS 2015-6:1/32

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The Chamber of Deputies (lower chamber of the Romanian Parliament) rejected on 6 May 2015 a modification of Article 20 of the Audiovisual Act no. 504/2002. According to the rejected Draft Law, the President of the National Audiovisual Council (Consiliul Naţional al Audiovizualului - CNA) would have been dismissed, if the Parliament rejected the annual report of the Council. He could not have been re-appointed as President for the rest of the 6 years mandate. The Parliament would appoint another President for the rest of the mandate.

The final decision belongs to the upper Chamber, the Senate (see, inter alia, IRIS 2010-1/36, IRIS 2011-4/31, IRIS 2011-7/37, IRIS 2013-3/25, IRIS 2013-6/27, IRIS 2014-1/37, IRIS 2014-2/31, IRIS 2014-7/29, and IRIS 2014-9/26).

The Audiovisual Act does not provide provisions on the dismissal of the President of the CNA or of the Council as a whole if the annual report is rejected. It only provides that members of the Council can be dismissed, if they are not able to exercise their function for six months or if they receive a criminal conviction imposed by a final court decision.

The Draft Law had been initiated by the two Presidents of the two Culture and Mass-Media Standing Committees of the two chambers of the Parliament. They initiated the Draft Law in order to solve the prolonged functioning crisis of the CNA, due to multiple legal disputes between the President of the Council and the majority of the other ten members of the Council.

The president of the Council, who is accused of obeying the main ruling party, PSD, and of reducing the freedom of expression of the audiovisual media through measures she obliges the Council to adopt, is being prosecuted for abuse of office. In turn, she has sued her colleagues, because they reduced her powers last year through the modification of the operating rules of the Council.

Propunere legislativă pentru modificarea art. 20 din Legea audiovizualului nr. 504/2002 - forma iniţiatorului

http://www.cdep.ro/proiecte/2015/300/30/0/pl392.pdf

Draft Law on the modification of Art. 20 of the Audiovisual Law no. 504/2002 - initiator's form

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Propunere legislativă pentru modificarea art. 20 din Legea audiovizualului nr. 504/2002 - expunerea de motive

http://www.cdep.ro/proiecte/2015/300/30/0/em392.pdf

Draft Law on the modification of Art. 20 of the Audiovisual Law no. 504/2002 - Explanatory Memorandum

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