[RO] Modification of the conditions for issuing and amending the retransmission notification

IRIS 2015-8:1/29

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On 2 July 2015, the National Audiovisual Council, CNA (Consiliul Naţional al Audiovizualului) adopted CNA decision no. 350/2015 on the modification and completion of CNA decision no. 72/2012 with regard to the conditions for issuing and amending the retransmission notification (see IRIS 2014-3/39).

The decision was published in the Official Journal of Romania no. 533 of 17 July 2015. It intends to clarify the procedure for implementing the must-carry system in the case of the retransmission of programme services at regional and local level according to Article 82 (2) of the Audiovisual Act. According to the Audiovisual Act, distributors retransmitting programme services at regional and local level are required to include in their offer at least two regional programmes and two local programmes where they exist. They will be selected on the basis of descending audience order.

After Article 13 of decision no. 72/2012, a new Article 13.1 was introduced: with a view to be included in the regional/local offer, the interested broadcasters have to send a written request for the retransmission under the must-carry principle of the TV service to the programme services distributors. The following data must be specified: the name of the TV service requiring retransmission under the must-carry regime; the area covered by the TV service; and the technical modalities to provide simultaneous capture and transmission of digital/analogue, uncoded/unencrypted, and free and unconditional signal. This request can be transmitted to services distributors until no later than 1 February each year for the current calendar year. Requests submitted after 1 February will not be taken into account. No later than 60 days after 1 February, the programme services distributors are obliged to introduce in their regional/local the programme services satisfying the must-carry conditions. Within 30 days - as provisioned in Article 5 of decision no. 72/2012 - the services distributors must report to the CNA the change of the retransmission notification. If in the regional/local offer at least two regional/local programmes are not retransmitted, the retransmission notification file also has to include an affidavit stating that the distributor has included in its regional/local offer all the retransmission requests received by 1 February.

Decision 350/2015 also stipulates that for 2015 the deadline for the submission of applications under the provisions of Article 13.1 alinea (2) is 15 days from the

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date of publication of the decision in Part I of the Official Journal of Romania.

Decizie CNA nr. 350 din 2 iulie 2015 pentru modificarea și completarea Deciziei Consiliului Național al Audiovizualului nr. 72/2012 privind condițiile de eliberare și modificare a avizului de retransmisie

http://www.cna.ro/Decizie-CNA-nr-350-din-02-iulie.html

CNA Decision no. 350 of 2 July 2015 on the modification and completion of the CNA Decision no. 72/2012 with regard to the conditions for issuing and amending the retransmission notification

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