[RO] Draft laws on cinematography

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On 28 October 2015, the Senate (upper Chamber of the Romanian Parliament) rejected the Proiectul de Lege pentru completarea articolului nr. 13 din Ordonanţa Guvernului nr. 39/2005 privind cinematografia (draft Law on the completion of Article 13 of the Government Decree no. 39/2005 on Cinematography).

The draft Law intends to add, through a new Article 13 (1) e1), another source of revenues for the Cinematographic Fund. The Fund was established to provide financial resources needed to develop cinematographic work as well as to help with the fulfilment of the duties incumbent on the National Film Centre: the collection of a contribution of four per cent of the annual profit made by operators who organise gambling; the payment will be made by 31 May of the current year for the previous year. The draft Law intends to restore the revenues of the Cinematographic Fund after the repeal of the provisions of the Government Emergency Decree no. 77/2009 on the organisation and operation of gambling, which cut the funds transferred by the gambling operators to the Cinematographic Fund by EUR 1.5 million a year.

The proponents of the draft Law on Cinematography consider that the Government Decree no. 39/2005 on Cinematography, with further modifications and completion, gave a boost to film production, but now is obsolete and its gaps threaten the main areas of this field: financing the film production, access to financial resources and the internal market for Romanian film. The proponents proposed, inter alia, the set-up of a second Cinematographic Fund, dedicated to grants, fed by the national lottery and the gambling organisers; a more efficient system for collecting contributions to Cinematographic Funds; regulation of a clearer contribution of the public television to film production; creation of a Film Investment Bureau and of a mechanism through which private individuals and companies can invest in film production; establishment of a new mechanism of competition similar to the evaluation systems in other European countries; placing a ceiling on films with funding from the National Film Centre which producers may run simultaneously; creating opportunities for debuts for short films, documentaries and animation films; automatic financing for the next project of filmmakers who get major honours at the most important festivals; to set minimum quotas of Romanian films in cinemas and on television; enhance the functioning of cinemas distributing mostly European and Romanian film; creating a national network of cinemas dedicated to Romanian and independent film.

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On 13 October 2015, the Senate had rejected another draft Law, the Propunerea legislativă pentru abrogarea Legii nr. 35/1994 privind timbrul literar, cinematografic, teatral, muzical, folcloric, al artelor plastic, al arhitecturii şi de divertisment (draft Law on the repeal of the Law no. 35/1994 on the cultural stamp on literature, cinema, theatre, music, folklore, fine arts, architecture and entertainment).

The cinema stamp is worth two per cent of the ticket price, and this value is added to the regular price of the ticket. The proponents consider that the repeal of Law no. 35/1994 on the cultural stamp facilitates the access of the public to cultural products and relieves the cultural institutions, local authorities and investors in the culture to collect surcharges in favour of private entities (the unions of creators).

In the meantime, a Proiect de Lege privind Cinematografia (draft Law on Cinematography) is lying on the table of the Chamber of Deputies (lower chamber of the Parliament) months after it was rejected by the Senate on 30 March 2015 (see, inter alia, IRIS 2002-7/30, IRIS 2003-2/23, IRIS 2004-2/35, IRIS 2013-9/22, and IRIS 2015-2/29).

The Proiect de Lege privind Cinematografia - forma iniţiatorului

http://www.cdep.ro/proiecte/2015/300/30/6/pl396.pdf

Draft Law on Cinematography - proponent's form

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