[RO] Deputies reject draft law to cut the audiovisual licence fee

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On 2 March 2016, the Chamber of Deputies (lower Chamber of the Romanian Parliament) rejected a draft Law, which was intended to abolish the audiovisual licence fee. The Senate (upper Chamber of the Romanian Parliament) will have the final decision (see inter alia IRIS 2003-4/24, IRIS 2013-5/37, IRIS 2014-1/38, IRIS 2014-6/30, IRIS 2015-6/33). According to the initiators of the draft law, the licence fee collected by the Romanian public broadcasting services would be completely cut, and would not be replaced by another source of revenue.

The Legislative Council, which issued a positive opinion on the draft law, warned that cutting the sources of revenue for the public Radio and Television could trigger their bankruptcy. On the other hand, the Legal Committee of the Chamber of Deputies issued an unanimously negative opinion on the draft law. The Romanian government issued a negative opinion on the draft law, which intended to abolish the licence fee for the public audiovisual broadcasters. The government considers it the public broadcaster's mission to ensure the right of the citizens to information, for which public spending is a necessity. The costs are covered by taxes and fees, and the licence fee represents a non-fiscal fee, existent in most of the European countries. Cutting the licence fee, the main source of revenue for the public broadcaster, would make it impossible for it to fulfil its public mission and could even lead to its abolition, stated the government. Without the licence fee, and in view of the limitation of advertisement to 8 minutes per hour (in comparison to 12 minutes for the commercial stations), the public radio and the public television would be under political and commercial pressure, according to the government. The governement recalled that the European Broadcasting Union (EBU) firmly recommended the licence fee as the best financing solution to guarantee the editorial independence of the public broadcasters. At the same time, the government underlined that the licence fee is not collected by the cable providers and that the public broadcaster does not receive money from the cable providers for the distribution of its channels, as is the case of the commercial stations. The Cabinet emphasised that the licence fee is a legal obligation, and the payment of a subscription to cable programme providers is optional. The distribution of the public TV channels is mandatory, without any additional cost, under Audiovisual Law no. 504/2002, with further modifications and completions.

The draft law was rejected by the Culture Committee of the Chamber of Deputies. The mission of the public broadcasters is to ensure the constitutional right of

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citizens to be informed and the licence fee makes that possible. The Culture Committee argued that cutting the licence fee, the main source of revenue, without replacing it with other revenues from other sources, would make it impossible for the public Radio and Television broadcaster(s) to fulfil their mission..

Propunere legislativă pentru modificarea art. 40 din Legea nr. 41/1994 privind organizarea şi funcţionarea Societăţii Române de Radiodifuziune şi Societăţii Române de Televiziune - forma iniţiatorului

http://www.cdep.ro/proiecte/2015/800/80/4/pl1140.pdf

Draft Law on modification of the Art. 40 of the Law no. 41/1994 on the organization and functioning of the Romanian Radio Broadcasting Company and of the Romanian Television Company - proponent's form

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