[RO] Modification of the Cinematography Law

IRIS 2016-10:1/23

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On 26 May 2016, the President of Romania promulgated the Act no. 110/2016 for the completion of Article 13 of the Government Decree no. 39/2005 on Cinematography. The draft law, initiated by 63 members of the Parliament from almost all the political spectrum, had been approved by the Romanian Senate (the upper Chamber of the Romanian Parliament) on 28 October 2015 and by the Chamber of Deputies (the lower Chamber) on 10 May 2016 (see IRIS 2003-2/23).

The initiators argued that cultural work is constantly underfinanced in Romania and that the Government Emergency Decree no. 77/2009 on the organization and operation of gambling repealed the transfer of a percentage of the profits of companies operating in the field of the Film Fund. The Government Emergency Decree no. 77/2009 lead to a sharp decrease of the Film Fund, meaning a yearly loss of 1.5 million EUR. The Law 110/2016 was intended, according to the initiators, to correct the situation and to restore the financing of the Film Fund with money from businesses that organize and exploit gambling.

According to the new law, in Article 13 (1) of the Government Decree no. 39/2005 on Cinematography, approved with modifications and completions through the Law no. 382/3006, with further modifications and completions, a new provision e1) was introduced regarding the sources of the Film Fund, the provisions of which as follows:

e.1) 2% of the sums collected for the state budget from the firms operating in the field of gambling will be anually directed to the Film Fund, in order to encourage and support the cinema industry. The amount will be transferred until 31 May of the curent year for the previous year and it is not subject to regulation according to Article 66(1) of the Finance Act no. 500/2002, with further modifications and completions.

Article 66(1) of the above-mentioned Act stipulates that the surplus in the budgets of public institutions financed by mixed resources (own revenues, state budget, special funds etc.) shall be settled at the end of the year with the budgets from which their funding comes, up to the amounts received from those budgets, unless the law provides otherwise.

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Legea Nr.110 din 26.05.2016 pentru completarea art. 13 din Ordonanţa Guvernului nr. 39/2005 privind cinematografia

http://www.legex.ro/Legea-110-2016-147079.aspx

Act no. 110/2016 for the completion of Article 13 of the Government Decree no. 39/2005 on Cinematography

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