[RO] Modification of Audiovisual Law underway

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The Chamber of Deputies (the lower Chamber of the Romanian Parliament) tacitly approved two draft laws intended to modify the Audiovisual Law no. 504/2002 with further modifications and completions. The final decision belongs to the Senate (the upper Chamber), but the actual Parliament's term will come to an end in mid-December 2016 and the above-mentioned draft laws are not high on the agenda, so there is little chance they will be discussed by the Senate in the present legislature (see inter alia IRIS 2013-6/27, IRIS 2014-1/37, IRIS 2014-1/38, IRIS 2014-2/31, IRIS 2014-6/30, IRIS 2014-7/29, IRIS 2014-9/26, IRIS 2015-8/26, IRIS 2015-10/27, IRIS 2016-2/26, IRIS 2016-3/27).

The Chamber of Deputies tacitly adoped on 15 June 2016 the Draft Law on the repealing of the Article 29.1 of the Audiovisual Law no. 504/2002. The Article 29.1 refers to the possibiliy for the beneficiaries to buy television advertisment slots from the broadcaster directly or through an intermediary (an agency or administration).

The initiators argued that after the modification of the Audiovisual Law through the Government Emergency Decree no. 25/2013, approved with modifications and completions through the Law no. 181/2015, the advertising agencies lost significant amounts of money, because the advertisment was mainly bought directly from the broadcasters. Moreover, the state budget would have lost significant revenues from unpaid taxes due to the substantial contraction of the profits of the advertising agencies. Additionally, the intiators considered that the broadcasters continued to report losses, even though their incomes increased through direct advertising sales.

On the other hand, the Chamber of Deputies tacitly adopted on 28 June 2016 the Draft Law on the modification and completion of the Law no. 148 of 26 July 2000, on the publicity, as well as of the Audiovisual Law no. 504/2002. According to Article II of the draft Law, in Article 29, after paragraph (8) of the Audiovisual Law no. 504/2002, a new paragraph (9) will be inserted, as follows: (9) Audiovisual commercial communications for gambling are prohibited.

The initiators considered that, due to the accelerated development of the gambling industry in Romania, the consumers should be better protected in order not to become addicted to the phenomenon. The Romanian legislation is not clear on this matter, therefore it is necessary to regulate strictly any means of

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promoting this kind of commercial activity, the initiators argued.

Propunere legislativă pentru abrogarea articolului 29.1 din Legea audiovizualului nr. 504/2002 - forma adoptată de Camera Deputaţilor

http://www.cdep.ro/pls/proiecte/docs/2016/cd081_16.pdf

Draft Law on the repealing of the Article 29.1 of the Audiovisual Law no. 504/2002 - form adopted by the Chamber of Deputies

Propunere legislativă pentru modificarea şi completarea Legii nr. 148 din 26 iulie 2000, privind publicitatea, precum şi a Legii nr. 504/2002 a audiovizualului - forma adoptată de Camera Deputaţilor

http://www.cdep.ro/pls/proiecte/docs/2016/cd178_16.pdf

Draft Law on the modification and completion of the Law no. 148 of 26 July 2000, on the publicity, as well as of the Audiovisual Law no. 504/2002 - form adopted by the Chamber of Deputies

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