[RO] Modifications of Audiovisual Law: promulgation vs rejection

IRIS 2017-1:1/30

Eugen Cojocariu
Radio Romania International

On 19 October 2016, the Romanian President promulgated Law no. 187/2016, a modification of the Audiovisual Law no. 504/2002 with further modifications and completions (Legea Audiovizualului nr. 504/2002 cu modificările și completările ulterioare). The modification came into force on 20 October 2016. Another modification of the Audiovisual Law, with regard to prohibiting the advertising of medicinal products and pharmacies in audiovisual media, was finally rejected by the Senate (upper Chamber of the Romanian Parliament) on 15 October 2016 (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, and IRIS 2016-10/24).

The new Law no. 187/2016 modifies the Audiovisual Law no. 504/2002 for the purpose of ensuring the information and education of the public, including from a scientific point of view. The draft law had been adopted by the Chamber of Deputies (lower Chamber) on 17 February 2016 and by the Senate (upper Chamber) on 19 September 2016.

Article 3 (1) (from Chapter 1 General Provisions) and Article 17 (1) d) 12 (with regard to the National Audiovisual Council's powers) were modified in the sense of including a reference to the scientific education of the public. The new form of Article 3 (1) provides that political and social pluralism, cultural, linguistic and religious diversity, information, education, including from a scientific point of view, and entertainment of the public are accomplished and ensured by the broadcasting and the retransmission of programme services with the observance of the freedoms and fundamental rights of the people. The words "including from a scientific point of view" were added to the original form of the article. The new form of Article 17 (1) d) 12 provides that the Council is authorized to issue regulatory normative decisions in order to achieve its objectives as expressly stipulated in the law and mainly in regard to cultural and scientific responsibilities of audiovisual media services providers. The words "and scientific" were added to the original form of the article.

On the other hand, a draft law intended to modify Law no. 148/2000 on Advertising and Audiovisual Law no. 504/2002 in the sense of prohibiting the advertising of medicinal products and pharmacies in audiovisual media, as well as the product placement of medical products and treatments, was finally rejected

© European Audiovisual Observatory (Council of Europe) 2026

by the Romanian Senate on 15 October 2016. The draft law had been also rejected by the Chamber of Deputies on 8 June 2016, after a request for review filed in January 2016 to the Parliament by the President of Romania. The President considered the draft Law as discriminatory and contrary to the European Union's legislation.

Legea nr. 187/2016 - modificarea Legii audiovizualului nr. 504/2002

http://legeaz.net/monitorul-oficial-838-2016/lege-187-2016-modificare-lege-audiovizual-504-2002

Act no. 187/2016 on the modification of the Audiovisual Law no. 504/2002

Propunere legislativă pentru modificarea şi completarea art. 17 din Legea nr. 148/2000 privind publicitatea şi pentru modificarea Legii nr. 504/2002 a audiovizualului - forma inițiatorului

http://www.cdep.ro/proiecte/2015/400/50/0/pl450.pdf

Draft Law on the modification and completion of Article 17 of the Law no. 148/2000 on Advertising and for the modification of the Audiovisual Law no. 504/2002 - initiator's form

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026