[RO] National Audiovisual Council - Sanctions and Licenses

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Eugen Cojocariu
Radio Romania International

The Consiliul Naţional al Audiovizualului (National Audiovisual Council - CNA) imposed fines worth 1,167,500 lei (~EUR 259,400) in 2016 for breaches of the audiovisual rules (see inter alia IRIS 2008-5/27, IRIS 2009-1/29, IRIS 2010-8/42, IRIS 2011-1/44, IRIS 2011-6/31, IRIS 2012-1/39, IRIS 2012-4/36).

According to the CNA 2016 Annual Report, unanimously adopted on 4 April 2017, the Council imposed 176 sanctions last year, of which 42 fines, 133 public warnings, and a decision to broadcast the text of the sanction for 10 minutes.

Most sanctions were imposed for breaches of the legal framework with regard to: the protection of human dignity and of the right to own image, as well as of human fundamental rights and freedoms (43 sanctions); providing accurate information and pluralism observation (35 sanctions); modification of the program grid, the ownership, or the social headquarters without the Council’s approval (31 sanctions); the electoral campaign for the 2016 local elections (23 sanctions); and not requiring the modification of the authorization decision within the statutory period (23 sanctions).

The sanctions were issued for breaches of the following legal acts: Law no. 504/2002 of the Audiovisual Code (Decision no. 220/2011); CNA Decision no. 277/2013 with regard to granting, modification, and extension of the license; Law no. 115/2015 for the election of the authorities of the public local administration, for the modification of Law no. 215/2001 on the local public administration, as well as for the modification and completion of Law no. 393/2004 with regard to the status of the local elected representative; CNA Decision no. 244/2016 with regard to the rules for the audiovisual electoral campaign for the 2016 local elections; Law no. 208/2015 on the election of the Senate and of the Chamber of Deputies, as well as for the organization and functioning of the Permanent Electoral Authority; and CNA Decision no. 592/2016 with regard to the rules for the audiovisual electoral campaign for the 2016 Senate and Chamber of Deputies election.

Most sanctions were issued for Romania TV (commercial, news station), Antena 3 (commercial, news station), Realitatea TV (commercial, news station), B1 TV (commercial, news station), Pro TV (commercial, generalist), and Antena 1

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(commercial, generalist).

In 2016 CNA was involved in 150 litigations, 89 of which were settled out. In 75 cases the CNA won the litigations, 12 cases were lost by the CNA, and in 2 cases the Council was obliged to reduce the fines.

On the other hand, in 2016 the Council issued a total of 113 audiovisual licenses for terrestrial radio program services and 10 licenses for radio programs broadcast via satellite, 68 licenses for TV programs broadcast via satellite, and 99 licenses for TV programs broadcast through other types of communications networks. A total of 1,003 radio and TV licenses, belonging to 407 companies, were valid as of 31 December 2016.

CNA - Raport de activitate pe anul 2016

http://www.cna.ro/IMG/pdf/_Raportul_de_activitate_al_CNA_pe_anul_2016.pdf

CNA - 2016 Annual Activity Report

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