[RO] Emergency measures for the Romanian Film Industry during the State of Emergency

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On 26 March 2020, the Board of the National Cinematography Centre (*Centrul Naţional al Cinematografiei* - CNC) issued Decision No. 61 with regard to the emergency measures taken in the context of the state of emergency in Romania due to the coronavirus pandemic. The measures were harshly criticised by the Romanian film professionals.

With regard to direct credit for the production of films, the Decision stipulates that: 1) The deadlines for the conclusion of direct credit contracts for film production are postponed during the state of emergency; 2) Projects due to receive the first two installments of the ongoing credit agreements will not receive the funds, while funding for projects at the stage of receiving the third and fourth installments of the grant will be disbursed; 3) Changes to financing plans will only be approved for films in the post-production phase; 4) Support for artistic quality and public success will be granted only for projects in the post-production phase, respectively if the filming has been completed; 5) The deadlines for depositing standard copies, as stipulated in the contracts for the granting of direct credit in progress, are postponed until the end of the state of emergency.

With regard to non-reimbursable financial support, the Decision provisions are as follows: 1) For projects declared successful at the second session of 2019 regarding the granting of non-reimbursable financial support for the cultural events scheduled to take place between January and June 2020, the conclusion of the financing contracts is postponed until the end of the state of emergency, except for the publication of specialised publications; 2) The events/actions of the projects declared successful at the second session of 2019 for the granting of non-reimbursable financial support for the cultural events that will take place between January and June 2020 will be organised until 31 December 2020; 3) The granting of the installments for the contracts in progress, for the organisation of festivals and other cultural events, is postponed until the state of emergency has been lifted, except for the publication of specialised publications; 4) The granting of non-reimbursable financial support for the distribution and exploitation of films, including the remaining installments of the ongoing contracts, is posponed until the state of emergency has been lifted; 5) The granting of non-reimbursable financial support for participating in festivals is postponed until the state of

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emergency has been lifted; 6) The granting of non-reimbursable financial support for the running of art cinemas is postponed until the state of emergency has been lifted.

At the same time, the legal terms regarding the classification of films and the classification of cinemas/open-air cinema are suspended until the state lifts the state of emergency.

In response to these measures, more than 160 Romanian professionals (directors, actors, producers, screenwriters, composers, artistic directors, festival organisers, film distributors, etc.) have written an appeal to the Board of the National Cinematography Centre and to the Romanian Minister of Culture in which they violently criticise CNC Decision No. 61/2020. They request that the measures be reconsidered and ask for a direct consultation.

They consider that the CNC has issued a decision that effectively blocks the operations that could be carried out remotely for a speedy return to normal activity after the restrictions imposed during the health crisis caused by COVID-19 have been lifted. The measure consisting in the suspension of payments for different activities has, according to the signatories, generated a climate of uncertainty and induced a feeling of lack of interest on the part of the tutelary authority regarding the real problems of the guild.

The film creators consider that the possibility of preparing productions and events during the state of emergency would also facilitate the reprogramming of some of these activities shortly after the restrictions have been lifted, eliminating the risk of creating a major bottleneck, tantamount to suffocation, of all the events and productions in the Autumn-Winter of 2020.

The CNC has decided, invoking the state of emergency, to suspend the deadlines for announcing the results of the competition regarding ongoing film projects, which, as expressed in the letter, represents an obstacle to the prospect of preparing specific activities, considering that once the financing from Romania has been obtained, the producers can apply for funds to other national and international sources, the application deadlines being kept for most European countries.

In addition, the signatories consider that none of the legal texts upon which the preamble of Decision No. 61/ 26.03.2020 relies gives the CNC the right to unilaterally postpone the fulfilment of the legal obligations expected of it during the state of emergency vis-à-vis the economic operators who are debtors of these obligations.

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The Hotărârea nr. 61 din 26.03.2020 a Consiliului de Administraţie al Centrului Naţional al Cinematografiei

http://cnc.gov.ro/wp-content/uploads/2020/03/Hot%C4%83r%C3%A2rea-nr.-61-.pdf

Decision no. 61 of 26.03.2020 of the Board of the National Cinematography Center

Apel asupra Hotărârii CA al CNC 61/26.03.2020 și a deciziei de suspendare a calendarului Concursului CNC

http://www.rador.ro/2020/04/02/apel-al-cineastilor-referitor-la-masurile-implementate-de-cnc-pentru-perioada-starii-de-urgenta/

Appeal on the Decision of the Board of the CNC no. 61/26.03.2020 and on the decision to suspend the calendar of the CNC Competition

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