

[RO] Money for COVID-19 information campaigns

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On 27 May 2020, the Senate (upper Chamber of the Romanian Parliament) approved Government Emergency Ordinance (GEO) No. 63 of 7 May 2020 for organising and conducting public information campaigns in the context of the epidemiological situation caused by the spread of COVID-19 (see also IRIS 2020-4/6).

Through GEO No. 63/2020, the government, for a fee, and in the conditions of the current COVID-19 epidemiological situation, carries out information campaigns on all types of registered, licensed, professional media channels: TV, radio, print, online and outdoor advertising. Article 6 shows that the radio and TV public services are not included in the scheme and that they will broadcast the information campaigns for free.

According to Article 1 (1), the campaign shall run after the cessation of the state of emergency and the state of alert decreed in Romania for a period of 120 days from the date of concluding the service contracts, but not later than October 31, 2020. Specifically, there are public information campaigns on measures to prevent and limit the spread of the new coronavirus, as well as public information campaigns on how to resume economic and social activities after the end of the state of emergency.

According to paragraph (2), the public information campaigns shall be conducted by the government and managed by the General Secretariat of the Government and the Authority for the Digitization of Romania. Article 1 (3) provides that the public information campaigns shall not be included in the legal duration allocated to commercial advertising. Article 1 (4) stipulates that the total budget allocated to the aforementioned campaigns shall not exceed 200 million Romanian leu (RON) (approximately EUR 41.2 million), including VAT. According to paragraph (5), the duration of the campaigns may be extended, depending on public information needs in the context of the epidemiological situation, and within the total budget allocated.

According to Article 2 (2), media providers owned and financed by Romanian or foreign public authorities or religious institutions shall be excluded from receiving payment for messages broadcast during the campaign. Article 3 provides that the budget shall be distributed as follows: a) 55% for television programme services

(8% for TV programmes with local and regional audiovisual licences and 47% for nationally licensed services); b) 23% for online media providers (at least 5% for online media providers with local content and 18% for online media providers with national content); c) 12% for radio programme services (8% for radio broadcasters with a nationally measured audience and 4% for local or regional radio broadcasters); d) 5% for printed newspapers, magazines and periodicals with weekly, bimonthly or monthly publication, with up to 8 issues per year; e) 4% for outdoor advertising, by placing advertising media in localities; f) 1% for the creation and production of materials that will be disseminated during public information campaigns.

Article 5 provides that the messages in the campaign will have an exclusively informative, non-commercial character, and that they will be placed within appropriate content, as follows: a) broadcasting: in news bulletins; news programmes; economic and financial information programmes; programmes devoted to health/medicine, personal care, education, family and children, science, technology and sports; as well as in other programmes which are broadcast between 6 a.m. and midnight; b) newspapers, magazines and periodicals: national or local generalist dailies; popular dailies; economic-financial publications; business publications; and health/medicine, science, technology, culture and sports publications or supplements of such publications; c) web portals with content from the following categories: news and analysis; national or local, general news; financial economics; health and personal care; education; family and children; science; technology; and sports; d) in localities - the placement of advertising means will be done in areas with high visibility, while avoiding clustering in the same area.

Article 7 (8) establishes that the General Secretariat of the Government shall pay for the services in monthly installments, with advance payment for the first month of the campaign. If, following the monitoring by the Romanian Digitization Agency, there are differences compared to the dissemination conditions initially assumed by the campaign participants, the next monthly installment shall be adjusted to cover the difference in the level of services actually provided and measured.

Some practical aspects of GEO No. 63/2020 have been corrected through the new Government Emergency Ordinance No. 86 of 27 May 2020. The Romanian Government said it had registered about 1 000 requests from media companies to participate in these information campaigns.

Ordonanță de Urgență nr. 63 din 7 mai 2020 pentru organizarea și desfășurarea unor campanii de informare publică în contextul situației

epidemiologice determinate de răspândirea COVID-19

<http://legislatie.just.ro/Public/DetaliiDocument/225485>

Emergency Ordinance no. 63 of May 7, 2020 for the organization and conduct of public information campaigns in the context of the epidemiological situation caused by the spread of COVID-19

Ordonanța de Urgență nr. 86 din 27 mai 2020 privind modificarea și completarea Ordonanței de urgență a Guvernului nr. 63/2020 pentru organizarea și desfășurarea unor campanii de informare publică în contextul situației epidemiologice determinate de răspândirea COVID-19

<http://legislatie.just.ro/Public/DetaliiDocumentAfis/226137>

Emergency Ordinance no. 86 of 27 May 2020 on amending and supplementing Government Emergency Ordinance no. 63/2020 for the organization and conduct of public information campaigns in the context of the epidemiological situation caused by the spread of COVID-19

