[RO] New Laws Relating to the Film Sector

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The Rumanian Government's emergency Decree No. 67/1997 relating to the setting up, organisation and operation of the National Film Board and the constitution of the National Film Fund provides the general framework for the regulation and organisation of the financing and development of Rumanian film. The National Film Board (NFB) is a specialist, government-run body that replaces the old National Film Centre. The NFB organises film in Rumania and manages the financial resources granted to it by the Government. The responsibilities of the NFB, as provided for in Article 6, are mainly as follows :

- to draw up draft orders, edicts and laws concerning organisational, technical, financial and legal measures needed to ensure that the national film industry is properly run;

- to lay down standards and give instructions for those institutions that come under its authority;

- to set up the Film Register so as to have a unitary system for registering, listing and authorising activities within the sector and for classifying cinematographic works.

- to draw up cinematographic statistics for the National Statistical Committee.

The NFB is run by the NFB Council, which is made up of a Chairman, assisted by a Deputy Chairman and eleven members. The Chairman is appointed by the Prime Minister. Nine members are appointed by the Chairman, from names put forward by cinematography creator associations and unions, commercial production or distribution companies from within the sector, the Rumanian Television Corporation, private television companies and specialist publications. The two other members are appointed by the Minister of Culture and the Minister of Finance. Each member has a two-year mandate which can only be renewed once. According to article 12, State funding as well as other extra-budgetary sources are channelled through the National Film Fund, to be used by the NFB to carry out its mission. The extra-budgetary sources are, in accordance with article 13, made up of tax levied on operations relating to the Film Register, on the sale or rental of video cassettes, on advertising on state or private television and on receipts for films screened in cinemas or other public places.

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The money the NFB receives through the National Film Fund is given out mainly to producers and distributors of films of all categories. This financial backing can be obtained as of right or selectively (through a competition) and can be given as an interest-free loan that is repaid in instalments as and when receipts start coming in. These receipts, according to the aforementioned Decree, are the money received by the film's producer and come from the sale of the rights, from the exhibition of the film and from various other rights, such as the distinct use of the music of the film and its sale on audio cassette, CD, etc. Article 28 lays down the criteria for awarding or refusing applications for financial backing. Films that portray violence in a favourable or indiscriminate light, those that promote racism or ethnic, religious or sexual discrimination, those that constitute an affront to individual dignity and X-certificate films will be refused financial backing.

Article 32 makes it compulsory for any Rumanian or foreign economic agent who sells or distributes films in classic or magnetic form or who develops any other kind of cinematographic activity, to register with the Film Register and also to obtain operating permission. Failure to do so results in fines and the person being banned from working in the sector. Article 34 makes it obligatory for 5 % of total screen time to be given over to films made by Rumanian citizens or Rumanian nationals (at least two of them). 90 days after the emergency edict comes into force, the National Film Archive (NFA) will come under the responsibility of the Ministry of Culture. A prior Government order will set out the re-organisation of the NFA and the way it operates. Economic agents producing films and receiving funding either as of right or selectively, must send a copy of the film to the NFA. In order to strengthen Rumania's ties with the European Union and within 30 days of the edict coming into force, the NFB will make the necessary applications to bring Rumania into the Union's specialised programmes.

Ordonanta de urgenta privind infiintarea, organizarea si functionarea Oficiuli National al Cinematografiei si constituirea Fondului cinematografic national of 24 October 1997

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