

ROMANIA

Name of Regulatory Authority : National Audiovisual Council (Conseil National de l'Audiovisuel)
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Basis for operation

Legal framework : Audiovisual Law no.504/2002 and Law 402/2003

General remit : **TV broadcasting** **x radio broadcasting** telecommunications

Funding mechanism¹ : licence fee industry fee **x state budget**
 mixed funding (please specify):
 other (please specify):

Composition

Number of members: Term of office: 6 years Re-election possible: yes

Proposal of members: The proposals assign the candidate for the position of a titular, as well as the candidate for the position of a deputy and they shall be forwarded to the standing offices of the two Chambers within 15 days since the date of commencing the assignment procedure.

(3) The standing offices of the two Chambers forward the proposals to the specialised standing commissions in order to hear the candidates in joint session.

(4) Further to the hearing, the specialised standing commissions draw up a joint notification which they present in the joint session of the Chamber of Deputies and of the Senate.

(5) Candidatship shall be approved by the vote of the majority of deputies and senators.

(6) The members of the Council are the warrantors of the public interest and do not represent the authority that proposed them.

Appointment of members:

Art. 11 - (1) The Council is made up of 11 members and it is assigned by the Parliament, on request:

- a) Senate: 3 members;
- b) Chamber of Deputies: 3 members;
- c) President of Romania: 2 members;
- d) Government: 3 members.

“(5) Candidatures are approved by the vote of the majority of deputies and senators present, on condition that the quorum of both Chambers is settled.

.....

The duration of the mandate of the Council members is 6 years, appointment is made gradually, based on the expiration date of the mandate.

In the case one seat in the Council becomes vacant before the end of the mandate it will be taken by the substitute member until the expiration of the initial 6 years mandate.”

Paragraphs (1) and (3) of Art.14 shall read as follows:

Art.14.(1) The Council is led by a president, assimilated to the president of the Council, appointed by the vote of the Parliament, from among the members of the Council, on the proposal of the Council’s members. The mandate is 6 years.

.....

(3) The vice-president is elected by the secret vote of the Council, in the presence of at least 9 of its members, for a 6 years mandate.”

Revocation of mandate possible:

based on:

Art. 13 - (1) The members in the Council may be revoked on the proposal of the specialised commissions of the Parliament in the following situations:

- a) in case it is impossible to exert the functions for a period longer than 6 months;
- b) in case of a penal conviction applied by a final court decision.

Number of staff: 145

Chairman: Ralu FILIP

Vice Chairman: GASPARIK Attlia

Competences

		national	regional	local
Supervision of	private broadcasters	<input type="checkbox"/> x	<input type="checkbox"/> x	<input type="checkbox"/> x
	public broadcasters	<input type="checkbox"/> x	<input type="checkbox"/> x	<input type="checkbox"/> x
Frequency allocation	<input type="checkbox"/> x			
Granting of licences	terrestrial analogue broadcasters	<input type="checkbox"/> x	<input type="checkbox"/> x	<input type="checkbox"/> x
	terrestrial digital broadcasters	<input type="checkbox"/> x	<input type="checkbox"/> x	<input type="checkbox"/> x

satellite analogue broadcasters	<input type="checkbox"/> x	<input type="checkbox"/> x	<input type="checkbox"/> x
satellite digital broadcasters	<input type="checkbox"/> x	<input type="checkbox"/> x	<input type="checkbox"/> x
cable analogue broadcasters	<input type="checkbox"/> x	<input type="checkbox"/> x	<input type="checkbox"/> x
cable digital broadcasters	<input type="checkbox"/> x	<input type="checkbox"/> x	<input type="checkbox"/> x

Handling complaints x

Rule making x codes x rules (please specify): Decisions and Norms
 other (please specify):

Consultative powers please specify the areas covered:
Advertising (Romanian Advertising Council) Minors' Protection (Specialists on minors' psychology)

Power of nomination please specify:

Monitoring please specify the areas covered:
RADIO AND TELEVISION PROGRAMS BROADCAST OR DISTRIBUTED BY AUDIOVISUAL LICENSEES, INCLUDING CABLE OPERATORS THAT OPERATE A SELF CONCEIVED LOCAL PROGRAM

Sanctioning X issue warning X impose fine X demand to broadcast announcement
X revoke licence X suspend licence X reduction in the licensing period
 suspend a programme / broadcast
 other (please specify):

¹ By "licence fee" we refer to the public service licence fee usually paid by the entire population, whereas the term "industry fee" implies all those funding mechanisms based on a contribution from broadcasters themselves, including, for example, licensing fees (i.e. an amount of money that is paid by the broadcaster for it to be able to carry out its broadcasting operations) and frequency taxes.