

BRAF Country Report 2024 National Audiovisual Council (NAC) - Romania

Legal and Regulatory Framework

After the legislative process regarding the transposition of the Directive (EU) 2018/1808 (AVMSD) into the national legislation¹, the National Audiovisual Council focused on the secondary legislation, which is in the last stage of elaboration, being now in the period of public consultation (on the NAC's website).

With a view to implement the (UE) Regulation 2022/2065 on a Single Market for Digital Services (DSA) in the Romanian legislation, the Ministry of Research, Innovation and Digitalisation together with the National Authority for Management and Regulation in Communications (ANCOM) transposed the provisions in the Law n° 50/2024, in order to lay down the national legislative measures required to enforce the provisions of this European Act. The Law, published into the Romanian Official Journal n° 232 of 19 March 2024, became effective from 22 March 2024 and designated the ANCOM as Digital Services Coordinator and the NAC as Relevant Authority.

In this context, the NAC started to issue orders asking the platforms to eliminate the illegal content established by the audiovisual legislation.

Regulations

The Council has continued to manage aspects related to the regulation of the audiovisual media services, has assured the ongoing monitoring of the programme services (including video on demand services) in order to comply with the existing audiovisual legislation and was interested in developing a free, pluralistic and competitive audiovisual market.

The main objectives of the Monitoring Department in this period have been to monitor the content of the audiovisual programmes broadcast by broadcasters at national level, in

¹ Law n° 190/2022 for the amending and supplementing the Audiovisual Law n° 504/2002, amending the Government Ordinance n° 39/2005 on Cinematography and amending the Law n° 41/1994 on the organization and operation of the Romanian Radio Broadcasting Corporation and the Romanian Television Corporation was published in the Official Journal of Romania Part I, n° 651 of 30 June 2022 and entered into force on 3rd of July, 2022.

terms of compliance with the audiovisual legislation and the analysis of complaints received by the institution in relation to the content of the audiovisual programmes. In addition to the regularly monitoring activity, the Monitoring Department has carried out *in line monitoring* regarding the electoral campaigns reflected in the audiovisual space during last year.

Regarding the audiovisual market, in 2024, the Council granted 6 radio audiovisual licenses and 28 television audiovisual licenses through networks (+internet) to companies that have submitted the documents required under the Romanian audiovisual legislation. As well, granted 84 notices of retransmission through networks, 11 radio audiovisual authorization decisions and 27 television audiovisual authorization decisions. Also, the NAC issued 18 VoD service provision notices and withdrew 2. In the same period, the Council withdrew 15 radio audiovisual licenses, 24 television audiovisual licenses, 81 notices of retransmission through networks, 20 radio audiovisual authorization decisions and 24 television audiovisual authorization decisions, for failure to comply with the legal provisions in force.

International relations

During the reported period, the NAC was represented in the EPRA plenary meetings, (in Rotterdam in June and Limassol in October) and the ERGA plenary meeting that took place in Rome in November last year.

In April 2024, the National Audiovisual Council organized (together with the Regulatory Authority for Audiovisual and Digital Communications - Arcom) and with the support of the Embassy of the French Republic in Romania, a joint working session regarding the new European regulations in the field of the provision of audiovisual media services, taking into account the evolution of the audiovisual market.

The joint session was followed by a public debate at the Palace of Parliament where the event was attended by journalists from the audiovisual press, online publications, representatives of the French Institute, the National Authority for Administration and Regulation in Communications (ANCOM), as well as the civil society.

The debate addressed topics regarding the role of the two institutions - NAC and Arcom - in the electoral campaign, political advertising, secondary legislation, deep fakes, the responsibility of major platforms, the importance of television and radio in conducting a fair, balanced and correct electoral campaign for all electoral competitors, as well as the role of the moderator in electoral programmes.

National Audiovisual Council