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Parlamentul României

Law no. 41/1994 on  
the organization and  
operation of the  
Romanian Radio  
Broadcasting  
Corporation and of  
the Romanian  
Television  
Corporation\*)

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In effect from 12/27/1999

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CHAPTER IV  
Financial activity

**Art. 37.** (1) The assets of the Romanian Radio Broadcasting Corporation as well as that of the Romanian Television Corporation shall be taken over from the Romanian Radio-Television on the basis of a protocol to be concluded within 30 days from the appointment of the management board, according to the special balance sheet closed.

(2) The buildings, the state property spaces and land, that, at present, are used by Radio Broadcasting, Television and the territorial studios, as well as other goods in use, by title deed, provided in annex No. 1 and 2, are transferred in the use and administration of the Romanian Radio Broadcasting Corporation and, as the case may be, of the Romanian Television Corporation.

(3) The goods provided in para (2), that are part of the national cultural patrimony, shall be applied the national legislation in this domain.

**Art. 38.** (1) The Romanian Radio Broadcasting Corporation and the Romanian Television Corporation, each separately, administers the goods in their property or, as the case may be, dispose of these under parliamentary control.

(2) The channels 1 and 2 of the Romanian Television, as well as the programmes of the Romanian Radio Broadcasting, existing on the date of the publishing of this law in the Official Gazette of Romania, shall be constituted into public services, as national radio broadcasting and television stations.

**Art. 39. (1)** The financial sources of the two corporations shall be constituted from state budget allocations, own income and other sources.

**(2)** For the funds received from the state budget, the director general of the Romanian Radio Broadcasting Corporation and that of the Romanian Television Corporation shall be principal persons entitled to authorize expenditure from the budget, under the terms of the law.

**(3)** The financial activity of the Romanian Radio Broadcasting Corporation and of the Romanian Television Corporation shall be carried on on the basis of the own budgets.

**(4)** The execution accounts of the two corporations' budgets shall be submitted to the Parliament together with the annual reports, with the endorsement of the committees for culture, art and mass media, as well as of those for budget, finance, in joint meeting, of the two Chambers of Parliament and shall be published.

**(5)** The management board may decide the use of certain amounts for endowment and technological revamping.

**Art. 40.\* (1)** The own revenues of the Romanian Radio Broadcasting Corporation and the Romanian Television Corporation derive, as the case may be, from:

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\*) Art. 40 was amended by the Government Emergency Ordinance No. 71/2003, and by the Law No. 533/2003.

- a)** sums received in accordance with the carrying out of the object of activity;
- b)** fees for the public service of radio broadcasting, and television, respectively;
- c)** penalties for late payment of the fees due;
- d)** sums received from advertising;
- e)** sums received from fines and civil compensation;
- f)** donations and sponsorship;
- g)** other revenues made according to the law.

**(2)** The natural persons domiciled in Romania are obliged to pay a subscription fee for the radio broadcasting public service and a subscription fee for the television public service, in their capacity as beneficiaries of these services, except for those who state on their own account that they do not own radio and television sets, and those who are exempted from the payment of these fees, according to the law.

**(3)** The legal persons that are headquartered in Romania, including the subsidiaries, branches, agencies, and representatives thereof, are obliged to pay a subscription fee for the radio broadcasting public service, and a subscription fee for the television public service, in their capacity as beneficiaries of those services.

**(4)** The quantum of the fees provided in para (1) b), per categories of payers, the terms of payment or exemption from payment of those fees, the penalties for late payment, as well as the sanctions applied in case of incorrect filling in of the statement of exemption from the payment of fees by the owners of radio and television sets, who, according to the law, pay the fees for the radio broadcasting and television public services, shall be established by Government Decision.

**(5)** The procedure regarding the control, the ascertainment of the contraventions, the application of sanctions and penalties for late payment of the fees provided in para (1) b) by the owners of radio and television sets, shall be established by Government Decision.

**(6)** The following categories shall be exempted from the payment of the

monthly fees for the radio broadcasting and television public services: the families and the people on their own who receive monthly social security benefits, according to the provisions of Law No. 416/2001 on the guaranteed minimum income, with the subsequent amendments and complements, the non-profitmaking associations and foundations, the foreign diplomatic missions and the members thereof, the natural persons who subscribed to wire broadcasting networks, the old people's homes, the units coming under the institutions in the field of defence, public order and national security, the pre-school, primary, secondary, and higher state education units, children's homes and state creches, the pensioners coming from the agricultural pensions scheme, whose benefits have been established on the basis of the legislation prior to the coming into force of the Law No. 19/2000 on the public system of pensions and other social insurance benefits, the pensioners from the Romanian Radio Broadcasting Corporation and the Romanian Television Corporation, the centres belonging to the religious denominations accepted in Romania, as well as other categories provided by special laws.

(7) Other exemptions from the payment of the monthly fees for the radio broadcasting and television public services, others than those provided by this law can be established by Government Decision.

**Art. 41.** (1) The funds allotted to the Romanian Radio Broadcasting Corporation and to the Romanian Television Corporation for the covering of development expenses, for the purchasing of equipment and spare parts for radio and television, consumables necessary for the carrying out of specific activities, as well as, integrally, the necessary funds for the use of transmission stations, of the radio-relays and of the video and sound circuits, owed to the economic units in the communication system; for the ensuring of the guarding as an objective of national interest; for the payment of the fees due to international government organizations, shall be approved through the annual budgetary law.

(2) The other expenses shall be covered from own revenues.

**Art. 42.** (1) The financing needed for the production and broadcast of radio and television transmissions to foreign countries as well as for the development of this activity shall be ensured from the funds allocated from the state budget.

(2) The amounts required shall be earmarked separately in the budget of each corporation on the basis of the programmes established according to law.

**Art. 43. - The Romanian Radio Broadcasting Corporation and the Romanian Television Corporation may enter into Romanian Radio Broadcasting and Television Corporations partnership with each other, or with third parties, with regard to achieving joint activities of interest to the partners, without thereby modifying the legal status of the public radio broadcasting and television services.**

**Art. 44. - The utilization of the funds of the Romanian Radio Broadcasting Corporation and of the Romanian Television Corporation is subject to the control of the bodies authorized by law, according to the source of those funds.**

## CHAPTER V

### Transitory and final provisions

**Art. 45. - The territorial studios of the Romanian Radio Broadcasting Corporation and of the Romanian Television Corporation shall be reorganized, and, on the basis of a protocol, they shall pass, as units without legal personality, into the structure of each corporation,**

**according to their specific object of activity.**

**(1)** Within the parliamentary control activity, provided in art. 31, para (5) **Art. 46.** of the Constitution, and in art. 2 of the present law, the parliamentary committees for culture, art and mass media of the Chamber of Deputies and of the Senate, shall be entitled to request the following:

- a)** an annual report, together with the budgetary execution account of each corporation;
- b)** reports regarding specific matters to the activity of the two corporations;
- c)** any kind of information and documents regarding the activity of the two corporations.

**(2)** In connection with the provisions of the preceding paragraph, the committees shall be entitled to make their own inquiries.

**(3)** The annual report, together with the budgetary execution account of each corporation shall be submitted until the date of April 15 of the following year and, with the endorsement of the committees for culture, art and mass media it shall be submitted to the debate and approval of the two joint Chambers.

**(4)** The reports and information provided in para (1) b) and c) shall be requested by decision of the standing special committee of the Senate or, respectively, of the Chamber of Deputies, with regard to severe deviations concerning the general objectives in the activity of the two corporations and in the infringing of the professional deontology.

**(5)** The reports, information and documents shall be submitted within the terms established by the committees, but not longer than 10 days, the committees having the right to decide on the solution.

**(6)** In case of non-observance of the terms provided in paras (3) and (5), the joint committees may propose to the plenum of the two Chambers the dismissal of the chairman of the management board, who is responsible for the delay.

**(7)** The rejection of the annual report by the Parliament shall bring about the dismissal, by right, of the respective management board.

**Art. 47. - The financial bonds of the Romanian Radio Broadcasting Corporation and of the Romanian Television Corporation contracted before the coming into force of the present law and resulting from the leasing of the emitters, radio relays and video and sound circuits, from VAT, including the increases; from local taxes, including the increases; to ensure the military guarding; for the payment of the fees due to the international bodies; for the carrying out of the transmissions for foreign countries shall be covered by the state budget, from the Fund of budgetary reserve at the disposal of the Government.**

**(1)** Annexes 1 and 2 are an integral part of the present law.

**Art. 48.**

**(2)** The assets of the Romanian Radio-Television shall be taken over by the Romanian Radio Broadcasting Corporation and by the Romanian Television Corporation, on the basis of an official report, within 90 days from the appointment of the management board.

**(3)** The Decree-law No. 136/1990 on certain measures regarding the Romanian Radio- Television, the Decree No. 29/1975 on the granting of some special indemnities, as well as any other provisions to the contrary shall be repealed on the date of coming into force of the present law.

ANNEX No. 1

THE ROMANIAN RADIO BROADCASTING CORPORATION

SPECIFICATION OF BUILDINGS AND PIECES OF GROUND

Locality Address of building Present holder

1 2 3

A. Bucharest 1. General Berthelot St. No. 60-64 Romanian Radio  
Seat of Radio Broadcasting, formed of three blocks Broadcasting  
of houses and a concert hall

- Block A 8,530 sq. m. - two basements, ground  
floor and six storeys

- Block B 6,436 sq. m. - basement, ground floor  
and ten storeys

- Block C 5,914 sq. m. - basement, ground floor  
and six storeys

- Old block 4,692 sq. m. - basement, ground floor  
and four storeys

- Concert hall 10,530 sq. m. - basement, ground  
floor, and one storey

Ground area 9,200 sq. m.

2. General Berthelot St. No. 71

- Building consisting of basement, ground floor, and  
two storeys

- Store house and metal hut

Ground area 585 sq. m.

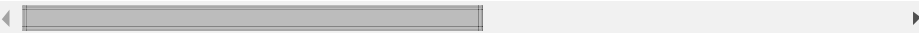
3. Plevnei Rd. No. 20 bis

- Garage building with developed area of 1,594 sq. m.

Ground area 1,776 sq. m.

Buzești St. No. 26

- Building formed of three blocks:



ANNEX No. 2

THE ROMANIAN TELEVISION CORPORATION

SPECIFICATION OF BUILDINGS AND PIECES OF GROUND

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Locality Address of building Present holder

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A. București 1. Dorobanților Rd. No. 191 The Romanian Television

Television Center consisting of:

- Editorial block with basement, ground floor and thirteen storeys
- Studio block with basement, ground floor and two storeys
- Workshop block with basement, ground floor and two storeys
- Film block with basement and ground floor
- Exterior transmission base with basement
- Information bureau block
- Doorkeeper cabin

Ground area 68,102 sq. m.

2. Moliere St. No. 2

- Administration block
- Block B - studio building
- Block C - storehouse building
- Block D - editorial building and garage

Ground area 12,000 sq. m.

3. Sergiu St. No. 36

- Motor depot base building block with basement and ground floor

Ground area 2,795 sq. m

4. Pipera Rd. No. 63-65

Ground area 50,000 sq. m.

B. Ilfov county 1. Sabarului St. No. 2 The Romanian Television

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