

NATIONAL AUDIOVISUAL COUNCIL

Draft decision on the licensing, authorisation and notification procedure for audiovisual media services

Having regard to the dual role of the National Audiovisual Council as guarantor of the public interest in the field of audiovisual communication and the sole regulatory authority in the field of audiovisual media services;

for the purpose of establishing the procedure and conditions for granting, modifying, extending the validity and transferring the licence and the audiovisual authorisation decision for the broadcasting of radio or television programme services via electronic communications networks, through digital terrestrial systems or, where applicable, via terrestrial radioelectric means;

with a view to laying down the notification procedure for on-demand audiovisual media services and the conditions for broadcasting such services;

bearing in mind the need to ensure a balanced relationship between programme services with national coverage and local, regional or thematic services;

for the purpose of protecting the interests of local communities in receiving local news and programmes of interest to communities in the broadcasting area on social, economic, cultural and political issues;

having regard to the obligations incumbent upon the National Audiovisual Council to ensure pluralism in the sources of information available to the public and to encourage free competition;

taking into account the fact that users of video-sharing platform services provide audiovisual content which is increasingly accessed by the general public, in particular by minors;

for the purpose of specifying the criteria, conditions and procedure for notifying users who are considered to be on-demand audiovisual media services, broadcast via a video-sharing platform, in accordance with the provisions of Article 42⁹ and Article 91² of Audiovisual Law No 504/2002, as amended;

taking into account the provisions of Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities;

pursuant to Article 10(3)(a) to (g), (k), (l) and (n), Article 17(1)(a), (c) and (d) and (4), Article 22, Article 23, Article 24, Article 41¹, Article 42¹, Article 43, Article 44, Article 48, Article 50(2), Article 51, Article 52, Article 54, Article 56, Article 58, Article 59, Article 68 and Article 74(5) of Audiovisual Law No 504/2002, as amended;

The National Audiovisual Council adopts the following decision:

Title I

Procedure for the licensing and authorisation of programme services

Chapter I

General provisions

Article 1 – This Decision regulates:

a) the conditions and procedure for granting, modifying, extending the validity and transferring the audiovisual licence and the audiovisual authorisation decision for the broadcasting of radio or television programme services ('programme services'), via electronic communications networks, through digital terrestrial systems or, where applicable, by terrestrial radioelectric means;

b) the conditions and the notification procedure for on-demand audiovisual media services broadcast through electronic communication networks, by the providers of audiovisual media services under the jurisdiction of Romania, established on the basis of the criteria defined in Article 2(2) of Audiovisual Law No 504/2002, as amended;

c) the criteria, conditions and notification procedure for on-demand audiovisual media services broadcast through a video-sharing platform.

Article 2 – (1) For the purposes of this Decision, the terms and expressions below shall have the following meanings:

a) **ANCOM** – Autoritatea Națională pentru Administrare și Reglementare în Comunicații (National Authority for Administration and Regulation in Communications);

b) **ARMA** – Asociația Română pentru Măsurarea Audiențelor (Romanian Association for Audience Measurement);

c) **service provision authorisation** – administrative document issued by the National Audiovisual Council to a provider of on-demand audiovisual media services ('the **provider**'), on the basis of which the provider is granted the right to make audiovisual media services available to the public on demand;

- d) **CNA** – Consiliul Național al Audiovizualului (National Audiovisual Council);
- e) **broadcasting** – making available to the public audiovisual programmes as part of a radio or television service or on-demand media service; broadcasting also means the communication, within an audiovisual media service, of signs, signals, texts, sounds, information, and messages of any nature, such as subtitling services and electronic programme guides;
- f) **own production** – all programmes or broadcasts for which the broadcaster is a producer or co-producer, making a financial contribution towards the production of at least 25% of the total costs;
- g) **local programme** – news, information, reports, interviews, debates on events in the economic, social, cultural and political life of the community in the programme service’s coverage area and in the region where the broadcaster operates;
- h) **representative** – the legal representative or any person authorised by the legal representative to assume the applicant’s liability in relation to the National Audiovisual Council;
- i) **audiovisual restrictions** – restrictions imposed through international sanctions targeting the audiovisual field. Such restrictions relate to audiovisual content, in the case of services over which the CNA has authority, broadcast over any type of electronic communications networks;
- j) **digital terrestrial television service** – television programme service broadcast digitally via terrestrial means on the basis of a digital audiovisual licence;
- k) **on-demand audiovisual media service** – a type of non-linear audiovisual media service, also called ‘**video on demand**’ (**VOD**), which gives users access, at their individual request and at a time of their choice, to watch films, videos, performances, whether live or recorded, and other types of video content brought together in a catalogue of programmes, irrespective of the form in which they are selected and organised within the catalogue;
- l) ‘**catch-up television**’ **service** – type of non-linear audiovisual media service, also referred to as ‘**catch-up TV**’, which gives users access, for a limited period of time, to rewatch, at their individual request and at a time of their choice, programmes broadcast previously as part of a television service;
- m) **website** – group of multimedia web pages containing text, sounds, moving images with or without sound, information or messages of any nature, accessible on the internet and connected to each other by hyperlinks;
- n) **user** – any person who creates, uploads and generates programmes, video materials and audiovisual commercial communications on a video-sharing platform.

(2) The definitions and criteria set out in the following are also applicable within the scope of this Decision:

- a) Article 1, Article 1¹, Article 2, Article 41¹, Article 42¹ and Article 44 of Audiovisual Law No 504/2002, as amended ('the **Audiovisual Law**');
- b) Article 1(1) of Decision No 573/2025 of the National Audiovisual Council on the Code regulating audiovisual content, as amended ('the **Audiovisual Code**');
- c) Article 4(1)(6) of Government Emergency Order No 111/2011 on electronic communications, approved with amendments by Law No 140/2012, as amended;
- d) Article 2 of Government Emergency Order No 202/2008 on the implementation of international sanctions, approved with amendments by Law No 217/2009, as amended.

Chapter II

The conditions and procedure for granting, modifying, extending the validity and transferring the audiovisual licence for radio or television programme services broadcast through an electronic communications network, in a digital terrestrial system or, where applicable, by terrestrial radioelectric means

Section 1

Procedure for granting an audiovisual licence

Article 3 – (1) The audiovisual licence shall be granted through a competition in the case of programme services broadcast by terrestrial radioelectric means or through a digital terrestrial system, or by decision of the CNA in the case of programme services broadcast through an electronic communications network.

(2) In order to obtain digital audiovisual licences, applicants may apply:

- a) either to broadcast a programme service which, on the date of the application, is already broadcast through an electronic communications network;
- b) or to broadcast a new programme service.

Article 4 – (1) The application for an audiovisual licence shall be submitted to the CNA and shall include, where appropriate, depending on the subject of the application and the technical method for broadcasting the audiovisual programme services, the following documents:

- a) the application, in accordance with the standard form set out in Annex 1;
- b) the editorial strategy for the period of validity of the audiovisual licence;

c) a copy of the audiovisual licence under which the programme service is broadcast, for a programme service which, on the date of the application, is already broadcast through an electronic communications network;

d) the editorial plan containing the principal format of the programme service, the percentages reserved for European works under the conditions laid down in Articles 22 and 24 of the Audiovisual Law, the arrangements for making audiovisual media services accessible to people with disabilities, in accordance with Article 55(2) of the Audiovisual Code, the listing, description and classification of the broadcasts by type of programme, specifying the weighting of the different genres of information, cultural, educational and entertainment programmes, the external sources of programmes, and other arguments that may be useful in support of the editorial plan;

e) the technical plan and other data that may be useful in supporting the technical plan; in the case of an application for digital audiovisual licences, the video format used (16/9 or 4/3), image resolution (standard definition or high definition), and the provision of other multimedia services associated with the programme service shall also be specified;

f) the financial plan containing the sources and the financing plan, the value of the initial investment, the advertising resources and expected return, and other elements enabling the capacity of the project's financial backing to be assessed;

g) the structure of the programme service, in accordance with the editorial plan, set out in the application form provided in Annex 1, accompanied by the programme schedule for a period of one week;

h) the elements identifying the programme service, namely the logo of the channel depicted graphically or recorded electronically in the case of television programme services, or the sound identification signals recorded electronically in the case of radio programme services;

i) the list of publications edited by the applicant and the list of other programme services that the applicant broadcasts;

j) notarised statements by the partners/shareholders/founding members, issued at the time of the application, regarding the data required under the provisions of Article 54(1)(b) in conjunction with Articles 44 and 51 of the Audiovisual Law;

k) the original version of the applicant's self-declaration, in accordance with the standard form provided in Annex 3, regarding the contact details chosen for the official communication of documents issued in relation to the CNA;

l) the documents referred to in points (b), (d), (e) and (f) shall also be submitted electronically.

(2) Romanian applicants who are traders shall attach the following documents to their application:

a) a copy of the registration certificate issued by the Trade Register Office to the legal person or, where applicable, the authorised natural person, sole trader or family business;

b) a copy of the updated articles of association;

c) the original version of the certificate of establishment issued by the Trade Register Office no later than seven days prior to the registration of the application for an audiovisual licence, stating the company's purpose and the share in the company's share capital, at the time the audiovisual licence is applied for, of the shareholders that are natural and/or legal persons, provided either in person through its legal representative, or online with a certified digital electronic signature; if there are legal person shareholders in the company's structure, official documents shall be submitted attesting to the structure of that company down to the last natural person;

d) the original version of the proof of representative status in relation to the CNA, certified by a power of attorney or authorisation issued by the applicant's legal representative;

e) a copy of the identity document of the authorised natural person applicant;

f) the original version of the tax registration certificate issued by the National Tax Administration Agency in the name of the applicant, in compliance with the provisions of Article 51 of the Audiovisual Law, provided either in physical format with a handwritten signature or in electronic format issued in compliance with the legal provisions applicable to tax documents.

(3) Romanian applicants who are not traders shall also attach the following documents to the application:

a) a copy of the tax registration certificate issued by the National Tax Administration Agency in the name of the applicant;

b) a copy of the certificate of registration in the Register of Associations and Foundations or in the Register of Federations, as applicable;

c) a copy of the updated founding document;

d) the original version of the proof of legal representative status, certified by a power of attorney or authorisation issued by the applicant's legal representative.

(4) Foreign applicants with their main place of business in Member States of the European Union or the European Economic Area shall attach the following documents to their application:

a) documents equivalent to those referred to in paragraph (2)(a) and (b) or paragraph (3) (a), (b) and (c), as applicable;

b) appointment of a person authorised to assume the applicant's liability in relation to the CNA and their chosen contact address in Romania.

(5) The request to register the application for an audiovisual licence and the documents referred to in paragraphs (1) to (4), as applicable, shall be submitted by the applicant to the CNA in person through its legal representative or online, for verification by the Legal, Regulatory and European Relations Service and the Licensing and Authorisation Service and, after approval, shall be registered with the Council Chancellery Service.

(6) Copies of the documents referred to in paragraphs (2) to (4) shall be certified as true copies of the originals by the signature of the legal representative. Documents submitted to the CNA in a foreign language shall be accompanied by a certified translation into Romanian.

(7) If the documentation is incomplete or contains documents in an inappropriate form, the Licensing and Authorisation Service shall ask the applicant to complete the file, informing them of the documents required, the conditions under which they must be submitted and the deadline for completion.

(8) The applicant shall be informed of the fulfilment of the conditions regarding the required documents and the submission deadlines by the Licensing and Authorisation Service.

(9) The application referred to in paragraph (1)(a) shall be rejected:

a) in the event of non-compliance with the deadlines for submitting documents granted in accordance with paragraph (7);

b) in the event of failure to comply with the conditions relating to the documents accompanying the application, as indicated to the applicant by the Licensing and Authorisation Service, in accordance with paragraph (7).

(10) The provisions laid down in paragraphs (6) to (9) shall also apply to applications for the amendment, extension of validity and transfer of the audiovisual licence.

Article 5 – (1) Competitions for the granting of audiovisual licences for programme services broadcast by terrestrial radioelectric means and through a digital terrestrial system shall be announced publicly by the CNA by displaying the notice at the institution's headquarters and publishing it in the press and on the CNA's website at www.cna.ro.

(2) Only applicants who comply with the provisions of Article 43(1) and Article 47 of the Audiovisual Law may participate in the competition.

(3) The terms and conditions for participating in the competition shall be laid down by decision of the CNA.

Article 6 – The public debate on the application for an audiovisual licence for programme services broadcast through electronic communications networks shall be held no later than 30 days from the date on which the application and related documentation are

submitted, under the conditions laid down in Article 4, the applicants being informed thereof by the CNA.

Article 7 – At the public debate stage of the competition, applicants shall be represented by a team of up to five persons authorised to provide CNA members with information regarding:

- a) the status of the applicant, legal situation, capital structure and other managerial aspects;
- b) the principal format of the programme service, the structure of the programmes and other aspects specific to the editorial department;
- c) the intended production capacities, the creation and equipping of the studio and other aspects specific to the technical department, as well as the financial support capacity of the project.

Article 8 – After hearing the applicants, the CNA shall decide whether to grant or extend the audiovisual licence, taking into account the following general criteria:

- a) respect for the public interest;
- b) ensuring a balanced ratio between national, regional and local programme services, except in the case of the extension every nine years of audiovisual licences in accordance with the law;
- c) the avoidance of abuse of dominant position and of practices that prevent free competition;
- d) the editorial strategy, in relation to the CNA strategy for coverage across the national territory of audiovisual programme services, as provided for in Article 68 of the Audiovisual Law;
- e) the range of programmes and their content, as presented in the editorial plan;
- f) experience and competence in the audiovisual field, where applicable;
- g) respect for fundamental human rights and the protection of minors;
- h) respect for political and social pluralism, cultural, linguistic and religious diversity, information, education and entertainment of the public;
- i) promotion of culture and protection of the Romanian language, culture and the languages of national minorities;
- j) the total daily broadcasting duration of the programme service;
- k) the type, schedule and duration of broadcasts and rebroadcasts;
- l) the situation regarding the exploitation of the other licences held by the applicant or the shareholders of the applicant company, where applicable;
- m) the situation regarding sanctions imposed, reporting on them and measures taken to ensure compliance with the law, where applicable;

n) the percentage allocated to local programmes, in the case of regional and local audiovisual licences for broadcasting by terrestrial radioelectric means;

o) the provision of technical arrangements allowing access for people with visual or hearing disabilities;

p) the capacity of the multiplex chosen by the broadcaster, where applicable.

Article 9 – (1) When granting audiovisual licences or, where applicable, extending the validity of audiovisual licences for the broadcasting of television programme services, the CNA must take into account both the criteria referred to in Article 8 and the applicant's commitments regarding the percentages reserved for European works, under the conditions specified in Articles 22 and 24 of the Audiovisual Law, as well as those regarding the implementation of the requirements to ensure the accessibility of audiovisual programmes for people with disabilities, under the conditions specified in Article 55(2) of the Audiovisual Code.

(2) Television programme services that meet all of the following conditions are exempt from the obligations regarding the percentages reserved for of European works, as provided for in Articles 22 and 24 of the Audiovisual Law:

a) have a potential audience of up to 0.3% of the country's census population;

b) consist of content that is exclusively of local interest.

(3) Television programme services broadcast on the basis of a licence granted for the municipality of Bucharest shall be exempt from the obligations relating to percentages reserved for European works laid down in Articles 22 and 24 of the Audiovisual Law, when the content of the programme service is exclusively of local interest.

(4) In the situations referred to in paragraph (1), where appropriate, account shall also be taken of restrictions on audiovisual services imposed through international sanctions.

(5) In the event of restrictions on audiovisual services imposed through international sanctions, in accordance with the provisions of Article 9 of Government Emergency Order No 202/2008, approved with amendments by Law No 217/2009, as amended, upon the reasoned request of the Council, as the competent authority in the field of audiovisual media, the designated persons or entities shall be required to immediately provide any additional relevant data and information in accordance with that request, and the obligation of confidentiality may not be invoked, in accordance with the provisions of Article 20(2) of the same emergency order.

Article 10 – The decision to grant the audiovisual licence shall be made public by displaying it at the CNA's head office and on the institution's website at www.cna.ro.

Section 2

Procedure for amending the audiovisual licence

Article 11 – (1) Broadcasters shall inform the CNA in writing of any amendments to the data contained in the audiovisual licence.

(2) The data referred to in Article 54(1)(b) and (e) of the Audiovisual Law may only be amended with the approval of the CNA, which must be requested at least 30 days prior to the amendment.

(3) The name of the programme service, as well as its associated graphical and/or sound elements, may be amended after obtaining the CNA's approval.

(4) The CNA must be notified of any amendment to the contact details declared by the applicant pursuant to Article 4(1)(k) within 30 days of the date of the amendment.

(5) The request for the CNA's approval regarding the registration of the application to amend the data contained in the audiovisual licence, in accordance with paragraphs (2) and (3), shall include, as appropriate:

a) the licence holder's application, in accordance with the standard form set out in Annex 1;

b) the identification data of the licence holder and the ownership structure, down to the level of natural and legal persons, partners, shareholders or founding members holding a share of more than 20% of the share capital or voting rights of a company holding an audiovisual licence;

c) the principle format and structure of the programme service;

d) the programme schedule for a one-week period, the classification of broadcasts by programme type and the percentages allocated to them;

e) the elements identifying the programme service, namely the logo of the channel depicted graphically or recorded electronically in the case of television programme services, or the identification signals recorded electronically in the case of radio programme services;

f) self-declaration regarding the new contact details, in accordance with Annex 3;

g) other documentary evidence of amendments to any of the data referred to in Article 54(1) of the Audiovisual Law.

(6) The request to register the application and the documents referred to in paragraph (5), as applicable, shall be submitted by the applicant to the CNA in person through its legal representative, or online, for verification by the Legal, Regulatory and European Relations Service and the Licensing and Authorisation Service and, after approval, shall be registered with the Council Chancellery Service.

(7) The provisions laid down in Article 4(6) to (9) shall apply accordingly.

Article 12 – (1) In the case of terrestrial radio broadcasting services in locations with a population of over 50 000 inhabitants, broadcasters who have obtained audiovisual licences shall

be required to produce and broadcast a daily local programme within the meaning of Article 2(1) (a) between 06:00 and 24:00.

(2) By way of derogation from paragraph (1), thematic programme services, such as music, religion, sports, culture and children's services, established as such in an audiovisual licence, as well as foreign channels licensed in Romania, shall not be required to produce and broadcast local programmes.

Section 3

Procedure for the extension of the audiovisual licence

Article 13 – (1) An audiovisual licence whose period of validity expires by operation of law may be extended at the request of the holder every nine years, in accordance with the Audiovisual Law.

(2) The application to extend the validity of the audiovisual licence shall be submitted by the applicant to the CNA no later than 60 days before the expiry of the period of validity of the licence, but no later than 30 days before its expiry, and shall be accompanied by the following documents:

- a) the licence holder's application, in accordance with the standard form set out in Annex 1;
- b) the original version of the licence;
- c) the original version of the authorisation decision;
- d) the documents referred to in Article 4(2) to (4), depending on the legal status of the applicant, as well as the documents referred to in Article 4(1)(b), (d) and (j).

(3) If, in the same calendar year, a broadcaster applies to extend the validity of several licences, the notarised declarations referred to in Article 4(1)(j) need only be submitted with the first application. For subsequent applications, a self-declaration must be submitted certifying that no amendments have been made to the documents originally submitted.

(4) The request to register the application and the documents referred to in paragraph (2), as applicable, shall be submitted by the applicant to the CNA in person through its legal representative, or online, for verification by the Legal, Regulatory and European Relations Service and the Licensing and Authorisation Service and, after approval, shall be registered with the Council Chancellery Service.

(5) The provisions laid down in Article 4(6) to (9) shall apply accordingly.

(6) The documentation submitted in accordance with paragraph (4) must be completed no later than 15 days before the expiry of the period of validity of the licence.

(7) The Council shall decide on the extension of the validity of the audiovisual licence at least 10 working days before the expiry of its period of validity, taking into account the criteria laid down in Articles 8 and 9, where applicable.

Section 4

Procedure for transferring an audiovisual licence

Article 14 – (1) The audiovisual licence granted in accordance with the provisions of the Audiovisual Law may be transferred to a third party if all of the following conditions are met:

- a) only with the prior approval of the CNA;
- b) not earlier than one year from the date on which the programme service is first broadcast;
- c) by the new holder assuming all of the obligations arising from the licence by means of a self-declaration, in accordance with the standard form set out in Annex 2.

(2) In order to obtain the approval referred to in paragraph (1), applicants shall submit to the CNA the application for the transfer of an audiovisual licence, which shall include the following documents:

- a) the licence holder's application, in accordance with the standard form set out in Annex 1;
- b) original version of the audiovisual licence and the audiovisual authorisation decision;
- c) original version of the decision of the general meeting of partners/shareholders/founding members regarding the transfer of the licence, signed by all natural person partners and/or the authorised representatives of legal person partners, in accordance with the certificate of incorporation;
- d) in the case of an insolvent legal person, original version of the decision of the management body provided for in the insolvency law;
- e) the tax registration certificate of the transferor in accordance with the provisions of Article 56(1) of the Audiovisual Law;
- f) original versions of the transferee's application to take over the audiovisual licence, a self-declaration, in accordance with the standard forms set out in Annex 2 and Annex 3, the documents referred to in Article 4(2) to (4), as applicable, depending on the legal status of the applicant, and the documents referred to in Article 4(1) (b), (e) and (j);
- g) original version of the certificate of incorporation in the name of the transferor and the transferee respectively, issued by the Trade Register Office no more than seven days prior to

the date of registration of the application for CNA approval regarding the transfer of the audiovisual licence;

(3) The application for CNA approval regarding the transfer of an audiovisual licence and the related documents, as applicable, in accordance with paragraph (2), shall be submitted by the applicant to the CNA in person through its legal representative, or online with a certified digital electronic signature, for verification by the Legal, Regulatory and European Relations Service and the Licensing and Authorisation Service and, after approval, shall be registered with the Council Chancellery Service.

(4) The provisions laid down in Article 4(6) to (9) shall apply accordingly.

(5) The Council shall decide on the application within 30 days and inform the applicants of its decision in writing.

Article 15 – (1) After obtaining the Council’s agreement, applicants shall submit to the CNA:

- a) the application, in accordance with the standard form set out in Annex 1;
- b) a certified copy of the licence transfer agreement;
- c) the report of the transferor on the situation regarding European works broadcast up to the date of submission of the application for the CNA’s approval in accordance with Article 14(2), using the standard form set out in Annex 3 to the Audiovisual Code.
- d) the transferor’s report on the implementation of the requirements for ensuring the accessibility of audiovisual programmes for people with disabilities, under the conditions specified in Article 55(2) of the Audiovisual Code, in accordance with the standard form set out in Annex 2 thereto.

(2) The application to register the transfer agreement, together with the documents referred to in paragraph (1), shall be verified within five days of submission by the Legal, Regulatory and European Relations Service and the Licensing and Authorisation Service and, after approval, shall be registered with the Council Chancellery Service.

(3) The provisions laid down in Article 4(6) to (9) shall apply accordingly.

(4) The CNA shall make the required amendments to the audiovisual licence within 30 days from the date on which the transfer agreement is registered.

Article 16 – Holders of several audiovisual broadcasting licences may choose, depending on their territorial coverage, either to combine them into a regional or national licence or to operate them under a local licence system.

Article 17 – In the event of withdrawal of the audiovisual licence under the terms of Articles 57(b) to (e) and 57¹ of the Audiovisual Law, the holder shall submit:

a) a report on the situation regarding European works allocated within the programme catalogue and promoted within the on-demand audiovisual media service by the date on which the application is submitted, in accordance with the standard form provided in Annex 3 to the Audiovisual Code;

b) *a report on the implementation of the requirements for ensuring the accessibility of audiovisual programmes for people with disabilities, under the conditions specified in Article 55(2) of the Audiovisual Code*, in accordance with the standard form provided in Annex 2 thereto.

Chapter III

Conditions and procedure for issuing, amending, extending the validity and granting the audiovisual authorisation decision for the broadcasting of radio or television programme services via electronic communications networks, through digital terrestrial systems or, where applicable, via terrestrial radioelectric means

Article 18 – (1) The broadcasting of audiovisual programme services may commence only after the audiovisual authorisation decision has been obtained and shall be carried out only under the conditions laid down in the audiovisual licence.

(2) The holder of the audiovisual licence is obliged to apply to the CNA to issue or amend the audiovisual authorisation decision under the following conditions:

a) within 60 days from obtaining the technical operating authorisation granted by ANCOM, in the case of programme services broadcast by radioelectric terrestrial means;

b) at least 30 days before the deadline for withdrawing the licence, referred to in Article 57(1)(a) of the Audiovisual Law, in the case of programme service broadcast via electronic communications networks.

c) at least 30 days before the date on which broadcasting commences, determined by agreement with the multiplex operator, in the case of the programme services broadcast through digital terrestrial systems.

(3) In justified situations, the holder of an analogue audiovisual licence may apply for an extension of the 12-month period referred to in Article 57(1)(a) of the Audiovisual Law under the conditions laid down in the same article.

(4) The request to extend the deadline referred to in paragraph 3 shall be accompanied by documents supporting the request and shall be submitted within the deadline referred to in paragraph 2(b).

Article 19 – (1) The application for the issuance of the authorisation decision shall be submitted to the CNA and shall include, depending on the technical method for broadcasting the audiovisual programme services, the following documents, as applicable:

a) the application, in accordance with the standard form set out in Annex 1;

b) the programme schedule for a one-week period;

c) a copy of the technical authorisation for terrestrial radioelectric broadcasting, the authorisation for the allocation of frequencies for satellite broadcasting or the technical authorisation for a digital terrestrial system;

d) a certified copy of the contract entered into with the multiplex operator regarding the broadcasting conditions;

e) a copy of the broadcasting licence, in the case of programme services broadcast by radioelectric terrestrial means, the frequency use licence including the programme service in the user group, in the case of programme services broadcast via electronic communications networks or the radio frequency use licence for a digital terrestrial system;

f) the list of equipment and drawings of editorial and production premises;

g) a copy of the lease agreement or title deed for the editorial and production premises used for the provision of programme services;

h) a copy of the certificate attesting to the authorisation to operate or carry out activities at the main or secondary registered office, such as agencies, workplaces or other similar premises, certifying that the self-declaration regarding the fulfilment of the conditions for operating and carrying out the company's activity at the address of the editorial and production premises declared in accordance with the standard form in Annex 3 has been registered with the Trade Register Office;

i) the list of persons responsible for managing the commercial company and those who primarily assume editorial responsibility, their telephone numbers and contact addresses, other than those provided in Annex 1.

(2) The request to register the application for issuance of the audiovisual authorisation decision and the documents referred to in paragraph (1), as applicable, shall be submitted by the applicant to the CNA in person through its legal representative, or online with a certified digital electronic signature, for verification by the Legal, Regulatory and European Relations Service and the Licensing and Authorisation Service and, after approval, shall be registered with the Council Chancellery Service.

(3) The provisions of Article 4(6) to (9) shall apply accordingly.

Article 20 – (1) Within 30 days of the application file being approved, the CNA shall decide on whether to grant the authorisation decision, based on verification at the broadcaster's premises that the stated technical and editorial conditions have been met.

(2) The verification at the broadcaster's premises shall be carried out by representatives appointed by the CNA.

Article 21 – (1) The broadcasting of the programme service may commence only after the audiovisual authorisation decision has been obtained and before the deadline for withdrawing the audiovisual licence referred to in Article 57(1)(a) of the Audiovisual Law.

(2) Broadcasters shall inform the CNA in writing of the date on which broadcasting of the programme service will commence at least 24 hours before this date.

(3) Multiplex broadcasting of the programme service may commence only after the audiovisual authorisation decision has been obtained and under the conditions laid down in the digital audiovisual licence.

Article 22 – (1) Broadcasters shall notify the CNA in writing of any amendment to the data contained in the audiovisual authorisation decision.

(2) Amendment of the data contained in the audiovisual licence mentioned in Article 54(1)(b) and (e) of the Audiovisual Law requires the audiovisual authorisation decision to be amended accordingly, and may only be done with the approval of the CNA, which must be requested at least 30 days prior to the amendment.

(3) Amendments to data other than those specified in paragraph (2) may only be made with the approval of the CNA, which must be requested at least 30 days prior to the amendment.

(4) The application for the issuance of the amended authorisation decision shall contain, depending on the subject matter of the application and the technical method for broadcasting the audiovisual programme services, the licence holder's application, in accordance with the standard form set out in Annex 1, and the documents referred to in Article 19(1), as applicable.

(5) The request regarding the application for the issuance of the amended audiovisual authorisation decision and the documents referred to in paragraph (4) shall be submitted by the applicant to the CNA in person through its legal representative, or online with a certified digital electronic signature, for verification by the Legal Service, European Regulations and Relations and the Licensing and Authorisation Service and, after approval, shall be registered with the Council Chancellery Service.

(6) The provisions of Article 4(6) to (9) shall apply accordingly.

Article 23 – An application to extend the duration of validity of an audiovisual licence shall entail the submission of an application for the issuance of a new audiovisual authorisation decision, in accordance with the provisions of Article 19.

Article 24 – (1) In the case of programme services broadcast via terrestrial means, the audiovisual authorisation decision shall be issued within 30 days of the date on which the authorisation documents duly amended by ANCOM are submitted to the CNA. The broadcaster is obliged to submit the documents amended by ANCOM to the CNA no later than 30 days from the date of their issuance.

(2) In the case of programme services broadcast via electronic communications networks, the audiovisual authorisation decision may be issued no later than 30 days after the date of issuance of the audiovisual licence.

Article 25 – (1) In the event that the licence for programme services broadcast via electronic communications networks is transferred, the audiovisual authorisation decision in the

name of the transferee may be issued no later than 30 days after the date of issuance of the audiovisual licence.

(2) In the event that the licence for programme services broadcast by terrestrial radioelectric means is transferred, the audiovisual authorisation decision in the name of the transferee shall be issued within 30 days of the date on which the authorisation document duly amended by ANCOM is submitted to the CNA, the transferee being obliged to submit it to the CNA within four months of the date of issuance of the amended audiovisual licence.

Title II

Notification and approval procedure for the provision of on-demand audiovisual media services

Chapter I

Notification procedure and conditions for the provision of on-demand audiovisual media services

Article 26 – This chapter does not apply to:

- a) websites containing audiovisual content which is merely occasional and ancillary to the principal purpose of the service, such as websites that contain, in an auxiliary manner, animated graphics, videos, extracts from audiovisual programmes, where these are present only occasionally and exclusively for illustration purposes, short advertisements or information related to a non-audiovisual product or service;
- b) websites that provide audiovisual content generated by private users, for the purpose of sharing and exchanging it, within a community that does not have a commercial character;
- c) any form of private correspondence;
- d) online gambling, including lotteries, betting and other forms of services in the field of gambling, with the exception of games and competitions broadcast, in accordance with the law, as part of an audiovisual media service;
- e) videos embedded in the editorial content of electronic versions of newspapers and magazines;
- f) internet search engines.

Article 27 – (1) Any person intending to provide on-demand audiovisual media services ('the applicant') shall notify the CNA of this intention at least seven days before the start of the activity.

(2) The notification referred to in paragraph (1) shall be submitted by the applicant to the CNA in person through its legal representative, or online with a certified digital electronic signature, in accordance with the standard form provided in Annex 4, which may be downloaded from the CNA's website at www.cna.ro, accompanied by the relevant documentation, as applicable, as well as the original version of the applicant's self-declaration, in accordance with the standard form provided in Annex 3, regarding the contact details chosen for the official communication of documents issued in relation to the CNA.

(3) Romanian applicants who are traders shall attach the following documents to their notification:

- a) a copy of the registration certificate issued by the Trade Register Office to the legal person or, where applicable, the authorised natural person, sole trader or family business;
- b) a copy of the updated articles of association;
- c) the original version of the certificate of establishment issued by the Trade Register Office no later than seven days prior to the notification, stating the company's purpose and the share in the company's share capital, at the time the audiovisual licence is applied for, of the shareholders that are natural and/or legal persons, provided either in person through its legal representative, or online with a certified digital electronic signature; if there are legal person shareholders in the company's structure, official documents shall be submitted attesting to the structure of that company down to the last natural person;
- d) the original version of the proof of representative status in relation to the CNA, certified by a power of attorney or authorisation issued by the applicant's legal representative;
- e) a copy of the identity document of the authorised natural person applicant;
- f) the original version of the tax registration certificate issued by the National Tax Administration Agency in the name of the applicant, in compliance with the provisions of Article 51 of the Audiovisual Law;

(4) Romanian applicants who are not traders shall attach the following documents to their notification:

- a) a copy of the tax registration certificate issued by the National Tax Administration Agency;
- b) a copy of the certificate of registration in the Register of Associations and Foundations or in the Register of Federations, as applicable;
- c) a copy of the updated founding document;
- d) the original version of the proof of legal representative status, certified by a power of attorney or authorisation issued by the applicant's legal representative.

(5) Foreign applicants with their main place of business in Member States of the European Union or the European Economic Area shall attach the following documents to their notification:

a) documents equivalent to those referred to in paragraph (3)(a) and (b) or in paragraph (4)(a), (b) and (c);

b) the original version of the appointment of a person authorised to assume the applicant's liability in relation to the CNA and their chosen contact address in Romania.

(6) Copies of the documents referred to in paragraphs (3) to (5) shall be certified by the signature of the legal representative. Documents submitted to the CNA in a foreign language must be accompanied by a certified translation into Romanian.

(7) The notification and accompanying documents shall be submitted by the applicant to the CNA in person through its legal representative, or online, as appropriate, for verification by the Licensing and Authorisation Service and, after approval, shall be registered with the Council Chancellery Service.

(8) If the documentation is incomplete or contains documents in an inappropriate form, the Licensing and Authorisation Service shall inform the applicant of the documents, conditions and deadline for completion.

(9) The applicant shall be informed of the fulfilment of the conditions regarding the required documents and the submission deadlines by the Licensing and Authorisation Service.

(10) The application referred to in paragraph (2) shall be rejected:

a) in the event of non-compliance with the deadlines for submitting documents granted in accordance with paragraph (8);

b) in the event of failure to comply with the conditions relating to the documents accompanying the application, as indicated to the applicant by the Licensing and Authorisation Service, in accordance with paragraph (8).

Chapter II

Conditions for issuing, amending and withdrawing the service provision authorisation for on-demand audiovisual media services

Article 28 – (1) The notification shall be considered legally valid only if all the requirements set out in Chapter I have been met. In this case, the Licensing and Authorisation Service shall issue the applicant with a service provision authorisation for on-demand audiovisual media services ('the authorisation'), which confers on the applicant the status of on-demand audiovisual media service provider.

(2) The authorisation may be sent to the applicant as an electronic document which an advanced electronic signature has been incorporated into, attached to or logically associated with.

(3) The Council shall be informed periodically or whenever necessary of the authorisations issued under paragraph (1).

(4) The authorisation sent to the applicant shall certify that it has complied with the notification requirements set out in this Decision and that it is entitled to provide the on-demand audiovisual media services specified in the authorisation.

Article 29 – The authorisation shall include, as appropriate:

- a) the number and date of issuance of the document;
- b) the identifying details of the holder;
- c) the name and type of the on-demand audiovisual media service;
- d) the identifying details of the electronic communications networks and services used, as well as the name of the provider(s) providing access to the on-demand audiovisual media service;
- e) the website address and/or the name of the web portal of the on-demand audiovisual media service;
- f) geographical area of provision of the on-demand audiovisual media service.

Article 30 – Suppliers shall notify the CNA of any amendments to the documents referred to in Article 27(3) to (5), submitted at the time of notification, and to the data referred to in Article 29(b) to (f), within 30 days from the date of the amendment.

Article 31 – (1) The service provision authorisation for on-demand audiovisual media services shall be withdrawn in the following situations:

- a) pursuant to the provisions of Article 951 of the Audiovisual Law;
- b) following the termination, by decision of the ANCOM president, in accordance with the law, of the right of the holder providing the electronic communications networks or services through which the on-demand audiovisual media service is provided;
- c) at the request of the holder, by submitting a request to the CNA to waive the right to provide the on-demand audiovisual media services for which the authorisation was issued.

(2) The request referred to in paragraph (1)(c) shall take effect from the date on which it is submitted to the CNA or from a later date specified therein, and the CNA shall confirm the termination of the right to provide on-demand audiovisual media services to the provider in writing.

(3) The request referred to in paragraph 1(c) shall be accompanied by:

a) a report on the situation regarding European works allocated within the programme catalogue and promoted within the on-demand audiovisual media service by the date on which the application is submitted, in accordance with the standard form provided in Annex 3 to the Audiovisual Code;

b) a report on the implementation of the requirements for ensuring the accessibility of audiovisual programmes for people with disabilities, under the conditions specified in Article 55(2) of the Audiovisual Code, in accordance with the standard form provided in Annex 2 thereto.

(4) The withdrawal of the authorisation in the cases referred to in paragraph (1)(a) and (b) shall be ordered by decision of the CNA, which shall also set the date from which the right to provide the on-demand audiovisual media services referred to in the authorisation ceases, and shall be published on the CNA's website at www.cna.ro.

Article 32 – The rights provided for in the authorisation may not be transferred to third parties.

Chapter III

Notification procedure for on-demand audiovisual media services broadcast through a video-sharing platform

Section 1

Notification criteria

Article 33 – For the purposes of this Decision, an on-demand audiovisual media service shall be deemed to be a channel offered through a video-sharing platform, as defined in Article 1(1)(a) of the Audiovisual Code, which meets all of the following criteria:

- a) is a commercial activity;
- b) the user has editorial responsibility for the audiovisual content offered on their own channel and exercises control over the selection of programmes and their chronological order in the catalogue/playlists;
- c) allows audiovisual content from the catalogue/playlists to be viewed at the individual request of the user and at the time chosen by the user;
- d) the main objective is to provide audiovisual programmes and/or videos for information, entertainment or educational purposes;
- e) is provided through a video-sharing platform distributed through electronic communications networks.

Article 34 – (1) An on-demand audiovisual media service broadcast through a video-sharing platform may be provided by:

a) an audiovisual media service provider that owns an audiovisual media service for which it has editorial responsibility and whose programmes have also been broadcast via other electronic communications networks;

b) a legal person that has editorial responsibility for the uploaded audiovisual content;

c) a natural person who provides audiovisual content via video-sharing platforms and who has editorial responsibility for the uploaded audiovisual content.

(2) Persons who are in one of the situations referred to in paragraph (1) shall be subject to the notification procedure if they meet the criteria defined in Article 33 and meet the conditions laid down in Article 36, acquiring the status of provider of on-demand audiovisual media services broadcast through a video-sharing platform.

(3) Audiovisual content provided by public institutions and authorities via a video-sharing platform in order to present their activities and responsibilities within their sphere of competence is not considered an on-demand audiovisual media service.

Section 2

Notification conditions

Article 35 – (1) A user who uploads and/or generates videos and programmes on a video-sharing platform under Romanian jurisdiction shall be considered to be an on-demand audiovisual media service, in accordance with the criteria set out in Article 33.

(2) A user who uploads and/or generates videos on a video-sharing platform which is not under Romanian jurisdiction, but whose content is addressed to the public in Romania, shall be considered to be an on-demand audiovisual media service in accordance with the criteria laid down in Article 33.

Article 36 – To notify the CNA of the on-demand audiovisual media service, the user referred to in Article 35 must comply with all of the following conditions:

a) own a channel offered through a video-sharing platform, as defined in Article 1(1) (a) of the Audiovisual Code, on a video-sharing platform that can be accessed by the public in Romania;

b) the audiovisual content may be accessed by and is addressed to the public in Romania, as well as to Romanian citizens outside the country;

c) have a minimum of 100 000 followers or subscribers via a video-sharing platform or cumulatively with other platforms;

- d) have uploaded at least 24 audiovisual materials in the last 12 months;
- e) obtain money, products, services or achieve a benefit for themselves or for a third party as a result of uploading and/or generating video material on that channel.

Section 3

Notification procedures

Article 37 – Any person (‘the applicant’) who broadcasts on-demand audiovisual media services via a video-sharing platform shall be obliged to notify the CNA when they fulfil the criteria defined in Article 33 and meet the conditions laid down in Article 36, in accordance with the standard form set out in Annex 5.

Article 38 – (1) The notification referred to in Article 37 shall be submitted to the CNA accompanied by the relevant documentation, depending on the status of the applicant, as well as the original version of the applicant’s self-declaration, in accordance with the standard form provided in Annex 3, regarding the contact details chosen for the official communication of documents issued in relation to the CNA.

(2) Applicants who are a Romanian natural person shall submit to the CNA:

- a) the notification, in accordance with the standard form set out in Annex 5;
- b) a copy of the applicant’s identity document;
- c) a copy of the single declaration regarding income earned by natural persons from posts made on various social networks or video-sharing platforms, registered with the National Tax Administration Agency.

(3) Romanian applicants who are traders shall submit the following documents to the CNA:

- a) the notification, in accordance with the standard form set out in Annex 5;
- b) a copy of the registration certificate issued by the Trade Register Office to the legal person or, where applicable, the authorised natural person, sole trader or family business;
- c) a copy of the tax registration certificate issued by the National Tax Administration Agency;
- d) a copy of the updated articles of association;
- e) a copy of the identity document of the authorised natural person applicant;
- f) the original version of the proof of representative status in relation to the CNA, certified by a power of attorney or authorisation issued by the applicant’s legal representative.

(4) Applicants who are a Romanian legal person and not a trader shall submit the following documents to the CNA, as applicable:

- a) the notification, in accordance with the standard form set out in Annex 5;
- b) a copy of the tax registration certificate issued by the National Tax Administration Agency;
- c) a copy of the certificate of registration in the Register of Associations and Foundations or the Register of Federations;
- d) a copy of the updated founding document;
- e) the original version of the proof of representative status in relation to the CNA, certified by a power of attorney or authorisation issued by the applicant's legal representative.

(5) Foreign applicants with their main place of business in Member States of the European Union or the European Economic Area shall attach the following documents to their application:

- a) documents equivalent to those referred to in paragraphs (3)(c) and (d) or paragraphs (4)(b), (c) and (d), as applicable;
- b) the power of attorney of the person authorised to assume the applicant's liability in relation to the CNA and their contact address in Romania.

Article 39 – The provisions of Article 27(6) to (10) and Article 28 shall apply accordingly.

Article 40 – (1) The authorisation granted to the applicant shall certify that it has complied with the notification requirements within the deadline and under the conditions laid down in this Decision and that it is entitled to provide the on-demand audiovisual media services specified in the authorisation.

(2) The rights provided for in the authorisation may not be transferred to third parties.

Article 41 – (1) The service provision authorisation for on-demand audiovisual media services broadcast through a video-sharing platform shall include:

- a) the number and date of issuance of the authorisation;
- b) the identifying details of the authorisation holder;
- c) the type of service provided;
- d) the name and type of the video-sharing platform service through which the audiovisual content is broadcast;
- e) the website address and the name of the channel owned by the holder on the platform;
- f) the geographical area of access for users of the on-demand audiovisual media service or the public to whom the on-demand audiovisual media service is addressed.

(2) In the case of on-demand audiovisual media services broadcast through multiple video-sharing platforms, the applicant shall submit a single notification and the CNA shall issue a single service provision authorisation.

Article 42 – Providers of on-demand audiovisual media services broadcast through video-sharing platforms shall make information on the email address at which they may be contacted available to users on their own channel.

Section 4

Amendment of the service provision authorisation

Article 43 – Providers of on-demand audiovisual media services broadcast through a video-sharing platform shall notify the CNA, in writing, of any amendments to the documents referred to in Article 38(2) to (5), submitted at the time of notification, and to the data referred to in Article 41 within 30 days from the date of the amendment.

Article 44 – For the purposes of registering the amendments with the CNA in accordance with Article 43, the applicant shall submit the standard form set out in Annex 5 and the documents related to each amendment, where applicable, in person through their legal representative or online.

Article 45 – (1) After verification and approval by the Licensing and Authorisation Service, the notification and accompanying documents shall be registered with the Council Chancellery Service.

(2) The provisions of Article 27(6) to (10) shall apply accordingly.

Section 5

Withdrawal of the service provision authorisation

Article 46 – (1) The service provision authorisation for on-demand audiovisual media services broadcast through a video-sharing platform shall be withdrawn in the following situations:

a) following the transfer of the rights provided for in the service provision authorisation to third parties;

b) at the request of the holder, through a request to waive the right to provide the on-demand audiovisual media services broadcast through a video-sharing platform submitted to the CNA in writing.

(2) The request referred to in paragraph (1)(b) shall take effect from the date on which it is submitted to the CNA or from a later date specified therein.

Article 47 – (1) The withdrawal of the authorisation shall be ordered by decision of the CNA, which shall also set the date from which the right to provide the on-demand audiovisual media services referred to in the authorisation, broadcast through a video-sharing platform, ceases.

(2) The decision to withdraw the authorisation shall be made public by displaying it at the CNA's head office premises and on the institution's website at www.cna.ro.

Title III

Sanctions and final provisions

Article 48 – (1) For the purposes of establishing an official record of providers of on-demand audiovisual media services, the CNA shall draw up and update the Public Register of Providers of On-Demand Audiovisual Media Services, available on the CNA's website at www.cna.ro.

(2) For the purposes of establishing an official record of providers of on-demand audiovisual media services broadcast through video-sharing platforms, the CNA shall draw up and update the List of Providers of On-Demand Audiovisual Media Services Broadcast through Video-Sharing Platforms, available on the CNA's website at www.cna.ro, specifying the criteria and conditions defining whether a user owning a channel on a sharing platform is considered to be a provider of on-demand audiovisual media services, in accordance with Articles 33 and 36.

Article 49 – The infringement of or non-compliance with the provisions of this Decision by broadcasters or providers of on-demand audiovisual media services shall be sanctioned in accordance with the provisions of Articles 90 and 91 of the Audiovisual Law, with the exception of non-compliance with the provisions of Article 9(4) and (5) of this Decision, which shall be sanctioned in accordance with the provisions of Article 26 of Government Emergency Order No 202/2008, approved with amendments by Law No 217/2009, as amended.

Article 50 – (1) Within 60 days from the date of entry into force of this Decision, all providers of on-demand audiovisual media services shall be required to complete and submit the notification request, in accordance with the procedure laid down in Chapter I of Title II.

(2) Within 60 days from the date of entry into force of this Decision, any person considered to be an on-demand audiovisual media service broadcast through a video-sharing platform for the purposes of this Decision shall be required to notify the CNA in accordance with the procedure set out in Chapter III of Title II.

Article 51 – On the date of entry into force of this Decision, the following shall be repealed:

a) Article 1(1)(e), (g), (h), (i), (j) and (2), Chapter II ‘Requirements for the notification of the on-demand audiovisual media service’, Chapter III ‘Conditions for issuing, amending and withdrawing the service provision authorisation for on-demand audiovisual media services’ and Articles 41 and 43 of Decision No 320/2012 of the National Audiovisual Council on the provision of on-demand audiovisual media services, published in the Official Gazette of Romania, Part I, No 434 of 30 June 2012, and Annexes 1 and 2 thereto;

b) Decision No 277/2013 of the National Audiovisual Council on the procedure for granting, amending, extending the validity and transferring the licence and the audiovisual authorisation decision, except for those for digital terrestrial broadcasting, as well as the conditions for broadcasting local programmes, rebroadcasting or taking over programmes from other broadcasters, published in the Official Gazette of Romania, Part I, No 355 of 14 June 2013 and Annexes 1 and 2 thereto;

c) Decision No 304/2015 of the National Audiovisual Council on the procedure for granting, amending, extending the validity and transferring a licence and the audiovisual authorisation decision for broadcasting through digital terrestrial systems, published in the Official Gazette of Romania, Part I, No 439 of 19 June 2015 and Annexes 1 and 2 thereto;

d) Article I of Decision No 185/2025 of the National Audiovisual Council on the amendment and supplementation of certain legislative acts in the field of audiovisual media, published in the Official Gazette of Romania, Part I, No 284 of 1 April 2025.

Article 52 – This Decision shall be published in Part I of the Official Gazette of Romania and shall enter into force 30 days after its publication.

Article 53 – Annexes 1 to 5 shall form an integral part of this Decision.

The Vice-President of the National Audiovisual Council,

Valentin-Alexandru Jucan

<p style="text-align: center;">NATIONAL AUDIOVISUAL COUNCIL</p> <p style="text-align: center;">Bucharest, Romania Bd. Libertății nr. 14, Sector 5</p> <p style="text-align: center;">Tel.: + 4 021 305 5356 Tax ID no: 4266189</p> <p>cna@cna.ro www.cna.ro</p>	<p>Annex 1 to CNA Decision No .../....</p> <p>LINEAR AUDIOVISUAL MEDIA SERVICES</p>	<p>Registration No: _____</p> <p>Date: _____</p> <p>FORM APPROVED BY THE CNA Please only use forms obtained from the CNA's head office or from the website www.cna.ro!</p> <p>WARNING! The application must be filled in on a computer or typed.</p>
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I, the undersigned¹, surname, first name, residing at, identity document, series, no, issued by, on, in my capacity as, through, in accordance with**for the natural person authorised in accordance with the law / legal person**, registered in the Trade Register under no J...../...../....., tax identification number, with registered office/business address at:, telephone:, website: email:

Pursuant to Audiovisual Law No 504/2002, as amended, and in full knowledge of the provisions laid down in Article 326 of the Criminal Code:

I declare on my honour that the contact details for the official communication of all documents issued in the relationship between the company and the CNA are those stated in this application. I acknowledge that any amendments to the declared details may only be made by submitting a new self-declaration²,

and **I request³:**

the granting of

<input type="checkbox"/> audiovisual licence	<input type="checkbox"/> radio	<input type="checkbox"/> television
<input type="checkbox"/> Audiovisual authorisation decision	<input type="checkbox"/> radio	<input type="checkbox"/> television
<input type="checkbox"/> <i>digital</i> audiovisual licence	<input type="checkbox"/> radio	<input type="checkbox"/> television

for the multiplex MUX _____ coverage: national
 regional
 local

Digital audiovisual authorisation decision

Broadcasting method

electronic communications networks⁴, with these specified.....

the amendment of

audiovisual licence no ofissued on

audiovisual authorisation decision no of, issued on

Description of the amendment:

the extension of

audiovisual licence no ofissued on

the transfer of

audiovisual licence no ofissued on

the withdrawal of⁵

audiovisual licence no ofissued on

I. Attached documents and identifying and contact details of the applicant:

Legal documents of the company:

1. Certificate of registration with the Trade Register Office No of
2. Company's articles of association updated on
3. Shareholding structure:

Company's legal representative:

4. Surname and first name: address:
telephone:, email:

Other details:

5. List of publications edited by the applicant:
6. List of other programme services provided:
7. Surname and first name of the person(s) responsible for the management of the company:
.....
telephone:, email:
8. Surname and first name of the person(s) assuming editorial responsibility
.....
telephone:, email:
9. Correspondence address of the applicant:
.....
telephone:, email:

II. Programme service details:

1. Type of programme service: radio television
2. Broadcasting method:
 electronic communications networks⁴, with these specified
3. City/county:
4. Broadcast area⁶:
5. Audiovisual licence⁷ no of, issued on

6. **Audiovisual authorisation decision** no of, issued on

7. **Frequency/channel:**

8. **Name** of the programme service:

current:

requested:

9. **Identifying elements**⁸ of the radio station / television channel: sound signal logo

10. Location of the programme source:

current:

requested:

11. Location of the transmitting station:

current:

requested:

12. Broadcasting licence no of

13. Licence for the use of frequencies in the digital terrestrial system no of

14. Technical operating authorisation no, issued on

15. **The principal format** of the programme service:

general thematic - field:

16. **Broadcasting schedule**⁹:

Monday:

Tuesday:

Wednesday:

Thursday:

Friday:

Saturday:

Sunday:

17. **Structure of the programme service according to source** (total – 100%)¹⁰:

Own productions:%

Audiovisual productions of other producers:%

Rebroadcast programmes¹¹:%

18. Percentages reserved for **European audiovisual works**¹²:

Percentage reserved for European audiovisual works:%

Percentage reserved for European audiovisual works created by independent producers:%

of which recent works:%

19. Implementation of the **accessibility measures** provided for in **Article 55(2)** of the Code regulating audiovisual content.

20. Estimated structure of the programme service¹³ by type of programme/show:

- Information programmes:%
- Educational programmes:%
- Cultural and entertainment programmes:%
- Programmes/*shows that ensure accessibility for people with disabilities*:%

21. Data on the categories of information broadcast on teletext/videotext pages (if applicable):
.....

22. Additional comments¹⁴:

III. Processing¹⁵ of personal data

*I have been informed of the processing of personal data carried out for the purposes of this request.
Drawn up in a single copy, on my own responsibility and in full knowledge that inaccurate statements are punishable by law.*

Date	Signature of the representative
Approved by Legal, Regulatory and European Relations Service	Approved by Licensing and Authorisation Service
Date:	Date:

NOTES:

NOTES:

<p style="text-align: center;">NATIONAL AUDIOVISUAL COUNCIL</p> <p style="text-align: center;">Bucharest, Romania Bd. Libertății nr. 14, Sector 5</p> <p style="text-align: center;">Tel.: + 4 021 305 5356 Tax ID no: 4266189</p> <p>cna@cna.ro www.cna.ro</p>	<p>Annex 3 to CNA Decision No .../....</p>	<p>Registration _____ No: _____</p> <p>Date: _____</p> <p>FORM APPROVED BY THE CNA Please only use forms obtained from the CNA's head office or from the website www.cna.ro!</p> <p>WARNING! The declaration must be filled in on a computer or typed.</p>
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I, the undersigned²⁰, surname, first name,
residing at, identity
document, series, no, issued by on
....., in my capacity as **legal representative** of the company: **partner** **shareholder**
director
for the natural person authorised in accordance with the law / legal person
....., registered in the Trade Register under no J...../...../....., tax
identification number, with registered office / place of business in:
..... and secondary site (place of business)²¹ in
....., telephone:, website:
....., email:

Pursuant to Audiovisual Law No 504/2002, as amended, and in full knowledge of the provisions laid down in Article 326 of the Criminal Code,

I declare on my honour that the chosen contact details for the official communication of all documents issued in the relationship between the company and the CNA are the following:

- Email: _____
- Telephone: _____
- Website: _____

I acknowledge that any amendments to the details declared herein may only be made by submitting a new self-declaration.

I have been informed of the processing of personal²² data carried out for the purpose of registering this declaration.

Date	Signature of the legal representative	Stamp
<p style="text-align: center;">Approved by Legal, Regulatory and European Relations Service</p> <p>Date:</p>		<p style="text-align: center;">Approved by Licensing and Authorisation Service</p> <p>Date:</p>

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NOTES:

<p style="text-align: center;">NATIONAL AUDIOVISUAL COUNCIL</p> <p style="text-align: center;">Bucharest, Romania Bd. Libertății nr. 14, Sector 5</p> <p style="text-align: center;">Tel.: + 4 021 305 5356 Tax ID no: 4266189</p> <p>cna@cna.ro www.cna.ro</p>	<p>Annex 4 to CNA Decision No .../....</p> <p>ON-DEMAND AUDIOVISUAL MEDIA SERVICES</p>	<p>Registration No: _____</p> <p>Date: _____</p> <p>FORM APPROVED BY THE CNA Please only use forms obtained from the CNA's head office or from the website www.cna.ro!</p> <p>WARNING! The application must be filled in on a computer or typed.</p>
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I, the undersigned²³, surname, first name, residing at, identity document, series, no, issued by, on, in my capacity as through in accordance with **for the natural/legal person**, registered in the Trade Register under no J..../...../....., tax identification number, with registered office / place of business at:, telephone:, website:, email:

pursuant to Audiovisual Law No 504/2002, as amended, and in full knowledge of the provisions laid down in Article 326 of the Criminal Code,

I declare on my honour that the contact details for the official communication of all documents issued in the relationship between the company and the CNA are those stated in this application. I acknowledge that any amendments to the declared details may only be made by submitting a new self-declaration.²⁴

and NOTIFY of the provision of ON-DEMAND AUDIOVISUAL MEDIA SERVICE(S) starting on

I. Attached documents and identifying and contact details of the applicant:

Legal documents of the company:

1. Certificate of registration with the Trade Register Office No of
2. Company's articles of association updated on
3. Shareholding structure:

Company's legal representative:

4. Surname and first name: address:
.....
telephone:, email:

Other details:

5. List of publications edited by the applicant:
6. List of other programme services provided:
7. Surname and first name of the person responsible for the management of the company:
.....
telephone:, email:

8. Surname and first name of the person(s) assuming editorial responsibility

telephone:, email:

9. Correspondence address of the applicant:

telephone:, email:

II. Details of the on-demand audiovisual media service(s) that the applicant intends to provide:

Name of the service²⁵			
Service type	<input type="checkbox"/> 'Video on demand' service <input type="checkbox"/> 'Catch-up television' service <input type="checkbox"/> Mixed (the service also includes sections not dedicated to on-demand audiovisual media services)		
Country of jurisdiction of the service			
Details of electronic communications networks and services used	<i>Electronic communications network type, as regulated by Government Emergency Order No 111/2011 on electronic communications, approved with amendments and additions by Law No 140/2012, as amended:</i>	Provider name:	Type certificate issued by the National Authority for Administration and Regulation in Communications:
Name of the portal and/or address of the internet page/subpage		
Geographical area in which it will be provided	<input type="checkbox"/> Romania <input type="checkbox"/> EU States <input type="checkbox"/> States outside the EU		
Sources of funding of the service	<input type="checkbox"/> Advertising <input type="checkbox"/> Sponsorship <input type="checkbox"/> Subscriptions <input type="checkbox"/> Pay per view <input type="checkbox"/> Other (with sources specified)		
Type of access:	<input type="checkbox"/> Open access <input type="checkbox"/> Restricted access <input type="checkbox"/> Mixed access		

III. Description sheet of the service/on-demand audiovisual media services provided:

A. Editorial plan²⁶

The applicant shall specify in a document attached to this form:

general presentation of the service (type of service, presentation of the website’s organisation, specifying whether it is entirely dedicated to providing on-demand audiovisual media services or whether it also contains sections that are not dedicated to on-demand audiovisual media services);

the categories of audiovisual programmes included in each catalogue and the list of audiovisual content providers;

editorial measures taken to protect minors;

measures implementing the legal provisions on the promotion of European works;

where applicable, the code of professional conduct adopted or publicly adhered to by the provider, attached as a copy.

B. Technical plan²⁷

The applicant shall describe in a document attached to this form:

the technical conditions regarding users’ access to the on-demand audiovisual media service (technical platform used, web portal, internet address, etc.);

the conditions under which the service is marketed (for example, free or paid-for);

the geographical area in which it will be provided, specifying the states where it will be received;

the technical measures intended to restrict access of minors to programmes that are not suitable for them;

the accessibility conditions for people with visual or hearing impairments.

IV. Public Register of On-Demand Audiovisual Media Service Providers

I agree to the publication of my data and contact details in the Public Register of On-Demand Audiovisual Media Service Providers.

V. Processing²⁸ of personal data

I have been informed of the processing of personal data carried out for the purpose of registering this notification.

Date	Signature of the representative
<p>Approved by Licensing and Authorisation Service</p> <p>Date:</p>	

NOTES:

<p style="text-align: center;">NATIONAL AUDIOVISUAL COUNCIL</p> <p style="text-align: center;">Bucharest, Romania Bd. Libertății nr. 14, Sector 5</p> <p style="text-align: center;">Tel.: + 4 021 305 5356 Tax ID no: 4266189</p> <p>cna@cna.ro www.cna.ro</p>	<p>Annex 5 to CNA Decision No .../....</p> <p>ON-DEMAND AUDIOVISUAL MEDIA SERVICES BROADCAST THROUGH A VIDEO-SHARING PLATFORM²⁹</p>	<p>Registration _____ No: _____</p> <p>Date: _____</p> <p>FORM APPROVED BY THE CNA Please only use forms obtained from the CNA's head office or from the website www.cna.ro!</p> <p>WARNING! The application must be filled in on a computer or typed.</p>
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I, the undersigned³⁰, surname, first name, residing at, identity document, series, no, issued by on, in my capacity as through, in accordance with, for the natural/legal person, registered in the Trade Register under no J...../...../....., tax identification no, with registered office / place of business at:, telephone:, website:, email:,

pursuant to Audiovisual Law No 504/2002, as amended, and in full knowledge of the provisions laid down in Article 326 of the Criminal Code:

I hereby declare that the contact details for the official communication of all documents issued in the relationship between the company and the CNA are as stated above. I acknowledge that any amendments to the details declared herein may only be made by submitting a new self-declaration³¹.

I NOTIFY OF THE ON-DEMAND AUDIOVISUAL MEDIA SERVICE BROADCAST THROUGH A VIDEO-SHARING PLATFORM(S) with the name....., on the channel offered through a video-sharing platform with the name

I. Attached documents and identifying and contact details of the applicant:

Identifying details of the natural person providing the on-demand audiovisual media service broadcast through a video-sharing platform:

1. Surname and first name:

2. Identity card:

Identifying details of the legal person providing the on-demand audiovisual media service broadcast through a video-sharing platform³²:

1. Certificate of registration with the Trade Register Office no of

2. Articles of association of the company:

3. Shareholding structure:

.....

Company's legal representative:

4. Surname and first name: address:
 telephone:, email:

Other details:

5. List of other video-sharing platforms through which they provide the audiovisual content constituting an on-demand audiovisual media service:

6. List of other programme services provided:

7. Surname and first name of the persons responsible for the uploaded content:

 telephone:, email:

8. Surname and first name of the persons assuming responsibility for the organisation of the audiovisual content uploaded to the video-sharing platform:

 telephone:, email:

9. Correspondence address of the applicant:

 telephone:, email:

II. Information about the on-demand audiovisual media service broadcast through a video-sharing platform:

1. Name of the video-sharing platform hosting the on-demand audiovisual media service	
2. Link to the Terms and Conditions of use of the video-sharing platform	
2. Identifying details of the on-demand audiovisual media service (<i>website address, name of the channel/profile/user page, link to the channel provided through a video-sharing platform</i>)	
3. Geographical area of user access to the platform services	
5. Date of notification of the on-demand audiovisual media service broadcast through the video-sharing platform, but no later than 30 days from the date of fulfilment of the criteria and conditions laid down in Articles 33 and 36 of CNA Decision No../... on the licensing, authorisation and notification procedure for audiovisual media services	
6. Estimated number of subscribers/followers registered on the channel offered through a video-sharing platform	
7. Monetisation sources ³³	

III. Jurisdiction of the video-sharing platform service

In accordance with the criteria for determining the jurisdiction referred to in Article 42⁵ of Audiovisual Law No 504/2002, as amended, **the on-demand audiovisual media service subject to notification is provided on a video-sharing platform which is under the jurisdiction of the following state:**

- ROMANIA, in accordance with Article 42⁵(1) of Audiovisual Law No 504/2002, as amended
- EU MEMBER STATE, in accordance with Article 425(2) and (4) of Audiovisual Law No 504/2002, as amended³⁴
 - parent company
 - subsidiary
 - group
- THIRD COUNTRY

IV. The notified service³⁵, in accordance with the criteria and conditions laid down in Articles 33 and 36 of CNA Decision No.../... on the licensing, authorisation and notification procedure for audiovisual media services:

- provision:**
 - programmes videos audiovisual commercial communications

- purpose of the provision of the service:**
 - information education entertainment

topic³⁶ of the content uploaded to the platform:

- information system for users/visitors of the platform on programmes and videos containing audiovisual commercial communications declared by the on-demand audiovisual media service provider**
 - Yes No

V. Processing³⁷ of personal data

I have been informed of the processing of personal data carried out for the purpose of registering this notification.

Date	Signature of the representative
<p>Approved by Licensing and Authorisation Service</p> <p>Date:</p>	

NOTES:

¹ To be completed by the legal representative of the legal person or an authorised person with a notarised special or general power of attorney or by its solicitor, on the basis of on a solicitor's power of attorney, or by any partner, shareholder or founding member.

² To be completed in accordance with the standard form in Annex 3 to CNA Decision No .../... on the licensing, authorisation and notification procedure for audiovisual media services.

³ In accordance with Chapter II and Chapter III of CNA Decision No.../... on the licensing, authorisation and notification procedure for audiovisual media services.

⁴ In accordance with Article 4(1)(6) of Government Emergency Order No 111/2011 on electronic communications, approved with amendments and additions by Law No 140/2012, as amended.

⁵ At the request of the holder, pursuant to Article 57(1)(e) of Audiovisual Law No 504/2002, as amended.

⁶ For each programme service, the following shall be mentioned: the city(ies), countries, geographical areas where the service is received.

⁷ In accordance with Article 3(2)(a) of CNA Decision No.../... on the licensing, authorisation and notification procedure for audiovisual media services, for programme services which, on the date of the request, are broadcast via an electronic communications network other than terrestrial and for which the digital audiovisual licence is requested.

⁸ The following shall be attached: the channel's logo, presented graphically or electronically, in the case of television programme services, or the station's identification signals, recorded electronically, in the case of radio programme services.

⁹ Only for own productions.

¹⁰ To be calculated for a one-week period.

¹¹ Each rebroadcast programme service shall be named and the broadcaster's rebroadcasting contract/agreement for the respective programme service shall be attached.

¹² In accordance with Articles 22 and 24 of Audiovisual Law No 504/2002, as amended.

¹³ The estimate shall be made for a one-week period and shall include the minimum percentage that could be allocated to these types of programmes.

¹⁴ Where applicable, the schedule and language of broadcasts dedicated to national minorities shall be mentioned.

¹⁵ 'Processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, in accordance with the provisions of Article 4(2) of Regulation (EU) No 679/2016 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), published in the Official Journal No 119L/04.05.2016. Information on the processing of personal data may be accessed on the website www.cna.ro, in the 'Communication' category – 'Personal data – Regulation No 679 of 2016' section.

¹⁶ To be completed by the legal representative of the legal person or an authorised person with a notarised special or general power of attorney or by any partner, shareholder or founding member.

¹⁷ To be filled in with the name of the programme service.

¹⁸ To be filled in with the name of the programme service.

¹⁹ 'Processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, in accordance with the provisions of Article 4(2) of Regulation (EU) No 679/2016 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), published in the Official Journal No 119L/04.05.2016. Information on the processing of personal data may be accessed on the website www.cna.ro, in the 'Communication' category – 'Personal data – Regulation No 679 of 2016' section.

²⁰ To be completed by the legal representative of the legal person or its delegate with a notarised special or general power of attorney or by any partner, shareholder or founding member.

²¹ Where applicable, if the company has a secondary office (place of business) that is declared and authorised in accordance with the law and constitutes editorial and/or production premises.

²² ‘Processing’ means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, in accordance with the provisions of Article 4(2) of Regulation (EU) No 679/2016 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), published in the Official Journal No 119L/04.05.2016. Information on the processing of personal data may be accessed on the website www.cna.ro in the ‘Communication’ category – ‘Personal data – Regulation No 679 of 2016’ section.

²³ To be filled in by the legal representative of the legal person or an authorised person with a notarised special or general power of attorney or by its lawyer, on the basis of a solicitor’s power of attorney, or any partner, shareholder or member.

²⁴ To be completed in accordance with the standard form in Annex 3.

²⁵ Name as it appears on the service’s home page and/or in the electronic programme guide (EPG).

²⁶ The document shall be attached to the notification and shall contain all the requirements laid down in Chapter III(A).

²⁷ The document shall be attached to the notification and shall contain all the requirements laid down in Chapter III(B).

²⁸ ‘Processing’ means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, in accordance with the provisions of Article 4(2) of Regulation (EU) No 679/2016 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), published in the Official Journal No 119L/04.05.2016. Information on the processing of personal data may be accessed on the website www.cna.ro, in the ‘Communication’ category – ‘Personal data – Regulation No 679 of 2016’ section.

²⁹ Applies to users who are content creators in accordance with Articles 33 and 36 of CNA Decision No.../... on the licensing, authorisation and notification procedure for audiovisual media services and who address the public in Romania on video-sharing platforms (such as YouTube, Facebook, Instagram, TikTok, etc.). These users shall be considered to be aimed at the public in Romania if they are established on the Romanian territory and if the uploaded/generated videos/programmes are addressed to the public in Romania.

³⁰ To be completed by the natural person or the legal representative of the legal person, an authorised person with a notarised special or general power of attorney or its solicitor, on the basis of a solicitor’s power of attorney, or by any partner, shareholder or member.

³¹ To be completed in accordance with the standard form in Annex 3.

³² To be completed in accordance with Article 38 of CNA Decision No.../... on the licensing, authorisation and notification procedure for audiovisual media services.

³³ In accordance with Article 36(e) of CNA Decision No.../... on the licensing, authorisation and notification procedure for audiovisual media services.

³⁴ To be completed in accordance with the provisions of Article 42⁵(2) and (4) of Audiovisual Law No 504/2002, as amended, according to which: ‘(2) A video-sharing platform provider not under the jurisdiction of Romania, in accordance with the provisions of paragraph (1), shall be deemed to be under the jurisdiction of the state in which that provider: (a) has a parent company or a subsidiary that is established on the territory of that state; (b) is part of a group and another company in that group is established on the territory of that state. (...); (4) For the purposes of applying paragraph (2), where the parent company, subsidiary or other companies in the group are each established in different states, the provider of the video-sharing platform shall be deemed to be established in the state where its

parent company is established or, in the absence of such establishment, shall be deemed to be established in the state where its subsidiary is established or, in the absence of such establishment, in the state where the other company in the group is established.'

³⁵ *Provision to the general public of programmes or user-generated videos, or provision of both, for information, entertainment or educational purposes.*

³⁶ *To be completed with the category to which the majority of the uploaded content belongs (e.g. news, tourism, cooking, cosmetics, sports, etc.).*

³⁷ *'Processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, in accordance with the provisions of Article 4(2) of Regulation (EU) No 679/2016 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), published in the Official Journal No 119L/04.05.2016. Information on the processing of personal data may be accessed on the website www.cna.ro in the 'Communication' category – 'Personal data – Regulation No 679 of 2016' section.*