

Table of Contents

1. ENFORCEMENT OF CHAPTER THIRTEEN OF THE TELECOMMUNICATIONS ACT (ADMINISTRATIVE-PUNITIVE PROVISIONS)
2. ENFORCEMENT OF THE ADMINISTRATIVE PUNITIVE PROVISIONS OF THE ACT ON RADIO AND TELEVISION
3. APPLICATION OF THE TRANSITIONAL AND FINAL PROVISIONS FROM THE TELECOMMUNICATIONS ACT, AND IN PARTICULAR, ART.16 FROM THE TELECOMMUNICATIONS ACT

The administrative punitive activity of the State Telecommunications Commission may be divided into several major groups, according to the enforced administrative punitive provisions in the Telecommunications Act and the Act on Radio and Television.

1. ENFORCEMENT OF CHAPTER THIRTEEN OF THE TELECOMMUNICATIONS ACT (ADMINISTRATIVE-PUNITIVE PROVISIONS)

In 2000 were issued 680 punitive decrees, pursuant to:

- Art. 133 from the Telecommunications Act (for threatening calls) – 2;
- Art. 136 from the Telecommunications Act (for material damages caused to public telecommunications networks) - 12.

Of those, the enacted punitive decrees are 7.

2. ENFORCEMENT OF THE ADMINISTRATIVE PUNITIVE PROVISIONS OF THE ACT ON RADIO AND TELEVISION

In 2000 were served 22 punitive decrees, pursuant to:

- Art.92, par.1 (sponsorship of programs) - 6;
- Art.90, par.4 (sponsorship of news programs) - 2;
- Art.82, par.1 (clear distinction of an advertisement material) - 3;
- Art.84 (program interruption) - 3;
- Art. 86 (duration of advertising) - 2;
- Art.90, par.3 (sponsorship of programs) - 3;
- Art.17, par. 2 and par.. 3 (programs contents) - 1;
- Art.80, par.2 (cigarette brand advertising) - 1;
- Art. 80, par.3 and 4 (advertising of hard drinks) - 1.

From the group under consideration, only 2 punitive decrees have been enacted, the rest have been contested and cases are brought to court. These cases are still in the respective local courts or they are appealed according to the rules for cassation proceedings in the respective regional courts.

3. APPLICATION OF THE TRANSITIONAL AND FINAL PROVISIONS FROM THE TELECOMMUNICATIONS ACT, AND IN PARTICULAR, ART.16 FROM THE TELECOMMUNICATIONS ACT

In application of Art.16 from the Transitional and Final Provisions of the Telecommunications Act, which envisages one-off proprietary sanctions for certain categories of telecommunications operators, have been issued 39 punitive decrees

to operators, willing to be licensed pursuant to the provisions of that article in the eight regions. A tender procedure was opened for award of an individual licence for the construction, maintenance and operation of a VHF station for local radio broadcasting. None of the imposed sanctions were contested, as provisioned by the law. Almost all proprietary sanctions were paid in the term, stated in the punitive decrees\.

In application of Art.16 from the Transitional and Final Provisions of the Telecommunications Act, until now have been issued about 600 punitive decrees to operators, who have stated their wish to be licensed pursuant to the provisions of that article for the construction, maintenance and operation of a cable telecommunications network for populated areas on the territory of the country. The enforced decrees are about 570.

