



Comparative study on the impact of control measures on the television advertising markets.

REPORT : ROMANIA

Version of 30/06/05

INTRODUCTION

This report is aimed at comparing the legal data on the one hand and the economic data on the other hand related to the television advertising market in order to assess the impact of the applicable regulation on the sector's economy.

We have followed the regulatory structure of the Directive in order to:

1. remind the applicable rules in Romania and compare them with the regulatory standards foreseen by the Directive
2. confront those rules with the economic data issued from CARAT's reports (cf « *Quantitative impact of the regulation on TV advertising markets in EU Member States, EEA countries, the new Member States and a number of third countries* »)
3. draw a first list of conclusions on the impact of regulation on the television advertising market or raise some questions for future analysis.

The present study is based on 2003 data, as a reference year, compared with 2002.

As mentioned in the call for tender documentation (ref. 2003/S 107 - 095378 DG EAC 44/03) and Carat's proposal, the selection of countries covered by the study has been based on local specificities, in order to guarantee that the studied landscapes are representative.

The notion "Applicant countries" includes Czech Republic, Hungary, Poland, Romania and Turkey, since during the reference year of the study (2003) the first three countries, which are now Member States, were still candidate members. The reader should also take into account that the notion "European Union Countries" concerns data and analysis for 10 Member States, on the condition the necessary basic information is available.

In the report figures referring to "average data" were calculated taking into account the weight of every country (population) and the TV viewing time of their population (Weighted average).

For the calculation of the "average duration of the interruptions" (tables 4,5,7), the channels without advertising have been excluded (e.g.: UK, Sweden and Germany during prime time). These countries have been taken into consideration in the "average number of interruptions per hour" in tables 7A and 7B (all channels).

When data are not available, the following symbol "--" is indicated. When data are available but results are zero, the following symbol "0" is indicated.

There are no standard figures available on the number of interruptions by type of programme, except in *Canada, Japan, USA, Poland and Belgium* where a specific analyse has been conducted (see Tab 6, 8 and 9 in the concerned report of these 5 countries).

In this *Romanian* report and despite all our efforts, audience figures and measurements of several channels (e.g. pay TV's) are unavailable.

The reader should bear in mind that certain economic patterns of the national markets are not always the direct, or indirect, consequence of the regulation. Other parameters have an influence on the economic situation of the studied media, in particular the overall volume of advertising investments.

The methodological explanatory note provides for useful indications to fully understand the way audience and advertising investments have been measured.

GENERAL INFORMATION

1- The audiovisual landscape

Definitions

Audience rating

The « Rating » (%) is the portion of the audience which defines the average percentage of persons (adults universe) watching television during a defined period of time.

Prime time

Day part showing the highest individuals/households interest for TV watching ; this concept does not have a standard definition across the Member States, prime time slots are specific for each country and usually correspond to the end of the working hours till the end of the “social” evening.

Adult population

The adult definition is not a stable standard and may vary from one country to another. Usually the definition of “adult” corresponds to mature teenagers and older population. Often the legal definition of a “child” or “minor” does not correspond to the definitions in use in the advertising market.

Adult population universe

Number of individuals corresponding to the definition of “adult population” in a given country.

Audience Rating, day parts and target definitions (period 2003)

Average Prime vs. All Day (index): ratio obtained by the division of the “average rating – all day” by the “average rating - prime time”. Gives an indication of how more important is the audience during prime time compared with the rest of the day.

Average Prime part : proportion of the Prime time versus All Day, in terms of audience (expressed by the “rating” factor). This proportion is weighted by the prime time duration.

TAB 1	ROMANIA	European Union Countries (10)	Applicant countries (5)	Countries Outside EU (3)	All Countries Observed (18)
Adult population definition	18+	13/16+	15/18+	18/20+	13/20+
Adult population universe	16.222.000	277.802.353	96.837.599	320.470.074	695.110.026
Average Rating - All Day*	16,5%	14,0%	16,7%	23,4%	18,7%
Average Rating - Prime Time*	40,2%	37,4%	39,8%	40,6%	39,2%
Prime Time slots definitions	19:00-23:00	18:55:-23:00	18:30-23:00	19:00-23:00	19:00-23:00
Average Prime vs All Day (index)*	244	270	238	177	222
Average Prime part*	41%	34%	38%	26%	31%

* Weighted averages (cf. introduction)

Source : Carat

Comments :

In Romania, the TV viewing time is slightly higher than the patterns recorded in the other countries examined in the study and in line with the Applicant Countries, but note that this average is inclusive of data concerning Romania. These figures mean that 16,5% of individuals view TV during the day and 40% during prime time. Among these people, more than 75% view one of the six channels with a national coverage (see TAB 3A).

2- Socio economic data (2003)

TAB 2	ROMANIA	European Union Countries (10)	Applicant countries (5)	Countries Outside EU (3)	All Countries Observed (18)
Total Adv. Investments All Media (000 €)	1.358.000	106.902.530	14.958.765	153.876.973	275.738.268
Total TV Invest. (000 €)	1.143.817	37.370.852	10.518.887	88.420.354	136.310.092
Part of TV Invest.*	84,2%	35,0%	70,3%	57,5%	49,4%
Share of Top 5 channels on. Total TV Invest.*	92,8%	84,4%	82,5%	31,6%	50,0%
Average Top 5 Channels Audience Share*	69,7%	60,5%	72,1%	50,8%	57,7%
Adults population universes	16.222.000	277.802.353	96.837.599	320.470.074	695.110.026
GDP (mo €)	50.352	8.668.867	601.106	14.296.881	23.566.853
Average Total Adv. Invest. All Media / GDP*	2,70%	1,23%	2,49%	1,08%	1,17%
Average Total TV Adv. Invest. / GDP*	2,27%	0,43%	1,75%	0,62%	0,58%
Average Adv. Invest. / inhab. (€ per year)	83,7	384,8	154,5	480,2	396,7
Average TV Adv. Invest. / inhab.* (€ per year)	70,5	134,5	108,6	275,9	196,1

*Weighted averages (cf. introduction)

source : Carat (Eurostat and local private sources)

Types of broadcast and Audience Shares

Audience Shares

Share (%) of each channel of total TV audience.

Channels

All channels which data are available.

TAB 3A

Adults

ROMANIA	Name	Status	2003
Average Rating Audience % TOTAL TV (1)			16,5
			of which :
Channels with national coverage	Acasa TV	Commercial channel free to air	6,7
	Antena 1	Commercial channel free to air	13,3
	Prima TV	Commercial channel free to air	5,5
	Pro TV	Commercial channel free to air	15,8
	TVR 1	Public service	28,5
	TVR 2	Public service	6,7
	TVR Cultural	Public service	-
Local channels	3 TV CRAIOVA	Commercial channel free to air	-
	3 TV DEVA	Commercial channel free to air	-
	57 PLUS	Commercial channel free to air	-
	C41	Commercial channel free to air	-
	CANAL PLUS	Commercial channel free to air	-
	CBN	Commercial channel free to air	-
	EUROPA NOVA	Commercial channel free to air	-
	P+	Commercial channel free to air	-
	RCS	Commercial channel free to air	-
	RTT	Commercial channel free to air	-
	RTV ARAD	Commercial channel free to air	-
	RTV SIBIU	Commercial channel free to air	-
	SUPER NOVA	Commercial channel free to air	-
	TV ETALON	Commercial channel free to air	-
	TV GALATI	Commercial channel free to air	-
	TV NEPTUN	Commercial channel free to air	-
	TV VALCEA 1	Commercial channel free to air	-
	TV VALCEA 2	Commercial channel free to air	-
	TVR CLUJ	Public service	-
	TVR CRAIOVA	Public service	-
TVR IASI	Public service	-	
TVR TIMISOARA	Public service	-	

TAB 3B

Adults

ROMANIA	Name	Status	2003
<i>Average Rating Audience % TOTAL TV (1)</i>			16,5 <i>of which :</i>
Non domestic channels	DSF	Commercial channel free to air	-
	DUNA TV	Public service	-
	EFIR 2	Please refer to Chap.I of the economic report of the concerned country	-
	France 2	Public service	-
	KANAL 1	Public service	-
	M6	Commercial channel free to air	-
	Mezzo	Commercial channel free to air	-
	MTV1	Public service	-
	MTV2	Public service	-
	MUZZIK	Commercial channel free to air	-
	ONYX	Commercial channel free to air	-
	PRO 7	Commercial channel free to air	-
	RAI1	Public service	-
	RAI2	Public service	-
	RAI3	Public service	-
	RTL	Commercial channel free to air	-
	RTL II	Commercial channel free to air	-
	RTP	Public service	-
	SAT 1	Commercial channel free to air	-
	SHOW	Commercial channel free to air	-
	STAR	Commercial channel free to air	-
	Super RTL	Commercial channel free to air	-
	TF1	Commercial channel free to air	-
	TV2	Please refer to Chap.I of the economic report of the concerned country	-
	TV3	Please refer to Chap.I of the economic report of the concerned country	-
	VH1	Commercial channel free to air	-
VIVA	Commercial channel free to air	-	
VOX	Commercial channel free to air	-	
ZDF	Public service	-	

TAB 3C

Adults

ROMANIA	Name	Status	2003
Average Rating Audience % TOTAL TV (1)			16,5
International channels	3 SAT	Please refer to Chap.I of the economic report of the concerned country	-
	Animal Planet	Commercial channel free to air	0,6
	ARTE	Public service	-
	AXN	Commercial channel free to air	-
	BBC WORLD	Commercial channel free to air	-
	Cartoon Network	Commercial channel free to air	0,6
	CNBC	Please refer to Chap.I of the economic report of the concerned country	-
	CNN	Commercial channel free to air	-
	Dicoverly Sience	Commercial channel free to air	-
	Discovery Civilisation	Commercial channel free to air	-
	Discovery TV	Commercial channel free to air	1,2
	EURO NEWS	Please refer to Chap.I of the economic report of the concerned country	-
	EUROSPORT	Commercial channel free to air	-
	FASHION TV	Commercial channel free to air	-
	Fox Kids	Commercial channel free to air	0,6
	Hallmark	Commercial channel free to air	-
	Minimax	Commercial channel free to air	0,6
	MTV Romania	Commercial channel free to air	0,6
	National Geographic	Commercial channel free to air	0,6
	NBC	Please refer to Chap.I of the economic report of the concerned country	-
	Pax TV	Commercial channel free to air	-
	Reality TV	Commercial channel free to air	-
	Romantica	Commercial channel free to air	-
	TRAVEL CHANNEL	Commercial channel free to air	-
	TV5	Public service	-
	TVE	Public service	-
TVR International	Commercial channel free to air	-	
Other channels	B1 TV	Commercial channel free to air	1,8
	Etno TV	Commercial channel free to air	1,2
	HBO	Pay TV (no advertising)	-
	National TV	Commercial channel free to air	0,6
	Realitatea TV	Commercial channel free to air	2,4
	Tele 7abc	Commercial channel free to air	1,2
	TV Sport	Commercial channel free to air	0,6
	TVKlumea	Commercial channel free to air	1,2
	Others	-	9,7
Total			100,0

(1) Definitions : Please, refer to Tab. 1 of this report
 Highlighted channels are covered in the economic report.

COMPARISON BETWEEN THE LEGAL AND THE ECONOMIC DATA

I. ADVERTISING IDENTIFICATION
(Article 10 Directive)

1. Identification of advertising from the programmes by optical and/or acoustic means

(Art.10.1 of the Directive)

The rules on identification of advertising are similar or even more restrictive than those contained in the Directive as the identification must be optic AND acoustic.

Average duration of advertising interruptions
(seconds - all day)

TAB 4A	Austria	Belgium NS	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Break durations (#sec) - Total	246	129	165	199	-	188	185	136	143	236	185
Break durations (#sec) of Public Channels	173	90	140	126	-	157	221	129	0	0	140
Break durations (#sec) of Private Channels	257	146	202	201	-	197	180	147	143	236	195
Break durations (#sec) of Pay TV(including advertising)	-	83	107	-	-	-	-	101	-	-	-

* weighted average (cf. introduction)

Note that Telepromotions are excluded of these figures and have an average duration of 88 seconds in Italy.

TAB 4B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Break durations (#sec) - Total	-	132	167	105	120	83	315	141	185
Break durations (#sec) of Public Channels	-	72	105	-	100	71	143	-	140
Break durations (#sec) of Private Channels	-	150	238	105	128	85	338	141	195
Break durations (#sec) of Pay TV(including advertising)	-	-	153	-	51	-	-	-	-

* weighted average (cf. introduction)

Note that Telepromotions are excluded of these figures and have an average duration of 88 seconds in Italy.

2. Isolated advertising and teleshopping spots

(Article 10.2 of the Directive)

"Advertising and teleshopping spots may be broadcast isolated only in extraordinary cases established as such by the [National Audio-Visual] Council." (// art. 10 §2 TVWF Directive)

Romanian regulation is more restrictive than the Directive.

Impact on commercial practices

Proportion of advertising interruptions under 60 seconds (all day)

TAB 5A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Total	-	27,4%	9,5%	13,5%	-	5,0%	7,5%	33,5%	20,6%	4,0%	12,8%
Public Channels	-	42,1%	9,7%	0,3%	-	7,0%	0,03%	29,6%	0,0%	0,0%	10,3%
Private Channels	-	20,9%	6,4%	13,9%	-	4,5%	8,7%	41,7%	20,6%	4,0%	13,3%
Pay TV (including advertising)	-	42,9%	25,3%	-	-	-	-	2,2%	-	-	-

* weighted average (cf. introduction)

Note that Telepromotions are excluded of these figures (Italy : 3% in public channels and 9% in privates channels).

TAB 5B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Total	-	25,2%	19,2%	2,0%	23,1%	47,4%	12,9%	12,0%	12,8%
Public Channels	-	49,9%	22,4%	-	24,4%	56,2%	27,0%	-	10,3%
Private Channels	-	17,6%	7,3%	2,0%	21,6%	46,0%	11,0%	12,0%	13,3%
Pay TV (including advertising)	-	-	28,6%	-	59,8%	-	-	-	-

* weighted average (cf. introduction)

Note that Telepromotions are excluded of these figures (Italy : 3% in public channels and 9% in privates channels).

The proportion of interruptions under 60 seconds is much higher in Romania than in the average EU. Almost half of the advertising insertions are less than 60 seconds long on private channels and more than half of the interruptions on public channels.

It should be noted that an interruption of 60 seconds is not an isolated spot, the average duration of a spot in Romania being of 27,1 seconds.

However, the rule limiting isolated spots seems to have no effect on the market.

The high proportion of short interruptions is due to an economic factor. The demand of advertisers being insufficient to make longer advertising breaks.

3. Subliminal advertising (Art. 10.3 Directive)

Subliminal advertising is prohibited in Romania

4. Surreptitious advertising (Art.10.4 Directive)

Surreptitious advertising is prohibited in Romania

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II. INSERTION PRINCIPLES (Art. 11 of the Directive)

Preliminary remarks

Figures in relation to the volume of advertising attributed to a type of programme (Film, Documentary, Series & Soaps, etc ...) include advertising inserted IN and BEFORE this type of programme. The term "insertion" is in conformity with article 11 of the Directive;

Insertion of advertising and teleshopping spots between and during the programmes (Art. 11. Directive)

Regarding the commercial broadcasters, the Romanian law states similar provisions to the ones of the Directive with the following differences (more restrictive than the Directive):

- Regarding programmes for children :
 - o The broadcasting of advertising for **medicines, vitamins, food supplements, nutrients and medical treatments** during programmes for children or during the advertising breaks before or following such programmes is forbidden.
 - o The broadcasting of advertising for any **slimming product or treatment or for the maintenance of the body weight** during programmes for children or during the advertising breaks before or after such programmes is forbidden.

- The public service broadcasters may only insert advertising and tele-shopping spots or self promotion **between** programmes.

Impact on commercial practices

Average number of interruptions per hour during and between the programmes

Methodological note :

The following average number of blocks per hour is calculated taking into account to the real number of hours broadcast, excepted during Prime Time. (Theoretical - Please, refer to Chapter II of the economical report of the concerned country).

Please, note that the data of table 7 and table 18 are calculated on a different panel of channels. For the net proportion of the advertising broadcast volume, please refer to table 18A.

TAB 7A - All Channels	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Duration of the interruptions All Day (#sec)	246	129	165	199	-	188	185	136	143	236	185
Number of interruptions per hour All Day	1,0	1,4	1,5	1,8	-	1,8	1,6	3,4	1,8	1,8	1,9
Duration of the interruptions Prime Time** (#sec)	-	183	174	212	-	205	225	132	163	261	198
Number of interruptions per hour Prime Time **	-	1,9	2,4	1,4	-	2,1	2,2	3,1	3,1	1,5	2,1

* weighted average (cf. introduction)

** Theoretical dayparts

TAB 7B - All Channels	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Duration of the interruptions All Day (#sec)	-	132	167	105	120	83	315	141	185
Number of interruptions per hour All Day	-	1,0	1,3	5,3	1,8	1,9	1,0	5,5	1,9
Duration of the interruptions Prime Time** (#sec)	-	162	174	125	129	98	378	147	198
Number of interruptions per hour Prime Time **	-	1,9	1,5	6,4	2,4	3,0	1,2	5	2,1

* weighted average (cf. introduction)

** Theoretical dayparts

TAB 7C - Public channels	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Duration of the interruptions All Day (#sec)	173	90	140	126	-	157	221	129	0	0	140
Number of interruptions per hour All Day	0,5	1,1	1,3	0,3	-	0,9	1,2	3,7	0	0	1,1
Duration of the interruptions Prime Time** (#sec)	-	133	157	0	-	168	278	127	0	0	159
Number of interruptions per hour Prime Time **	-	1,3	2,2	0	-	1,7	1,3	2,7	0	0	2,0

* weighted average (cf. introduction)

** Theoretical dayparts

TAB 7D - Public channels	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Duration of the interruptions All Day (#sec)	-	72	105	-	100	71	143	-	140
Number of interruptions per hour All Day	-	0,4	1,0	-	1,8	1,9	0,6	-	1,1
Duration of the interruptions Prime Time** (#sec)	-	93	101	-	132	91	193	-	159
Number of interruptions per hour Prime Time **	-	1,9	1,2	-	2,5	2,8	0,9	-	2,0

* weighted average (cf. introduction)

** Theoretical dayparts

TAB 7E - Private Channels	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Duration of the interruptions All Day (#sec)	257	146	202	201	-	197	180	147	143	236	195
Number of interruptions per hour All Day	1,2	2,0	1,7	2,0	-	2,4	1,7	4,2	2,4	1,9	2,2
Duration of the interruptions Prime Time** (#sec)	-	207	207	212	-	224	218	145	163	261	210
Number of interruptions per hour Prime Time **	-	2,5	3,3	1,6	-	2,5	2,4	4,0	3,9	1,5	2,5

* weighted average (cf. introduction)

** Theoretical dayparts

TAB 7F - Private Channels	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Duration of the interruptions All Day (#sec)	-	150	238	105	128	85	338	141	195
Number of interruptions per hour All Day	-	1,6	1,8	5,3	2,0	1,8	1,1	5,5	2,2
Duration of the interruptions Prime Time** (#sec)	-	215	293	125	132	99	406	147	210
Number of interruptions per hour Prime Time **	-	1,9	1,7	6,4	2,6	3,0	1,3	4,7	2,5

* weighted average (cf. introduction)

** Theoretical dayparts

Interruptions are much shorter in Romania than in the average EU on all channels (private and public) during All day as well as during Prime time. This is not due to regulatory restrictions but to economic factors. However, interruptions are more frequent than in the average EU especially during prime time. Although public broadcasters are not allowed to interrupt programmes, the number of interruptions (in its economic meaning, insertion) is more important than in the average EU of public channels.

Proportion of broadcasting volume and advertising investment by type of programmes

Children's programmes - All Day 2003

TAB 10A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	10,3%	6,0%	9,3%	4,9%	-	6,8%	14,6%	-	3,0%	7,7%	7,5%
Part in the global advertising investment	-	2,0%	-	-	-	3,3%	3,8%	-	-	8,8%	-

TAB 10B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	-	2,1%	9,0%	3,2%	15,5%	7,0%	5,1%	7,8%	7,5%
Part in the global advertising investment	-	0,1%	-	-	2,3%	0,7%	2,0%	2,7%	-

Documentary - All Day 2003

TAB 11A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	0,6%	3,3%	11,6%	11,6%	-	4,6%	2,6%	-	12,8%	15,9%	9,8%
Part in the global advertising investment	-	0,6%	-	-	-	2,9%	1,6%	-	-	18,1%	-

TAB 11B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	-	4,9%	1,4%	3,6%	10,0%	8,7%	3,1%	3,6%	9,8%
Part in the global advertising investment	-	0,9%	-	-	3,1%	1,4%	2,3%	4,4%	-

The proportion of broadcasting time of children programmes and documentary are similar to the European average. Regulation seems to have a direct impact on advertising in these programmes with a very low proportion of investment as in all Member States.

Entertainment and Music - All Day 2003

TAB 12A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	5,5%	11,1%	15,1%	10,8%	-	13,2%	22,5%	-	32,2%	7,5%	12,5%
Part in the global advertising investment	-	14,7%	-	-	-	33,7%	30,3%	-	-	8,5%	-

TAB 12B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	-	16,4%	13,3%	20,6%	12,0%	32,0%	15,0%	16,9%	12,5%
Part in the global advertising investment	-	21,8%	-	-	18,7%	26,9%	16,3%	18,7%	-

Romanian television offers an important proportion of “entertainment and music” which generates a quasi equivalent proportion of advertising investments.

Film, TV Films and Mini Series - All Day 2003

TAB 13A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	22,2%	17,7%	10,2%	11,9%	-	16,1%	4,3%	-	8,3%	13,0%	12,9%
Part in the global advertising investment	-	28,2%	-	-	-	17,4%	10,6%	-	-	14,9%	-

TAB 13B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	-	18,8%	17,9%	2,8%	17,9%	7,1%	14,0%	3,7%	12,9%
Part in the global advertising investment	-	30,7%	-	-	20,8%	23,3%	14,1%	3,8%	-

The proportion of broadcasting time of film is lower than in the EU average. However, advertising investments are three times higher than the broadcasting proportion although the rules on insertion during audiovisual works are identical to the rules of the Directive. It must be noted that for the purposes of these tables, advertising insertions preceding the programmes are taken into consideration.

Information (News, Flash and Info Magazines) - All Day 2003

TAB 14A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Countries Union*
Proportion of broadcasting volume vs total broadcasting	2,6%	12,4%	11,3%	6,8%	-	23,1%	9,4%	-	1,9%	13,4%	12,8%
Part in the global advertising investment	-	11,7%	-	-	-	18,3%	8,7%	-	-	15,2%	-

TAB 14B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	-	10,7%	7,6%	10,6%	5,9%	8,2%	22,3%	14,4%	12,8%
Part in the global advertising investment	-	6,1%	-	-	24,7%	17,7%	13,1%	8,0%	-

Here too, the proportion of broadcasting time is lower than the average EU although advertising investment are very high. It is remarkable that the level of advertising investments in these programmes is so high while being subject to rules equivalent to the Directive seems to have no impact on advertising.

Political, Religious, Philosophical, Unions programmes - All Day 2003

TAB 15A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	2,0%	1,4%	0,8%	0,5%	-	2,4%	3,2%	-	0,0%	0,0%	1,1%
Part in the global advertising investment	-	0,1%	-	-	-	0,6%	0,7%	-	-	0,1%	-

TAB 15B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	-	0,3%	4,7%	0,4%	2,3%	0,3%	3,6%	0,0%	1,1%
Part in the global advertising investment	-	0,0%	-	-	0,9%	0,1%	2,2%	0,0%	-

Series and Soap - All Day 2003

TAB 16A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	9,8%	18,7%	11,6%	11,5%	-	14,1%	8,0%	-	13,9%	5,1%	11,3%
Part in the global advertising investment	-	16,1%	-	-	-	15,4%	22,5%	-	-	5,8%	-

TAB 16B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	-	20,6%	5,2%	9,4%	13,5%	11,8%	11,6%	22,4%	11,3%
Part in the global advertising investment	-	26,0%	-	-	25,9%	15,4%	23,9%	37,5%	-

Sports - All Day 2003

TAB 17A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	1,9%	5,1%	3,1%	8,6%	-	3,5%	2,7%	-	8,4%	7,5%	5,6%
Part in the global advertising investment	-	2,3%	-	-	-	5,9%	7,1%	-	-	8,6%	-

TAB 17B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
Proportion of broadcasting volume vs total broadcasting	-	4,7%	11,3%	5,9%	7,9%	3,3%	1,6%	9,4%	5,6%
Part in the global advertising investment	-	5,7%	-	-	2,1%	3,9%	3,3%	22,5%	-

* *
*

III. QUANTITATIVE RESTRICTIONS (Art. 18 of the Directive)

1. Quantitative restrictions on advertising and teleshopping spots

The Romanian regulation stipulates similar provisions to the ones of the Directive, with the exception of the following : regarding the maximum daily transmission time devoted to advertising and teleshopping spots within a given clock hour, **public services broadcasters may not broadcast more than 8 minutes.**

Impact on commercial practices

Advertising time, Sponsoring time and Self-Promotion time proportions vs Total broadcasting time

TAB18A	Austria	Belgium N/S	France	Germany ⁽²⁾	Ireland	Italy	Netherlands	Spain ⁽¹⁾	Sweden	United Kingdom	European Union Countries* ⁽²⁾
Total Advertising time (out of sponsoring and self-promotion)	7,2%	4,5%	6,6%	6,2%	11,5%	9,2%	8,6%	6,8%	9,4%	12,3%	8,0%
Total Sponsoring time	-	0,2%	0,6%	2,1%	-	0,8%	-	0,4%	1,1%	-	1,1%
Self- promotion time	0,1%	3,1%	2,9%	0,1%	-	0,1%	3,5%	-	0,8%	0,0%	1,0%

(1) In some countries, total sponsoring proportion is estimated and could contain house style's logos of advertising breaks.

(2) Germany : the percentage of sponsoring includes infomercials, humanitarian and public interest campaigns (broadcast free of charge or against important discount).

30% of the sponsoring time is equal to the standard definition of the sponsoring (billboards); therefore the estimate of the net volume of sponsorship in Germany would generate an EU average of 0,6%

* weighted average (cf. introduction)

TAB18B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*(2)
Total Advertising time (out of sponsoring and self-promotion)	-	3,6%	6,1%	11,7%	6,0%	4,3%	6,3%	17,4%	8,0%
Total Sponsoring time	-	0,2%	-	5,0%	0,1%	0,4%	0,2%	3,4%	1,1%
Self-promotion time	-	0,1%	9,2%	0,0%	5,8%	5,0%	5,0%	3,4%	1,0%

In line with the other “applicant countries”, the proportion of advertising and sponsorship is lower than in the EU in average. Self promotion is significantly more important than in the EU average. This could be explained by the low proportion of advertising.

2. Quantitative restrictions on teleshopping programmes

The Romanian regulation stipulates similar provisions to the ones of the Directive.

Impact on commercial practices:

Proportion of teleshopping programmes vs Total broadcasting

Romania is one of the countries where the proportion of teleshopping is lower than the EU average.

TAB 19 A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
% in total broadcasting time	3,9%	5,0%	1,1%	3,5%	-	0,8%	11,6%	1,3%	0,0%	0,0%	1,9%

* weighted average (cf. introduction)

TAB 19 B	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*
% in total broadcasting time	-	6,2%	3,3%	1,6%	2,2%	1,1%	1,3%	0,6%	1,9%

IV. SPONSORSHIP (Art. 17 of the Directive)

Romanian law provides the same provisions as the ones of the Directive with the following differences:

- It is allowed to mention the **name or the trademark** of the sponsor **during** the sponsored programme (and not only at the beginning or at the end).
- Programmes that will affect the sponsored activity, public mores, public order and public peace cannot be sponsored.
- The producers and distributors of medicines, vitamins, food additives, nutritional aids, nutritional supplements and medical treatments are forbidden.

The Romanian law explicitly **prohibits the showing / mentioning / description of products or services offered as prizes** during contests shows, except for their brand and price (+ Directive).

The Romanian law provides a tax on sponsoring.

Impact on commercial practices

Proportion of sponsorship broadcasting time and Part of investment relating to sponsorship vs Total advertising and Sponsoring

TAB 20	Austria	Belgium N/S	France	Germany (1)	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries* (1)
% of sponsorship broadcasting time	-	3,6%	8,7%	25,2%	-	8,3%	-	3,8%	10,4%	-	12,6%
% of sponsorship investment vs Total	-	6,9%	12,2%	6,9%	-	11,7%	-	5,3%	-	-	9,0%

(1) Germany : in this percentage are also included infomercials and humanitarian and public interest campaigns broadcast free of charge or against important discount.

30% of the sponsoring time is equal to the standard definition of the sponsoring (billboards); therefore the estimate of the net volume of sponsorship in Germany would generate an EU average of 7,3%

* weighted average (cf. introduction)

TAB 21	Canada E/F	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	European Union Countries*(1)
% of sponsorship broadcasting time	-	5,2%	-	29,9%	1,4%	9,2%	3,0%	16,0%	12,6%
% of sponsorship investment vs Total	-	1,9%	-	7,6%	3,6%	3,8%	1,4%	17,3%	9,0%

* weighted average (cf. introduction)

In Romania, the proportion of sponsorship broadcasting time is higher than in the European average if you exclude Germany. However, the proportion of investments related to sponsorship is less than the half of the broadcasting time. The tendency is the opposite in most of the other studied countries where sponsorship is expensive.

V. NEW ADVERTISING TECHNIQUES

Splitscreen, interactive and virtual advertising are not regulated under Romanian regulation..

Splitscreen

In 2003, the splitscreen was not used in Romania

TAB 22A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	UK
Used or not	Y	N	N	Y	N	N	Y	Y	Y	Y
Measured	N	-	-	Y	-	-	N	*	N	N

* Measured as Advertising Spots

TAB 22B	Canada E/F	Czech Rep.	Hungary	Japan	Poland	Romania	Turkey	USA
Used or not	Y	Y	Y	N	N	N	Y	N
Measured	N	*	N	-	-	-	Y	-

* Measured as Advertising Spots

VI. GENERAL PRINCIPLES ON ADVERTISING AND TELESHOPPING CONTENT

(Article 12 of the Directive)

The Romanian law contains similar provisions to the ones of the Directive. It also provides other restrictions such as:

- Any form of promotion for products or services which suggests to the public or incites the public to renounce to other similar or comparable products/services on the grounds that the latter has become useless or improper to use is prohibited.
- Any form of advertising which suggests to the public to give up using fruit and basic natural food is prohibited.
- There are restrictions regarding the persons who present the news on a regular basis: advertising and teleshopping may not refer verbally and visually to persons who present the news on a regular basis.

It is important to note that while article 12 of the Directive only covers advertising and teleshopping spots, the Romanian law also covers self-promotion advertising.

The impact of these rules on content cannot be measured on an economic basis.

VII. SPECIFIC PRODUCTS AND TARGETS **(Articles 13, 14, 15 and 16 of the Directive)**

Tobacco	= Directive (prohibition)
Medicines available on prescription	= Directive (prohibition)
Medicines (other)	+ Directive Subject to rules on content (caselaw) - Directive (teleshopping for medicines without prescription is permitted)
Vitamins, food supplements, nutrients, .	+ Directive also subject to rules on content
Alcohol	= Directive + no advertising/sponsoring for distilled alcoholic beverages during TV shows between 6 am and 10 pm
Minors	= Directive + rules on advertising for alcoholic beverages, medicines aimed in relation to minors

VIII. GENERAL OBSERVATIONS

TAB 24A	Austria	Belgium N/S	France	Germany	Ireland	Italy	Netherlands	Spain	Sweden	United Kingdom	European Union Countries*
Total Media Investments (000 €)	2.160.947	2.137.479	15.900.000	17.157.223	537.000	25.600.000	4.044.066	12.079.033	1.611.087	11.986.590	106.902.530
Total TV Invest. (000 €)	463.085	945.281	6.070.563	7.443.792	207.716	9.140.000	2.066.192	6.773.889	382.283	5.237.400	37.370.852
Average part of TV Invest.*	21,4%	44,2%	38,2%	43,4%	38,7%	35,7%	51,1%	56,1%	23,7%	43,7%	35,0%
Average part of Top 5 TV vs Total TV Invest.*	85,8%	94,7% N 97,0% S	91,9%	78,8%	98,9%	74,4%	70,1%	82,6%	100,0%	81,3%	84,4%
Average Top 5 Audience Share*	62,4%	65,6% N 43,4% S	85,3%	40,2%	56,7%	79,4%	52,1%	79,5%	46,4%	35,2%	60,5%
Adults population universes	6.505.800	8.256.000	45.660.000	63.036.553	3.010.000	49.540.000	13.308.000	34.588.000	7.235.000	46.663.000	277.802.353
GDP (mo €)	226.142	267.480	1.557.245	2.128.200	134.786	1.300.926	454.276	743.046	267.297	1.589.468	8.668.867
Average Total Media Invest. / GDP*	0,96%	0,80%	1,02%	0,81%	0,40%	1,97%	0,89%	1,63%	0,60%	0,75%	1,23%
Average Total TV Invest. / GDP*	0,20%	0,35%	0,39%	0,35%	0,15%	0,70%	0,45%	0,91%	0,14%	0,33%	0,43%
Average Adv. Invest. / inhab.	332,2	258,9	348,2	272,2	178,4	516,8	303,9	349,2	222,7	256,9	384,8
Average TV Adv. Invest. / inhab.* (€ per year)	71,2	114,5	133,0	118,1	69,0	184,5	155,3	195,8	52,8	114,7	134,5

TAB 24B	Canada	Czech Republic	Hungary	Japan	Poland	Romania	Turkey	USA	Applicant countries	Countries Outside EU	All Countries Observed
Total Media Investments (000 €)	4.273.026	1.056.282	1.460.785	42.573.909	2.416.794	1.358.000	8.666.904	107.030.038	14.958.765	153.876.973	275.738.268
Total TV Invest. (000 €)	1.783.930	508.937	956.867	14.590.520	1.437.035	1.143.817	6.472.230	72.045.904	10.518.887	88.420.354	136.310.092
Average part of TV Invest.*	41,7%	48,2%	65,5%	34,3%	59,5%	84,2%	74,7%	67,3%	70,3%	57,5%	49,4%
Average part of Top 5 TV vs Total TV Invest.*	79,0%	99,8%	100,0%	56,8%	94,6%	92,8%	73,9%	25,3%	82,5%	31,6%	50,0%
Average Top 5 Audience Share*	40,8% English	93,6%	80,5%	77,5%	79,5%	69,7%	59,2%	41,4%	72,1%	50,8%	57,7%
Adults population universes	24.268.903	8.453.632	7.799.734	84.801.171	30.514.000	16.222.000	33.848.233	211.400.000	96.837.599	320.470.074	695.110.026
GDP (mo €)	768.969	80.097	73.213	3.800.189	185.176	50.352	212.268	9.727.723	601.106	14.296.881	23.566.853
Average Total Media Invest. / GDP*	0,56%	1,32%	2,00%	1,12%	1,31%	2,70%	4,08%	1,10%	2,49%	1,08%	1,17%
Average Total TV Invest. / GDP*	0,23%	0,64%	1,31%	0,38%	0,78%	2,27%	3,05%	0,74%	1,75%	0,62%	0,58%
Average Adv. Invest. / inhab.	176,1	125,0	187,3	502,0	79,2	83,7	256,1	506,3	154,5	480,2	396,7
Average TV Adv. Invest. / inhab.* (€ per year)	73,5	60,2	122,7	172,1	47,1	70,5	191,2	340,8	108,6	275,9	196,1

* weighted average (cf. introduction)

Brussels, June 2005.