

LAW no. 186 of 9th May, 2003 on supporting and promoting written culture ^{*)} – Republished

CHAPTER I: General provisions

Article 1

- (1) This law regulates the legal framework for supporting and promoting written culture.
- (2) For the purpose of the present law, written culture represents the reference domain containing books, magazines and other publications that are by nature literary and artistic, technical and scientific, and that are edited on any type of support.

Article 2

The provisions of the present law relate to the creation, editorial and typographical production, distribution and promotion of written culture.

Article 3

The present law does not apply to publicity information prints, fashion, interior decorations and sport publications, television and radio information publications, dailies or periodicals that are not connected to the reference domain provided for in Article 1, almanacs, horoscopes, calendars, pornographic, gambling and crossword puzzle publications.

CHAPTER II: Measures designed to support written culture

Article 4

- (1) The central and local public administration authorities and public institutions, by themselves or in partnership, may provide partial or total financial support for the editing of publications in the category provided for in Article 1.
- (2) Establishing the publications that will enjoy financial support is conducted through offers selection based on the suggestions of the commissions that are established to that very end by the authorities or public institutions mentioned in paragraph (1); the offers are made by publishing houses and the editorial staff of publications.
- (3) In the towns or villages where an ethnical minority surpasses 20 percent of the population, the commissions established by the local authorities, in accordance with the provisions of paragraph (2), will also be made up of representatives of that minority.
- (4) Funds designed to financially support the editing of books, magazines and other publications in the category provided for in Article 1 may distinctly exist within the budgets of the central and local public administration authorities, and of the public institutions.
- (5) The sums that represent the financial support may cover partially and even totally the editing costs and the copyright.

Article 5

- (1) The unreimbursable financing for the editing of publications in the category provided for in Article 1, through state order, will be ensured from the budget of the Administration of the National Cultural Fund, which is a public institution and a legal person, is subordinated to the Ministry of Culture and Religious Affairs, and functions in accordance with the law.

(2)The priorities of the state order will be to accomplish encyclopedias, compendiums, dictionaries, atlases, critical editions on the Romanian and foreign classical writers, definitive author editions, literary debut and children's literature.

(3)The funds needed to ensure the financing in paragraph (1) are distinctly planned for that purpose within the budget of the Administration of the National Cultural Fund.

Article 6

(1)Granting the unreimbursable financing, in accordance with Article 5 is conducted through offers selection, based on the suggestions of the evaluation and selection commission that is established to that end.

(2)The commission mentioned in paragraph (1) is organized and functions under the coordination by the Administration of the National Cultural Fund, under the law.

Article 7

(1)The central and local public administration authorities and the public institutions may allot financial resources for the acquisition of books and subscriptions to magazines in the category provided for in Article 1, for the benefit of the libraries that are subordinated to them.

(2)The suggestions regarding the acquisition of books and subscriptions to magazines are made by the evaluation and selection commissions that are established to that end by the authorities and public institutions mentioned in paragraph (1).

(3)In the towns or villages where an ethnical minority surpasses 20 percent of the population, the commissions established by the local authorities, in accordance with the provisions of paragraph (2), will also be made up of representatives of that minority.

(4)The budgets of the central and local public administration authorities and of the public institutions may contain separate funds for the acquisition of books and publications, for the benefit of the libraries that are under their subordination or authority.

Article 8

(1)The Ministry of Culture and Religious Affairs conducts the National Program for the acquisition of books and subscriptions to magazines in the category of written culture, with a view to enhance and update the collections in the public libraries that are subordinated to the local or county councils.

(2)The books and subscriptions to magazines that will be acquired in compliance with paragraph (1) are selected by a commission that is established to that very end.

(3)The commission mentioned in paragraph (2) is organized and functions under the authority of the Ministry of Culture and Religious Affairs and is made up of independent specialists and experts, including representatives of the national minorities, who are appointed for each session of offers selection by order of the Minister of Culture and Religious Affairs.

(4)The commission proposes, with the majority of the present members' votes, the titles and subscriptions to magazines to be acquired, which will be analyzed for approval by the Minister of Culture and Religious Affairs.

(5)When formulating the proposals, the commission will take into consideration the quality and number of the collections already existing in the public libraries that are under the authority of the local and county councils, as well as the resources that these authorities yearly allot for the acquisition of books and subscriptions.

(6)The commission receives and analyzes the complaints formulated on the offers selection and makes suggestions to the Minister of Culture and Religious Affairs.

Article 9

The financial resources needed to conduct the program provided for in Article 8(1) are made up of budgetary allocations, distinctly designed for that purpose in the budget of the Ministry of Culture and Religious Affairs, as well as of the funds established in accordance with Article 23.

Article 10

The central and public administration authorities and the public institutions may award, for the accomplishment of projects in the domain of written culture, scholarships and grants for studies and travel in the country and abroad.

Article 11

(1) The Romanian Cultural Institute, other public institutions and the central and local public authorities, by themselves or in partnership, may grant financial support for the translation and/or editing abroad, of a number of publications in the category in Article 1.

(2) The value of the financial support provided for in paragraph (1) may include the partial or total payment of the copyright and of the translation/editing costs.

Article 12

(1) The scholarships and grants provided for in Article 10 and the financial support provided for in Article 11(1) are awarded based on the proposals formulated by commissions that are established to that very end by the financing authorities or public institutions.

(2) In the towns or villages where an ethnical minority surpasses 20 percent of the population, the commissions established by the local authorities, in accordance with the provisions of paragraph (1), will also be made up of representatives of that minority.

Article 13

(1) The Commission for the promotion abroad of the national written culture will be established and it will function under the authority of the Romanian Cultural Institute.

(2) The commission provided for in paragraph (1) will be established taking into account various domains and will be made up of independent specialists and experts.

(3) The members of the commission provided for in paragraph (1) are appointed by order of the chairman of the Romanian Cultural Institute.

(4) The regulations governing the organization and functioning, the work procedures and the assignments and capacities of the commission provided for in paragraph (1) are established by order of the chairman of the Romanian Cultural Institute.

CHAPTER III: Distribution and promotion

Article 14

The distribution of the publications in Article 1 is ensured on Romania's territory by the National Company the "Romanian Post", at 50 percent of the price of the distribution of prints.

Article 15

(1) In order to promote publication editing, the budget of the Ministry of Culture and Religious Affairs may distinctly contain funds to support the organization of festivals, fairs, saloons, book, press and multimedia exhibitions, in the country, including by cooperating with editors' and distributors' organizations and with creators' unions recognized as legal persons with public usefulness.

(2) The Romanian Cultural Institute, by itself or in partnership with the Ministry of Culture and Religious Affairs, as well as with editors' and distributors' organizations and creators' unions recognized as legal persons with public usefulness, may support the organization abroad of events of the type provided for in paragraph (1).

(3) In order to organize abroad festivals, fairs, saloons, book, press and multimedia exhibitions, the budget of the Romanian Cultural Institute and that of the Ministry of Culture and Religious Affairs may distinctly contain funds designed for this particular purpose.

(4) The Ministry of Education and Research may financially support the organization of events of the type provided for in paragraphs (1) and (2), by itself or in partnership with the Ministry of Culture and Religious Affairs, or with the Romanian Cultural Institute.

Article 16

(1) If, at a fair organized abroad, Romania is represented only by the editors' and distributors' organizations and creators' unions recognized as legal persons with public usefulness, the Ministry of Culture and Religious Affairs and the Romanian Cultural Institute may contribute, with the funds provided for in Article 15(1) and (3), to the arranging of the stall.

(2) The Ministry of Culture and Religious Affairs, or the Romanian Cultural Institute, as the case might be, may allow, in compliance with the law, the events provided for in paragraph (1) to be organized, in the country or abroad, by editors' and distributors' organizations or by creators' unions recognized as legal persons with public usefulness, while granting, to that end, the necessary financial support.

Article 17

The Ministry of Culture and Religious Affairs and the Romanian Cultural Institute also cover, on the occasion of festivals, fairs, saloons and international exhibitions, organized in accordance with Article 15(2) and Article 16, the participation and promotion costs.

Article 18

The Romanian Government may decree, through governmental decision, that certain events in the category provided for in Article 15 be designated of national or international interest, as the case might be, and financially support their organization and unfolding.

Article 19

The budgets of the Ministry of Foreign Affairs, Ministry of Education and Research and the Romanian Cultural Institute may distinctly contain funds designated for the acquisition and dispatching of the publications provided for in Article 1 to libraries of the Romanian communities, Romanian cultural institutes, and of the Romanian language and civilization lectorates abroad.

Article 20

(1) The Romanian Radio Broadcasting Corporation and the Romanian Television Corporation broadcast, at least once a week, a programme that promotes the publications provided for in Article 1.

(2) The Romanian Radio Broadcasting Corporation and the Romanian Television Corporation grant at least 1 percent of the advertisement time to the promotion of the publications provided for in Article 1, discounting 75 percent of the price of commercial publicity.

Article 21

The authorities of the local public administration offer a 50 percent discount on the charge for the rent of the commercial spaces exclusively designed for the distribution of the publications provided for in Article 1, as well as of the spaces designed for their advertisement.

CHAPTER IV: Fiscal issues

Article 22

(1) The costs of the editing abroad of publications in the category provided for in Article 1, in compliance with the present law, will be paid in the currency of the country where the editing is accomplished.

(2) In the situation provided for in paragraph (1), the authority of the financing public administration or, as the case might be, the financing public institution, may make an advance payment of up to 30 percent of the value of the contract, in accordance with the law.

Article 23

(1) The National Company the "Romanian Lottery " gives 0.4 percent of its net profit for the acquisition of the publications mentioned in Article 1 and designed for public libraries, and also for offering vouchers to users in the public libraries: pupils, students, persons with a monthly income that is lower than the minimum salary in the country, and to blind and deaf-mute people, for them to buy publications in the category provided for in Article 1.

(2) The fund resulted in compliance with paragraph (1) will be administered by the Ministry of Culture and Religious Affairs, through its specialized directorate, which also ensures the distribution of the vouchers in the public libraries.

CHAPTER V: Transitional and final provisions

Article 24

The regulations governing the organization and functioning and the work procedures of the commissions provided for in Article 4(2), Article 7(2), Article 8 and Article 12 are established by order or resolution of the central or local public authority or through decision by the head of the financing public institution, as the case might be.

Article 25

(1) The editors have the obligation to print, for the entire number of copies, the standard international number corresponding to the type of publication.

(2) The editors have the obligation to print on each copy of the publication the CIP description given by the National Library of Romania.

(3) The editors have the obligation to print the bar code on their publications, within one year since the coming into force of the present law, and to ensure the use of the bar code in the computerized record of the sales and administration.

Article 26

Beginning with the school year 2003 - 2004, the Ministry of Education and Research will introduce the types of schooling and the necessary subjects within the domains of editing, printing, distributing and promoting publications.

Article 27

As an exception to Article 11(3) of Law no. [550/2002](#) on selling the shops owned by the state and the locations where service is operated, which are administered by the county councils or the local councils, as well as those that are owned by the autonomous structures of local interest, with its subsequent amendments and supplements, the instalment selling of the bookshops may be approved to the same buyer for several shops.

Article 28

(1) Breaking the provisions of Article 25 is an offence for which the penalty is a fine ranging from 5,000 to 10,000 RON.

(2) Noticing the offences and slapping fines is done by the employees of the National Library of Romania and by other specialists authorized for this purpose by order of the Minister of Culture and Religious Affairs.

(3) The limits of the fines provided for in paragraph (1) are updated through governmental decision.

(4) The offences mentioned in paragraph (1) are dealt with according to the general regime provided for in the Governmental Ordinance no. [2/2001](#) on the judicial regime of offences, which was approved with a number of amendments and supplements through Law no. [180/2002](#), with its subsequent amendments and supplements.

(5) The sums thus collected will represent an income to the budget of the National Cultural Fund and will become unreimbursable funds for financing the editing of publications in the category provided for in Article 1(2).

Article 29

At the moment when the present law comes into force, any contrary provisions will be abrogated.

Article 30

The provisions of the present law adequately supplement:

a) The provisions of Law no. [356/2003](#) on the establishment, organization and functioning of the Romanian Cultural Institute, published in the Official Gazette of Romania, Part I, no. 529 of 23rd July, 2003, with its subsequent amendments and supplements;

b) The provisions of the Governmental Ordinance no. [42/2000](#) on improving the financing of programs, projects and actions of sector development in the cultural domain ^{**)} , published in the Official Gazette of Romania, Part I, no. 39 of 31st January, 2000 and approved with amendments through Law no. [293/2001](#).

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