

Legal Bulletin

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Legal Bulletin

Civil Procedure

Name of the enactment	Law No. 76/2012 implementing Law No. 134/2010 of the Civil Procedure Code (“ Law No. 76/2012 ”)
Publication	Official Gazette of Romania, Part I, No. 365 of 30 May 2012
Entry into force	1 September 2012
Connections with other enactments	<ul style="list-style-type: none">• Law No. 134/2010 regarding the Civil Procedure Code (the “Civil Procedure Code”);• Law No. 202/2010 regarding certain measures for accelerating the settlement of litigation procedures (“Law No. 202/2010”);• Law No. 278/2009 regarding the Civil Code (the “Civil Code”).
Main provisions	<p>Law No. 76/2012 is intended to harmonize the existing civil procedure laws with the provisions of the new Civil Procedure Code, and to settle the conflict of laws arising out of the entry into force thereof.</p> <p>Law No. 76/2012 is structured into 5 titles, which reflect the objectives of this enactment:</p> <ul style="list-style-type: none">• Title I includes the general provisions of Law No. 76/2012;• Title II includes a set of general rules regulating issues of the essence to a unitary implementation and consistency of the civil procedure regulation;• Title III includes rules aimed at amending certain provisions of the new Civil Procedure Code;• Title IV includes provisions designed to amend certain special laws, with a view to adapting them to the new Civil Procedure Code;• Title V includes the final provisions of Law No. 76/2012, and also details the legal provisions that are repealed, and the effective date of the new Civil Procedure Code, <i>i.e.</i> 1 September 2012. <p>The primary amendments in civil procedure matters are as follows:</p> <ul style="list-style-type: none">• Amendments concerning the set of relations governing the civil

procedure law

- Replacement of the current principle of applying immediately the new procedure rules with the principle according to which the provisions of the new civil procedure law shall apply only to trials and enforcements initiated subsequent to the entry into force thereof;
 - Legal regulation of the principle according to which the new Civil Procedure Code shall apply in all cases in which the special laws fail to include provisions on the trial procedure, type of court's decision or means of appeal and time to exercise an appeal;
 - Regulation of the system of enforcement orders (judgments and other writs) issued prior to the entry into force of the new Civil Procedure Code, which may be enforced after this date even if not vested with enforcement power;
 - Elimination of inconsistencies and terminological harmonization of civil procedural laws.
- Major amendments of the Civil Procedure Code:
 - Granting jurisdiction to district courts over the claims given by the Civil Code to the court of tutorship and family, unless otherwise provided by law;
 - Settlement of the claims dealing with pecuniary receivables of up to 2,000 Lei by the judges that settle such claims in first and last instance – a solution taken over from Law No. 202/2010;
 - Amending the conditions surrounding the raising of the non - jurisdiction plea of private interest and of the plea for lack of public interest jurisdiction on subject and territorial matters. Thus, the lack of subject-matter and territorial jurisdiction of a public interest shall have to be raised by the parties or the judge on the first hearing to which the parties are dully summoned in first instance;
 - Extending the deadlines required within the written stage of the trial. Consequently, the deadlines provided under Article 196 (1) thesis II, (3) and (4) of the new Civil Procedure Code for

submitting the statement of defence (20 days) and for setting the first hearing (20 days) were extended to 25 and 60 days, respectively;

- Establishing the obligation that the court cases list include the hourly time scales set for the call of the cases;
- Regulating the judge's possibility to stay the judgment, should the plaintiff fail to meet the obligations established during the trial (a solution existing on a *de lege lata* basis, but not previously regulated);
- Referring the case for retrial may be done only once, in cases when judgments are set aside by courts, other than the supreme court – a solution taken over from Law No. 202/2010;
- Regulating the possibility of separately challenging by way of action for annulment the arbitral tribunal's orders staying the course of arbitration, ordering pre-trial or provisional measures or dismissing as inadmissible the request for referral to the Constitutional Court with respect to the constitutionality of a legal provision;
- Regulating the possibility that, in certain cases when the arbitral award is annulled, the court of appeal may refer the case for retrial to the arbitral tribunal, should at least one of the parties expressly require so;
- Eliminating the procedure of rendering enforcement titles enforceable;
- Eliminating the request for rendering the arbitral award enforceable. According to Law No. 76/2012, the arbitral award is a writ of enforcement and is enforced as any other judgment;
- Eliminating the creditworthiness condition for the persons participating in a tender for enforced assets;
- Increasing to 10,000 Lei the limit amount up to which the immovable assets of the debtor may not be subject to forced sale, and regulating the scenarios (primarily triggered by the debtor's bad-faith) in which the court bailiff may initiate the enforcement on immovable assets, even if the receivable is not

in excess of 10,000 lei;

- Establishing the optional nature of the stay of the release or, distribution of the amounts generated by the enforcement on the awarded immovable asset, as the case may be;
- Establishing a new one-year statute of limitations for the action of the evicted adjudicator that cannot satisfy his claims from the debtor, against the creditor which has paid the adjudication price. The statute of limitations shall start running on the date the enforcement against the debtor ceased for the lack of enforceable assets or impossibility to capitalize such assets;
- Eliminating the suspensive effect of filing appeal against the order whereby the enforcement court settles the challenge concerning the plan of distributing the amounts generated by the sale of the enforced assets;
- Supplementing the provisions on the recovery by the debtor of the immovable asset he was evicted from or he had to give to the creditor, by establishing certain additional sanctions against the person ignoring the completion of the judgment's enforcement;
- Replacing the civil fine that could be ordered by the court in case of failing to meet a non-pecuniary obligation and establishing a penalty in favour of the creditor, as an efficient method of forcing the debtor to actually comply with such obligation;
- Exempting the creditor from the obligation to detail in the bank garnishment request, the third-party garnishees in respect of which the garnishment is requested.

Author

maxim.dogoter@tuca.ro

Employment

Name of the enactment

Government Emergency Ordinance No. 19/2012 approving certain measures intended to recover salary cuts ("GEO No. 19/2012")

Publication

Official Gazette of Romania, Part I, No. 340 of 18 May 2012

Entry into force

18 May 2012

Main provisions

- Law No. 118/2010 on certain measures required to restore budgetary

balance, as amended and supplemented ("**Law No. 118/2010**");

- Law No. 63/2011 on the employment and pay of teaching and auxiliary teaching staff in 2011, as amended ("**Law No. 63/2011**");
- Framework Law No. 284/2010 on unitary pay of staff receiving payment from public funds, as amended ("**Framework Law No. 284/2010**");
- Government Emergency Ordinance No. 80/2010 supplementing Article 11 of Government Emergency Ordinance No. 37/2008 on the regulation of certain financial measures in the budgetary sector ("**GEO No. 80/2010**").

GEO No. 19/2012 was passed in consideration of Constitutional Court Decision No. 872/2010 on the objection concerning the unconstitutionality of the provisions of Law No. 118/2010, whereby such court maintains that the measure to limit certain rights of the budgetary staff may be of a temporary nature only, and that the initial band of such rights shall have to be restored.

- Main provision

GEO No. 19/2012 regulates the two-stage increase of the gross amount of the salary rights and/or other pecuniary compensations awarded to certain staff categories, as follows:

- Increase stages and percentages:
 - By 8%, starting from 1 June 2012, as compared to the pay band in May 2012;
 - By 7.4%, starting from 1 December 2012, as compared to the pay band in November 2012.
- Staff categories benefiting from the increase:
 - Staff receiving payment from public funds;
 - Teaching and auxiliary teaching staff, to be established in accordance with Law No. 63/2011;
 - Staff working in public authorities and institutions fully financed from own income, subordinated to, controlled or coordinated by the Prime Minister, or those under the control of the Parliament, that, in 2012, has the salaries established according to Article 4 (3) of Article II of GEO No. 80/2010;

- The staff listed under letter c) above, whose collective bargaining agreements cease to be valid subsequent to 18 May 2011;
 - The staff working in public authorities and institutions, regardless of their financing method, in terms of the amount of the rights provided under Article 2 (1) letters a) and b), (4) and Article 13 letters b) and c) of Law No. 118/2010;
 - The staff working in public authorities and institutions, regardless of their financing method, in terms of the amount of the rights provided under Article 14 of Law No. 118/2010;
 - The staff working in public authorities and institutions, regardless of their financing method, in terms of the amount of the rights provided under Article 2 (1) letter d) of Law No. 118/2010;
 - Non-clerical staff working in units belonging to Romanian religious cults.
- Rights subject to increase. Conditions for implementation:
 - As to the staff listed under letters a), b), c), d) and e) above, it is increased:
 - The gross amount of the basic salaries/military pays related to basic positions/salaries related to basic positions/employment allowances;
 - Amount of increase, allowances, compensations and other items of the pay bands, according to law, of the gross salary (inasmuch as the staff carries out its activity under the same conditions).
 - As to the staff listed under letter f) above, the amount of the rights listed under Article 14 of Law No. 118/2010 is increased;
 - As to the staff listed under letter g) above, the amount of the rights listed under Article 14 of Law No. 118/2010 is increased;
 - As to the staff listed under, letter h) above, the monthly contribution is increased.

The rights enjoyed by such categories of staff shall be applied the increase percentages, as per item 1 above, **save for** the staff provided under item 2, letter f), that shall benefit from a 2.3% increase.

In certain cases, the lawmaker requires certain **limitations** of the amount of such rights.

- Exemptions from the increase applicability

Public institution staff falling under the scope of Framework Law No. 284/2010, as amended, whose salary income was not decreased according to **Law No. 118/2010**.

- Other relevant provisions

The possibility of awarding certain prizes to certain categories of persons (athletes, technical staff, students and teachers educating them), in case extraordinary international results/performances are achieved is regulated.

Author

laura.giurgiuman@tuca.ro

Foreign Exchange Regime

1 Amendments Brought to NBR Regulation No. 4/2005 on Foreign Exchange

Name of enactment

Regulation of the National Bank of Romania (NBR) No. 6/2012 amending and supplementing NBR Regulation No. 4/2005 on the foreign exchange regime, and repealing NBR Rule No. 4/2005 on the performance of foreign exchange operations ("**NBR Regulation No. 6/2012**")

Publication

Official Gazette of Romania, Part I, No. 341 of 19 May 2012

Entry into force

19 May 2012

Connections with other enactments

NBR Regulation No. 4/2005 on the foreign exchange regime ("**Regulation on foreign exchange**")

Main provisions

NBR Regulation No. 6/2012 brings certain clarifications and amendments on the currency in which payments, collections, transfers and other operations are to be made.

First of all, payments, collections, transfers and other such operations arising out of sales of goods and service provision between residents, irrespective of the legal relationship regulating them, shall be carried out solely in the national currency (leu), save for the operations provided under Appendix No. 2 «Categories of residents that may carry out operations in foreign currency», which may be carried out in foreign currency as well. As for the legal persons' category, it is mentioned that such persons may perform operations in foreign currency to other residents in connection with the payments made to providers and sub-providers, related to goods and services falling under the scope of exported

products, *i.e.* contribute to the performance of the exported services.

Payments, collections, transfers and other such operations between residents arising out of the remuneration of the work performed, irrespective of the legal relationship regulating the same, shall be carried out solely in the national currency (leu).

All the other operations between residents which fall outside the scope of the two rules above may be freely performed either in the national currency (leu), or foreign exchange.

In addition, the term of foreign currency market is redefined as the market on which foreign exchange is carried out and includes the interbank market for foreign exchange and foreign exchange market of the entities authorized to carry out foreign exchange activities.

Repealed enactments

NBR Rule No. 4/2005 on the performance of foreign exchange operations

2 Permitting and/or Registering Entities Performing Foreign Exchange Activities

Name of enactment

Order of the Ministry of Public Finance No.664/2012 on permitting and/or registering entities performing foreign exchange activities on the territory of Romania, other than entities that are being supervised by the National Bank of Romania ("**Order No. 664/2012**")

Publication

Official Gazette of Romania, Part I, No. 341 of 19 May 2012

Entry into force

19 May 2012

Main provisions

Order No. 664/2012 approved the following enactments:

- Regulation for the organization and operation of the Committee permitting the foreign exchange activity, hereinafter referred to as the Committee;
- Criteria on permitting and/or registering entities performing foreign exchange activities on the territory of Romania;
- Documents required to be granted the permit for foreign exchange/statistical code related to the foreign exchange unit;
- Documents required to verify the conditions of functionality of the premises proposed for registration of the foreign exchange unit;
- The template permit for the entities carrying out foreign exchange

activities on the territory of Romania;

- The template letter for the award of the sole statistical code for each foreign exchange unit of the entities carrying out foreign exchange activities on the territory of Romania;
- The template findings note regarding the evidence attesting to the observance of the premises functionality requirements.

As per the abovementioned enactments, the foreign exchange activities for individuals on the territory of Romania may be carried out in observance of the legal requirements applicable solely by the following categories of units:

- Currency exchange offices, organized as business companies, having as main line of business foreign exchange activities for individuals NACE Code 6612 – Financial intermediation activities – activities of the foreign exchange offices. The secondary activities may not be other than those provided under NACE Code 6619 - Other activities auxiliary to financial services, except insurance and pension funding.
- Legal entities and other entities benefiting from express legal provisions and having listed the foreign exchange activities for individuals in their articles of incorporation regulating incorporation and operation, provided that they may perform foreign exchange operations other than for individuals;
- Entities managing tourist accommodation facilities and purchase foreign currencies in cash and cash substitutes, as part of their line of business (listed and unlisted).

Such entities shall have to observe the provisions of Order No. 664/2012 and submit the documents required to be granted the foreign exchange permit to the specialty division in charge with the secretariat of the Committee permitting the foreign exchange activity, within 180 days from the entry into force thereof. At the same time, the entities intending to carry out foreign exchange activities subsequent to the entry into force of Order No. 664/2012 shall have to be granted the permit prior to the commencement of the foreign exchange activity, in accordance with the provisions thereof.

The process of permitting and granting of statistical codes shall mean: on the one hand, the issuance of the permit for foreign exchange activities carried out by the above entities and, on the other hand, granting of the statistical code underlying

the performance by the above entities of the foreign exchange activities on the territory of Romania. Registration shall mean the granting of a sole statistical code for each foreign exchange office (location where the foreign exchange activities are actually carried out).

Different permitting and operating criteria are provided depending on the above categories, as well as the documents required to be granted the permit.

Author

ruxandra.frangeti@tuca.ro

Taxation

1 Procedure for Fiscal Registration of the Tax Law Subjects, Ex Officio or upon Request from Another Authority

Name of enactment

Order of the National Agency of Tax Administration No. 714/2012 approving the Procedure for Fiscal Registration, ex officio or upon Request from another Authority managing the tax claims, of a tax law subject that failed to meet the fiscal registration procedure, according to law ("Order No. 714/2012")

Publication

Official Gazette of Romania, Part I, No. 350 of 23 May 2012

Entry into force

23 May 2012

Connections with other enactments

Government Ordinance No. 92/2003 on the Fiscal Procedure Code

Main provisions

This procedure shall be implemented by the relevant tax authority's department in charge of fiscal registration (hereinafter the specialty department) to all individuals, legal entities, and entities without legal status that have the obligation to submit the fiscal registration statement, according to law, and to the secondary offices that have the obligation to become registered as payers of salary income tax, according to law (hereinafter referred to as taxpayers).

The ex officio fiscal registration of the taxpayers shall be performed by the relevant tax authority in the following situations:

- Based on its own findings – in which case the tax inspection authorities shall provide the specialty department with a grounded request, accompanied by copies of the instruments underlying the request;
- Upon request from another authority managing tax claims – in which situation the grounded request to be served on the specialty department shall have to include both evidence attesting to the fact that the person whose registration is requested is subject to a legal tax law relation, and all identification details of such person.

Subsequently, the specialty department shall prepare notices to be served on the taxpayers, and the latter, within the term provided under the notice, shall have to:

- Either submit the fiscal registration statement, and the registration is thus performed based on taxpayer's statement,
- Or provide the tax authority with documents attesting he has no obligation to request the fiscal registration; consequently, a report proposing cessation of the fiscal registration procedure shall be prepared.

Consequently, as per the available data and subsequent to the expiry of the term provided under the notice, the specialty department shall prepare a report proposing the ex officio fiscal registration of the taxpayer if:

- The taxpayer failed to appear further to the notice;
- The documents provided by the taxpayer fail to justify the cessation of the fiscal registration procedure;
- The ex officio fiscal registration is based on: (i) findings of the tax inspection authorities; or (ii) final and irrevocable judgments issued by courts of law and ordering the registration of certain entries in the fiscal record of non-resident individuals, not registered in Romania for taxation purposes (in such cases no notices shall be served on the taxpayer either).

Based on such report, the specialty department shall prepare the Decision on the ex officio fiscal registration (a document attached in Appendix No. 2a to Order No. 714/2012) which is to be referred together with the report on the fiscal registration to the head of the tax unit. This decision is to be prepared in two originals, of which one for the taxpayer; within two business days from the service thereof, the specialty department shall prepare the fiscal registration certificate.

Noteworthy, the sanctions for failing to submit the fiscal registration statement within the terms set forth by law shall be enforced together with the taxpayer's registration, according to the legal provisions in force.

2 Update of the Fiscal Vector in Terms of VAT

Name of enactment

Order of the National Agency of Tax Administration No. 700/2012 approving the Procedure for the *ex officio* update of the fiscal vector in terms of VAT, and the

			template and contents of certain forms
Publication			Official Gazette of Romania, Part I, No. 356 of 25 May 2012
Entry into force			25 May 2012
Connections enactments	with	other	<ul style="list-style-type: none"> • Law No. 571/2003 on the Fiscal Code • Government Ordinance No. 92/2003 on the Fiscal Procedure Code • Government Decision No. 44/2004 on the Methodological Rules for the implementation of the Fiscal Code
Main provisions			<p>The <i>ex officio</i> registration for VAT purposes of the taxable persons required to register for VAT purposes that fail to apply for the registration</p> <p>When a taxable person is found to meet the requirements for registration for VAT purposes, in accordance with the provisions of the Fiscal Code, and to have failed to apply for the registration, the tax authority shall notify such person on the registration for VAT purposes.</p> <p>If the taxpayer submits the application for registration of changes for VAT purposes within 15 days from notification, the tax authority shall process such application. Otherwise, the department in charge of fiscal registrations, based on the available data, shall prepare the following documents:</p> <ul style="list-style-type: none"> • The report proposing the registration for VAT purposes of such taxpayer (the template is an integral part of Order No. 700/2012); • The decision on the <i>ex officio</i> registration for VAT purposes, with the appropriate box checked (the template is an integral part of Order No. 700/2012). <p>This decision may be challenged within 30 days as of the date of service before the issuer tax authority. The <i>ex officio</i> registration date shall be the date the Decision is served. Subsequent to the service of the Decision, the department in charge of fiscal registration shall issue the certificate of registration for VAT purposes, and shall serve same on the taxable person.</p> <p>This decision may be challenged within 30 days as of the date of service before the issuer tax authority. The <i>ex officio</i> registration date shall be the date the Decision is served. Subsequent to the service of the Decision, the department in charge of fiscal registration shall issue the certificate of registration for VAT purposes, and shall serve same on the taxable person.</p>

***Ex officio* registration of taxable persons that were fiscally reactivated and entered changes in the trade registry with respect to the cessation of the temporary suspension of activity**

As to the persons above, the specialty department shall prepare the following documents:

- Report proposing the registration for VAT purposes of the taxable person (the template is an integral part of Order No. 700/2012);
- The decision on the *ex officio* registration for VAT purposes, with the appropriate box checked (the template is an integral part of Order No. 700/2012).

As to inactive taxable persons becoming fiscally reactivated, the date of the *ex officio* registration for VAT purposes shall be the reactivation date, i.e. the date the reactivation decision is served. As to taxable persons that entered changes in the trade registry with respect to the temporary suspension of activity, the *ex officio* registration date shall be the date entered in the trade registry.

***Ex officio* cancellation of the registration for VAT purposes**

The *ex officio* cancellation of the registration for VAT purposes shall occur in the following circumstances:

- In the case of taxable persons registered for VAT purposes that were declared inactive in accordance with the provisions of the Fiscal Procedure Code;
- In the case of the taxable persons registered for VAT purposes, undergoing temporary inactivity, registered in the trade registry;
- In case the shareholders/directors of the taxable person or the taxable person itself have a fiscal record;
- In the case of the taxable persons that failed to submit any VAT deduction throughout a calendar semester;
- In case the VAT deductions submitted for a calendar semester fail to reveal operations carried out throughout the reporting periods;
- In the case of the persons registered for VAT purposes for Intra-Community acquisitions, if they are registered for VAT purposes in

accordance with Article 153 of the Fiscal Code.

Correction of clerical errors concerning the *ex officio* registration for VAT purposes, or the *ex officio* cancellation of the registration for VAT purposes

When a taxable person is found to have been *ex officio* registered for VAT purposes or cancelled as a result of a clerical error, the specialty department shall prepare the report (detailing such situation and proposing the correction of the clerical error) and the Decision for the correction of clerical errors (a document which is an integral part of Order No. 700/2012).

The decision is to be served on the taxpayer and may be challenged within 30 days as of the service thereof.

Subsequent to the issuance of the Decision, the specialty department shall enter the effects of the clerical error's correction in the taxpayers register, as follows:

- If the taxable person is registered for VAT purposes as a result of a clerical error, the awarded code of registration for VAT purposes shall be deregistered;
- If the registration for VAT purposes is cancelled as a result of a clerical error, the initial date of registration for VAT purposes is kept and a new registration certificate is issued with the initial date of the registration for VAT purposes entered in the previous certificate.

Author

ioana.covaci@tuca.ro

Legislative Novelties on the Activities of Security of Objectives, Goods, Valuables and Protection of Persons

Name of enactment

Government Decision No. 301/2012 approving the Methodological Rules for the implementation of Law No. 333/2003 on the security of objectives, goods, valuables and protection of persons (“**GD No. 301/2012**” or the “**Methodological Rules**”)

Publication

Official Gazette of Romania, Part I, No. 335 of 17 May 2012

Entry into force

16 June 2012

Connections with other enactments

Law No. 333/2003 on the security of objectives, goods, valuables and protection of persons, as amended and supplemented (“**Law No. 333/2003**”)

Main provisions

GD No. 301/2012 was passed in the light of the major amendments brought to

Law No. 333/2003 by Law No. 40/2010 amending and supplementing Law No. 333/2003; to this effect, certain methodological rules had to be approved with a view to reflecting the implementation of Law No. 333/2003, as per the above amendments.

Basically, GD No. 301/2012 regulates the following aspects:

- Conditions, procedure and documents that the companies specializing in security and protection activities shall have to observe to be granted/to renew the operation license;
- Rules and methods to organize security systems when carrying out (i) security with groups of gendarmes, (ii) security with staff from local police or public services designed to ensure security for objectives of a county interest, (iii) own security, (iv) rural security, (v) security and protection by means of companies specializing in security and protection;
- Minimum security measures, by functional areas (*e.g.* trading/storing/exhibiting/transfer/processing areas, etc.) and by categories of units (*e.g.* banking credit institutions, companies with foreign exchange as line of business, pawn shops, post units, etc.), including technical requirements to be met by the mechanical and physical protection elements of the buildings designed to keep, store and handle goods and valuables of any sort whatsoever;
- Occupations that fall under the scope of security activities (*e.g.* security agent, access control agent, bodyguard, etc.), professional training required to carry out such occupations, and the topic of basic and advanced professional training programs;
- Method to perform selection, certification, employment and training of the security staff and bodyguards, and equipping them with identification tags and means of defense;
- Security of goods and valuables transports, and transports of a special nature, particularly with respect to the minimum requirements to be met by the means of transportation for the safety of the accompanying personnel and transported valuables (*e.g.* the requirement to equip the armoured and semi-armoured cars with technical safety, localization and surveillance devices, and warning and communication systems securing a line with the dispatch office in

charge of monitoring and alerting the police, or gendarmerie, as the case may be);

- Technical rules on designing, changing, installing, maintaining and using the alarm systems designed to prevent housebreaking (*e.g.* framework structure of the technical system's design and the requirements to be observed upon the preparation thereof);
- Description, colour and model of the uniforms of own security staff – the Methodological Rules set forth, inter alia, gear items that form both the uniform (*e.g.* headgear, jacket, trousers, underwear, footwear, belt, etc.) and the protection gear, *i.e.* jumpsuits, overalls and rubber boots;
- Misdemeanours consisting of breaches to the obligations set forth under the Methodological Rules, and the amount of the fines charged depending on the breached obligation; authorities in charge of finding and applying civil sanctions, *i.e.* policemen, gendarmes, and mayors or proxies thereof; offender's possibility to pay only half of the fine on the spot or within maximum 48 hours from the conclusion of the minutes, or, upon service thereof, as the case may be.

The following transitory provisions are also set out in the GD No. 301/2012:

- The operation licenses, endorsement from the county police department or Bucharest General Police Division for the manager of the company specializing in security and protection/company specializing in alarm systems designed to prevent housebreaking, professional certificates provided under Article 41 of Law No. 333/2003, and the endorsements for the alarm system designs granted until the entry into force of GD No. 301/2012, shall remain in full force and effect if same meet the requirements of the Methodological Rules;
- Within 18 months from the entry into force of GD No. 301/2012, the units provided under Article 2 (1) of Law No. 333/2003 (ministries and the other specialty bodies of the local and central public administration, regies autonomes, national corporations and companies, national research and development institutes, business companies, irrespective of the share capital's nature, as well as other organizations holding assets or valuables under any title whatsoever), companies specializing in security and protection and companies

whose lines of business are design, manufacture, installation and maintenance of the alarm systems designed to prevent housebreaking licensed until the entry into force of GD No. 301/2012, and the dispatch offices in charge of monitoring the alarm systems incorporated until same date, shall have to operate in accordance with the requirements of the Methodological Rules;

- Within 30 days from the publication of GD No. 301/2012 in the Official Gazette, the minister of internal affairs shall issue the instructions for conducting the risk analysis in connection with physical security.

Repealed enactments

Government Decision No. 1010/2004 approving the methodological rules and documents provided under Article 69 of Law No. 333/2003 on the security of objectives, goods, valuables and protection of persons

Author

cornelia.tabirta@tuca.ro



Contact details:

Victoriei Square
4-8 Nicolae Titulescu Avenue
America House, West Wing, 8th Floor
Sector 1
011141 Bucharest
Romania

T (40-21) 204 88 90

F (40-21) 204 88 99

E office@tuca.ro

W www.tuca.ro

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For details and clarifications on any of the topics dealt in our Legal Bulletin, please contact the following lawyers:

Florentin Țuca, Managing Partner (florentin.tuca@tuca.ro)

Cornel Popa, Partner (cornel.popa@tuca.ro)

Cristian Radu, Managing Associate (cristian.radu@tuca.ro)