[RO] ANCOM instead of ANC

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Mariana Stoican
Journalist, Bucharest

Under the *Ordonanţa de urgenţă 22/2009 privind înfiinţarea Autorităţii Naţionale pentru Administrare şi Reglementare în Comunicaţii, ANCOM* (Emergency Decree No. 22/2009 on the establishment of the national administrative and regulatory authority for communication - ANCOM), which was adopted by the Government on 11 March 2009, the renamed regulatory body for communications, previously known as the *Autoritatea Naţională pentru Comunicaţii* (ANC)was placed under the control of the Romanian Parliament.

It is hoped that this decision, which entered into force on 19 March 2009 when it was published in the Official Gazette no. 174, will bring an end to the infringement proceedings against Romania launched by the European Commission on 29 January 2009 under Art. 226 of the EC Treaty (see IRIS 2009-4: 17).

Art. 1 (1) of the Emergency Decree makes provision for the creation of the ANCOM, "an autonomous public authority with legal personality under parliamentary control", which is to be exclusively self-financing. The ANCOM is the result of the reorganisation of the ANC , which has been abolished. The ANCOM is responsible for "implementing national policy in the field of electronic and audiovisual communication and postal services, including market and technical regulation in these areas" (Art. 2 (1)). In order to fulfil its functions, the ANCOM works with the *Consiliul Concurenţei* (competition authority) and the *Autoritatea Naţională pentru Protecţia Consumatorilor* (consumer protection authority). This cooperation includes the exchange of all the information necessary to comply with the relevant laws (Art. 4 (1)). The ANCOM, unlike the ANC, has no authority to regulate and monitor the IT sector. All responsibility in this area has been assigned to the *Ministerul Comunicaţiilor şi Societăţii Informaţionale* (Ministry for Communication and Information Society).

The ANCOM will be led by a chairman and two vice-chairmen, who will be appointed by the Romanian President on the Government's recommendation for a six-year term, renewable once for a further six years (Art. 11 (1) and (5)).

Within 60 days of the Emergency Decree's entry into force, the ANCOM president will determine the rules of procedure and structure of the new authority.

On 2 April 2009, Presidential Decree No. 509 was published in the Official Gazette, announcing the appointment of Marius Cătălin Marinescu as ANCOM president.

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Ordonanţa de urgenţă nr. 22 din 2009 privind înfiinţarea Autorităţii Naţionale pentru Administrare şi Reglementare în Comunicaţii, Monitorul Oficial al României nr. 174 din 19/03/2009

Emergency Decree No. 22/2009 on the establishment of the national administrative and regulatory authority for communication, Official Journal n. 174, 19 March 2009

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