[RO] The Infringement Procedure against Romania Could Accelerate

IRIS 2010-4:1/36

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The Romanian Senate will resume the vote for the *Ordonanţa de Urgenţă nr. 22/2009* (Emergency Decree No. 22/2009, OUG 22/2009), which establishes the *Autoritatea Naţională pentru Administrare şi Reglementare în Comunicaţii* (National Authority for Administration and Regulation in Communications - ANCOM), the leaders of the upper Chamber of the Parliament decided on 2 March 2010.

The OUG 22/2009, adopted by the Romanian Government in March 2009 (see IRIS 2009-5: 18), was on the Senate's agenda on 16 occasions, but the senators failed to adopt or to reject the document for various reasons. The Act was tacitly adopted by the Chamber of Deputies on 22 April 2009.

The failure in approving the document within a year of its adoption by the Government could lead to the acceleration of the infringement proceedings against Romania launched by the European Commission on 29 January 2009 under Art. 226 of the EC Treaty due to an infringement of Community rules on the independence of the telecommunications regulator (see IRIS 2009-4: 17).

The Romanian Ministry of Communications and Information Society has repeatedly requested the urgent adoption of the OUG 22/2009, stating the document observes the European Commission's regulations.

The European Commission has requested Romania several times to observe the European regulations with regard to the independence of the Communications Regulation Body. The OUG 22/2009 proposes to restructure ANCOM and to place it under parliamentary control in line with the requests of the European Commission.

The Romanian telecoms market is worth EUR 7 billion per annum and accounts for 8% of the Gross Domestic Product (GDP).

Ordonanţa de Urgenţă nr. 22/2009 privind înfiinţarea Autorităţii Naţionale pentru Administrare şi Reglementare în Comunicaţii, ANCOM, publicată în Monitorul Oficial nr. 174, din 19 martie 2009

http://webapp.senat.ro/pdf/09L135OG.pdf

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Emergency Decree no. 22/2009, which sets up the National Authority for Administration and Regulation in Communications, published in the Official Journal no. 174 on 19 March 2009

Comunicat de presa - Sedinta Biroului Permanent al Senatului - 2 martie 2010

https://www.senat.ro/StiriSenatDetaliu.aspx?ID=48453883-41FD-4E69-A124-8ADEDAF4DF88

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