[RO] Act on Electronic Communications Enters into Force

IRIS 2012-10:1/23

Eugen Cojocariu
Radio Romania International

The new Legea Nr. 140 pentru aprobarea Ordonanţei de urgenţă a Guvernului nr. 111/2011 privind comunicaţiile electronice (Act no. 140/2012 on electronic communications) recently entered into force in Romania. The Act approves, with modifications and completions, the Government Emergency Decree no. 111/2011 with regard to electronic communications. The Act is set to transpose the EU legislation and to unify the diverse domestic regulations in the field. On the other hand, the Romanian Parliament rejected a draft which was intended to set up the State's common electronic communications infrastructure (see IRIS 2011-2/35).

The new Act on electronic communications was not discussed in public because of the harsh political fight which took place in Romania during the summer of 2012 due to the suspension and the dismissal of Romania’s President.

The amendments adopted are intend to improve the conditions for granting licenses for radio frequencies, use, the conditions to introduce products to the market and to set up the radio and electronic communications equipments. The granting of licences is conducted in the course of a competitive and comparative selection procedure. The amendments also regulate the licensee’s obligation to pay licence fees, the conditions for the Autoritatea Naţională pentru Administrare şi Reglementare în Comunicaţii (National Authority for Administration and Regulation in Communications and telecom watchdog - ANCOM) to renew the licenses without prevention, restriction or distortion of competition.

The amendments are also intended to provide customers and subscribers of electronic communications networks and services with the necessary information such as prices and tariffs for connection and installation, payment methods, conditions of signing a contract, promotions, provider’s obligation to notify in advance of unilateral amendments to the contracts.

At the same time, the Act requires the providers of conditional access services to ensure access to the radio and TV services providers for final users which is fair, reasonable, non-discriminatory and compliant with the principles of free competition.

Besides that, the Chamber of Deputies (lower chamber of the Romanian Parliament) rejected the Government Emergency Decree no. 117/2011, which

© European Audiovisual Observatory (Council of Europe) 2026

aimed to set up the state's common electronic communications infrastructure (Act no. 139/2012 on rejection of the above mentioned Government Emergency Decree). The Ordinance had been approved by the upper chamber, the Senate, but the rejection decision of the deputies was final.

The common infrastructure was meant to connect in an efficient, secure and rapid way the data networks of beneficiaries to the State’s administrative integrated electronic communications network and to the European Union’s administrative communications network. The beneficiaries would have been public institutions and authorities, national companies and companies owned or controlled by those institutions. The diplomatic communications networks of Romania were not included in the common infrastructure. The services provided by the common infrastructure would not have been commercial services.

Legea Nr. 140 din 18.07.2012 pentru aprobarea Ordonanţei de urgenţă a Guvernului nr. 111/2011 privind comunicaţiile electronice

http://www.legex.ro/Legea-140-2012-121721.aspx

Act no. 140 of 18 July 2012 for the approval of the Government Emergency Decree no. 111/2011 with regard to the electronic communications

Legea 139 din 18 iulie 2012 pentru respingerea Ordonanţei de urgenţă a Guvernului nr. 117/2011 privind constituirea infrastructurii comune de comunicaţii electronice a statului

http://legestart.ro/Legea-139-2012-Lege-respingerea-Ordonantei-urgenta-Guvernului-117-2011-constituirea-Infrastructurii-comune-comunicatii-electronice-statului-(NjEwMjY4).htm

Act no. 139 of 18 July 2012 for the rejection of the Government Emergency Decree no. 117/2011 with regard to the set up of the state's common electronic communications infrastructure

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026