

**Description of management and control system**  
**(Article 71 of Regulation 1083/2006 and Article 21 of Regulation 1828/2006)**

<b>Information submitted by:</b>	Romania
<b>Information submitted on:</b>	January 2008

**Public Procurement, State Aid, Equal Opportunities and Environment rules**

Instructions and guidance issued on the applicable rules (date and reference)	<p><b>I. PUBLIC PROCUREMENT</b></p> <p><b>1. GEO no. 34/2006</b>  Government Emergency Ordinance no.34/2006 regarding the award of public procurement contracts, public works concession contracts and services concession contracts, approved by Law no. 337/2006, published in the Official Monitor no. 418/ 15<sup>th</sup> May 2006 – updated version until 4<sup>th</sup> October 2007, including the amendments of Law no. 128/2007 and GEO no.94/2007;</p> <p><b>2. GD no. 925/2006</b>  Government Decision no. 925/2006 for approving the implementing rules regarding the the award of the public procurement contracts referred in GEO no. 34/2006 regarding the award of public procurement contracts, public works concession contracts and services concession contracts, published in the Official Monitor no 625/ 20<sup>th</sup> July 2007;</p> <p><b>3. GD no. 1.337/2006</b>  Government Decision no. 1.337/2006 regarding the modification of the Government Decision no. 925/2006 for approving the implementing rules regarding the the award of the public procurement contracts referred in GEO no. 34/2006 regarding the award of public procurement contracts, public works concession contracts and services concession contracts, published in the Official Monitor no 625/ 20<sup>th</sup> July 2007;</p> <p><b>4. GD no. 71/2007</b>  Government Decision no. 71/2007 for approving the implementing rules regarding the the award of the public works concession contracts and of services concession contracts referred in GEO no. 34/2006 regarding the award of public procurement contracts, public works concession contracts and services concession contracts, published in the Official Monitor no. 98/ 8<sup>th</sup> February 2007;</p> <p><b>5.Order no. 155/2006</b>  Order no. 155/2006 of the President of the NARMPP regarding the approval of the Guide for awarding public procurement contracts, published in The Official Monitor no 894/2<sup>nd</sup> November 2007;</p>
---	--

**6. GD no. 1660/2006**

Government Decision no. 1660/2006 for approving the implementing rules of the provisions regarding the award of public procurement contracts by electronic means from GEO no. 34/2006 regarding the award of public procurement contracts, public works concession contracts and services concession contracts, published in The Official Monitor no. 978/2<sup>nd</sup> December 2006;

**7. GEO no. 30/2006**

Government Emergency Ordinance no. 30/2006 regarding the function of examination the procedures for the award of the public procurement contracts, public works concession contracts and services concession contracts, including the amendments of GD no. 1083/2007, published in the Official Monitor no. 365/ 26<sup>th</sup> April 2007;

**8. GD no. 942/2006**

**Government Decision no. 942/2006** for approving the implementing rules of GEO no. 30/2006 regarding the function of verification the procedures for the award of the public procurement contracts, published in the Official Monitor no. 661/ 1<sup>st</sup> August 2006, amended by the GD no. 1083/2007;

**9. Order no. 183/2006**

Order no. 183/2006 of the President of NARMPP regarding the application of the provisions referring to the media advertising contract, published in the Official Monitor no 979/ 7<sup>th</sup> December 2006;

**10. Order no. 11/2007**

Order no. 11/2007 of the President of NARMPP for approving the Regulation regarding the supervision of the award of public procurement contracts, public works concession contracts and services concession contracts, published in the Official Monitor no 609/ 4<sup>th</sup> September 2007;

**11. Order no. 175/2007**

Order no. 175/2007 for approving the Operational Manual on the observation and examination of the award of public procurement contracts, public works concession contracts and services concession contracts – the design and content of the forms and documents, published in the Official Monitor no. 124/ 20<sup>th</sup> February 2007;

**12. GEO no. 74/2005**

Government Emergency Ordinance no. 74/2005 regarding organisation of the NARMPP, published in the Official Monitor no. 572/ 4<sup>th</sup> July 2007, ammended by Law no. 111/2006;

**13. GD no. 525/2007**

Government Decision no. 525/2007 regarding the organisation and functioning of the National Authority for Regulating and Monitoring Public Procurements, published in the Official Monitor no. 395/ 12 June 2007;

**14. GD no. 901/2005**

Government Decision no. 901/2005 regarding the approval of the Strategy for Reforming the Public Procurement System and the Action Plan for Implementation, published in the Official Monitor no. 817/ 19<sup>th</sup> August 2005;

**15. GD no. 782/2006**

Government Decision no. 782/2006 for approving the Rules of procedure of the National Council for Solving Appeals, published in the Official Monitor no. 365/ 27<sup>th</sup> June 2006, amended by GD no 1.180/04.10.2007.

**II. STATE AID****1. GEO no. 117/2006**

Government Emergency Ordinance no. 117/2006 regarding national procedures in the state aid field, published in the Official Monitor no. 1.042/ 28<sup>th</sup> December 2006, approved with amendments by Law no.137/2007;

**2. Law no.137/2007**

Law no. 137/2007 for the approval of the Government Emergency Ordinance no. 117/2006 regarding national procedures in the state aid field, published in the Official Monitor no. 354/ 24<sup>th</sup> May 2007;

**3. Order no. 175/2007**

Order no. 175/2007 of the President of the Competition Council for implementing the Regulation regarding the procedures for monitoring the state aids, published in the Official Monitor no. 436/ 28<sup>th</sup> June 2007.

**III. EQUAL OPPORTUNITIES****1. Law no. 202/2002**

Law no. 202/2002 regarding equal opportunities between women and men, republished in the Official Monitor no. 150/ 1<sup>st</sup> March 2007;

**2. GD no. 319/2006**

Government Decision no. 319/2006 on the approval of the National Strategy on Equal Opportunities between Women and Men for 2006-2009 and the General Plan of Actions for the Implementation of the National Strategy on Equal Opportunities between Women and Men for 2006-2009, published in the Official Monitor no. 270/ 24<sup>th</sup> March 2006;

**3. Ordinance no. 137/2000**

Ordinance no. 137/2000 on the preventing and sanctioning of all forms of discrimination, republished in the Official Monitor no. 99/8<sup>th</sup> February 2007;

Also,

**Romanian Constitution**

Published in the Official Monitor no. 767/31<sup>st</sup> October 2003;

**Law no. 15/1968**

Law no. 15/1968, Penal Code, republished, with amendments;

**Law no. 53/2003**

Law no. 53/2003, Labour Code, published in Official Monitor no. 72/5<sup>th</sup> February 2003, with amendments;

**IV. ENVIRONMENT RULES****1. GEO no. 195/2005**

Government Emergency Ordinance no. 195/2005 regarding environment protection, amended through Law no. 265/2006, published in the Official Monitor no. 1196/30 December 2005.

**2. GEO no. 152/2005**

Government Emergency Ordinance no. 152/2005 regarding the integrated prevention, reduction and control of pollution, amended by Law no. 84/2006, published in the Official Monitor no. 1078/30 November 2005.

**3. GO no. 878/2005**

Government Order no. 878/2005 regarding public access to information regarding environment protection, published in the Official Monitor no. 760/22 August 2005.

**4. GO no. 564/2006**

Government Order no. 564/2006 regarding the framework of public participation in elaborating certain plans and programs regarding the environment, published in the Official Monitor no. 406/10 May 2006.

**5. GO no. 1076/2004**

Government Order nr 1076/2004 regarding the procedure of conducting environment assessments for plans and programs, published in the Official Monitor no. 707/5 August 2004.

**6. Minister of Environment and Water Management Order no. 1182/2002**

MEWM Order no. 1182/2002 for approving the Methodology of managing and supplying information regarding environment

	<p>protection held by public authorities, published in the Official Monitor no. 331/15 May 2003.</p> <p><b>7. Law no. 24/1994</b> for ratifying the UN Framework Convention on Climate Change, signed in Rio de Janeiro on 5 June 1992, published in the Official Monitor no. 119/12 May 1994.</p> <p><b>8. Law no. 3/2001</b> for ratifying the Kyoto Protocol to the UN Framework Convention on Climate Change, signed in 11 December 1997, published in the Official Monitor no. 81/16 February 2001.</p> <p><b>9. Law no. 86/2000</b> for ratifying the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, signed in Aarhus on 25 June 1998, published in the Official Monitor no.224/22 May 2000.</p> <p><b>10. Law no. 22/2001</b> for ratifying the Convention Environmental Impact Assessment in a Transboundary Context, signed in Espoo on 25 February 1991, published in the Official Monitor no.105/1 March 2001.</p>
Measures foreseen to ensure that applicable rules are complied with, for example, management checks, controls, audits	The financial controllers, performing the first level control, shall verify the compliance with the legislation in the field of public procurement, state aid, equal opportunities and environmental rules.

<b>Name, Title</b> <b>Organisation of Signatory for the Member State or Partner State</b>	<p><b>László BORBÉLY</b></p> <p><b>Minister of development, public works and housing</b></p>
<b>Place, Date and Stamp</b>	

Thank you in advance for sending the filled-in questionnaire including relevant annexes **by 30 November**

**By post** to the following address:  
 ESPON 2013 Coordination Unit  
 CRP HT – P.O. Box 144  
 L-4221 Esch-sur-Alzette

Luxembourg

**Please anticipate a copy via e-mail** to [chiara.bearzotti@espon.eu](mailto:chiara.bearzotti@espon.eu)

If you need assistance or any further information/details for filling in the document, please contact:

ESPON 2013 Coordination Unit, Chiara Bearzotti, Financial Expert, Tel: +352 54 55 80 706, Fax: +352 54 55 80 701, e-mail: [chiara.bearzotti@espon.eu](mailto:chiara.bearzotti@espon.eu)