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Digitalisation Regulation - Member State notifications

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Romania



Romania

This page contains information about the notifications carried out by the Member States pursuant to Regulation (EU) 2023/2844.

Article 17(1)(a) – Details of national IT portals, where applicable

(a) The name of the national IT portal, and a link thereto

1. [The Courts Portal](#)

2. [The National Electronic Case File](#)

(b) Information as to whether only citizens and/or residents and/or legal persons established within the territory of Romania have access to the portal or such access is granted to foreign citizens and/or non-residents, and to legal persons established within the territory of another Member State, and whether lawyers or representatives of other Member States are also granted access to national IT portals

1. *It is an information portal, hence anyone has access to it, but it should be noted that the information is displayed only in Romanian.*

2. *Considering that the particular for being granted access to the portal is the Personal Identity Number, only Romanian citizens have access thereto, as well as their representatives (lawyers), provided that they submit a power of attorney to the court.*

(c) For what purpose the portal could be used

1. *In order to find out information about pending cases (case number, case subject-matter, parties, hearing dates, procedural stage, summaries) and data about all courts*

2. *In order to consult the file in electronic form, to communicate procedural documents and to file documents in a specific case*

(d) What methods of identification of the users are used

1. *Users do not need to login.*

2. *A two-step authentication through the Personal Identity Number, the telephone number and email address is used.*

(e) What the special requirements are for the use of the portal, if any

1. *Not applicable*

2. *None*

Article 17(1)(b) – National law on videoconferencing in civil and commercial matters

(a) Information about the applicable national law and procedures, including applicable procedural rights and safeguards, for conducting the hearing through videoconferencing or other distance communication technologies

Domestic law does not provide for the holding of hearings via videoconferencing or other distance communication technologies.

(b) Information as to whether only courts have permission to organise videoconferencing pursuant to Article 5 of the Regulation or whether this possibility also exists for other authorities. Where other authorities could also rely on Article 5 as legal basis for organising videoconferencing, please list those authorities and the applicable procedures

Domestic law does not provide for the conduct of proceedings via videoconferencing or other distance communication technologies. Pursuant to Article 212 of the Code of Civil Procedure [Codul de procedură civilă], 'Venue of trial', the trial takes place at the location of the court, unless otherwise provided for by law.

(c) Information as to whether national law allows for the competent court or person to schedule a hearing of its own motion

Oral testimony or questioning can be ordered of the court's own motion, however national law does not provide for the possibility of taking such evidence via videoconferencing or other distance communication technologies.

(d) Information about the videoconferencing technology available in Romania or the most common videoconferencing platform/solution used

The available technology is 'Custom in-house developed IT solutions' (customised IT solutions that have been internally developed) / Zoom, Teams, etc., integrating multiple videoconference platforms through a connector. To schedule and conduct videoconferencing, courts use an IT platform/solution which, through a connector, integrates multiple specific platforms (Zoom, Teams, etc.).

(e) Information about the procedural requirements for the party to submit an opinion on the use of videoconferencing or other distance communication technologies for the hearing

Domestic law does not provide for the party's possibility of submitting an opinion on the use of videoconferencing or other distance communication technologies.

(f) Information as to whether national law provides for recording of the hearing and, if so, information on the storage and dissemination of the recording

National law – Article 231(4) to (6) of the Code of Civil Procedure – 'Hearing notes. Hearing recording' – provides for the recording, storage and dissemination of the audio, but not video content recorded.

Article 15 of Law No 304/2022 on the judicial system provides for the possibility of audio or video recording.

Article 15

(1) Hearings shall be recorded by the court through video or audio technical means.

(2) During the hearing, the Registrar shall take notes on the conduct of proceedings. The parties may request

that the notes be read and endorsed by the presiding judge.

(3) At the end of the hearing, each of the participants in proceedings shall receive a copy of the Registrar's notes on request.

(4) The transcripts of oral testimonies given during the trial, which are recorded automatically through the information technology, if such technology has been implemented by the court, shall be handed over to the parties, on request, care of the Registrar, subject to the Internal rules of procedure of courts.

(5) The files of pending cases shall be drawn up and archived on paper.

(6) Without prejudice to paragraph 5, the National Electronic Case File shall be implemented in courts, subject to the conditions laid down in the regulation adopted by joint order of the Minister for Justice and of the President of the High Court of Cassation and Justice [Înalta Curte de Casație și Justiție], as endorsed by the Superior Council of Magistracy [Consiliul Superior al Magistraturii], which enables, under the law, the parties' internet access to case files, the electronic service of procedural documents and the possibility of submitting case file documents by the same means.

(g) Information about how the confidentiality of communication between the lawyer and the client before and during the videoconferencing is ensured

Confidential communication with the defence counsel is possible.

(h) Information about the practical arrangements for organising and conducting the hearing, including information as to whether speech-to-text conversion technologies are used

In relation to the use of speech-to-text conversion technologies, the Ministry of Justice, through its Information Technology Directorate [Direcția Tehnologie Informației], is currently implementing a project for the development of a speech-to-text transcription solution, which is also applicable to the hearing of witnesses in legal proceedings.

(i) Information about access to videoconferencing for the parties and their representatives, including persons with disabilities

Domestic law does not provide for access to videoconferencing for the parties and their representatives, including persons with disabilities.

(j) The methods of identification and authentication of parties

In accordance with Article 219: Checks on the presentation of parties' from the Code of Civil Procedure, the court checks the identity of parties and, if they are represented or assisted, it also checks the power of attorney or the capacity of the persons who represent or assist them. Where the parties fail to respond to the summons, the court checks whether the summoning procedure has been carried out and defers or suspends the trial, or tries the case, where applicable, in accordance with law.

In accordance with Article 318 'Witness Identification' of the Code of Civil Procedure, the presiding judge, before taking the statement, asks the witness to state their surname, first name, occupation, domicile and age; whether they are related to or related by affinity to either party and in what degree; whether they are in the service of either party. The presiding judge then intimates to the witness the latter's duty to swear an oath and the significance of the oath.

Domestic law does not provide for methods of identification and authentication of parties when the hearing is held via videoconferencing or other distance communication technologies.

(k) How the parties could ask questions and otherwise be involved in a meaningful manner

The parties' ability to ask questions is provided for in Articles 321 and 352 of the Code of Civil Procedure.

Domestic law does not provide for the parties' possibility to ask questions and to participate otherwise in a

meaningful manner when videoconferencing or other distance communication technologies are used.

Article 321 Hearing of witnesses

- (1) Each witness shall be heard separately and the witnesses not yet heard cannot be present thereto.*
- (2) The order in which witnesses are heard shall be determined by the presiding judge, also taking into account the parties' request.*
- (3) The witness shall first answer the presiding judge's questions, then the questions asked, with the latter's consent, by the party who proposed the witness and by the opposing party.*
- (4) After the hearing, the witness shall remain in the courtroom until the inquiry is over, unless the court decides otherwise.*
- (5) During the hearing, the witness shall be afforded freedom to give their testimony and they shall not be allowed to read out a previously written answer; however, they may rely on notes, with the presiding judge's consent, only to state figures or names.*
- (6) If the court finds that the question asked by the party cannot lead to a solution to the proceedings, is offensive or tends to prove a fact that is prohibited by law from being proved, it shall dismiss it. In this case, the court shall write the party's name and question asked, as well as the reason for dismissing it, in the hearing report.*
- (7) If the question is sustained, it shall be literally recorded, together with the name of the party that asked it, followed by the witness's reply, in the witness statement pursuant to Article 323(1).*

Article 352 Conducting the questioning of natural persons

- (1) The individual summoned in person shall be questioned by the presiding judge about each fact separately.*
- (2) With the presiding judge's permission, each of the judges, the prosecutor when participating in the trial, and the opposing party may directly ask questions to the person being questioned.*
- (3) The party shall answer without being allowed to read from a previously prepared written response. However, they may rely on notes, with the presiding judge's consent, but only concerning figures or names.*
- (4) If the party states that, in order to answer, they need to review some notes, records or files, a new date for the questioning may be set.*
- (5) When both parties are present during the questioning, they may be confronted.*

(l) How the parties enjoy the right to an interpreter

There is no specific national law. The same rules on the right to interpretation guaranteed in face-to-face procedures shall be applicable when using videoconferencing or other distance communication technologies.

(m) How the possibility of physically examining or presenting evidence during videoconferencing is ensured

Domestic law does not provide for the possibility of physically examining or presenting evidence when videoconferencing or other distance communication technologies are used.

(n) How unauthorised access to sensitive data or to data flows to unknown entities is prevented

The connection link is sent to the party concerned in the summons and the communication system is confined to the WAN network of the judiciary.

Law No 182 of 12 April 2002 on protection of classified information lays down provisions on national protection standards for classified information and provisions on prevention of access to sensitive data.

Chapter IV of the New Criminal Code covers fraud committed via information systems and electronic payment means.

Article 17(1)(b) – National law on videoconferencing in criminal matters

(a) Information about the applicable national law and procedures, including those applicable to procedural rights and safeguards, for conducting the hearing through videoconferencing or other distance communication technologies

The relevant provisions on hearing through videoconferencing at various stages of the criminal proceedings and on various categories of participants (suspects, accused persons, persons held in custody, convicted persons, witnesses, protected witnesses, vulnerable witnesses, participants involved in various activities, minors, minor victims, victims who are ill persons, etc.) are set out in Article 106(2), Article 111(6) and Article 345 of the Code of Criminal Procedure [Codul de procedură penală], related to Article 235 of Law No 302/2004 on international judicial cooperation in criminal matters, republished.

The Code of Criminal Procedure

Article 106 Special rules on hearing

(2) The detainee may be heard on detention facility premises through videoconferencing in exceptional cases and if the judicial body considers that this is without prejudice to the proper conduct of the proceedings or to the rights and interests of the parties.

Article 110(3) Procedure for extending pre-trial detention during prosecution

(3) The accused may also be heard through videoconferencing with their consent and in the presence of a defence counsel of their own choosing or of one appointed by the court and, where appropriate, of an interpreter on detention facility premises.

Article 111 Hearing of the injured party

(6) In the case of injured parties for whom specific protection needs have been established under the law, the judicial body shall order one or more of the following measures without prejudice to the proper conduct of the proceedings or to the rights and interests of the parties:

a) hearing them in premises designed or adapted for this purpose;

b) hearing them through or in the presence of a psychologist or other specialist in victim counselling;

c) their hearing and any possible rehearing being carried out by the same person, if possible and if the judiciary body considers that this is without prejudice to the proper conduct of the proceedings or the rights and interests of the parties;

d) hearing them by videoconference or other technical means of communication at the place where they benefit from the temporary accommodation protection measure.

(7) The hearing and, where applicable, rehearing by the criminal investigation bodies – of injured persons who have been victims of the crimes provided for in Articles 197, 199, 209–216¹, 218, 218¹, 219, 219¹, 221, 222, 223 and 374 of the Criminal Code [Codul penal], as well as in other cases in which, due to the circumstances in which the act has been committed, this is deemed necessary – shall be carried out only by a person who is of the same sex as the injured party. If this is not possible, without prejudice to the proper conduct of the proceedings or to the rights and interests of the parties, the hearing of such injured parties and, where appropriate, their rehearing may be carried out by a person who is not of the same sex as the injured party, with the consent of the lawyer and of a psychologist or other specialist in advising victims.

(8) If the injured party is a minor, their hearing must be recorded through audio-video technical means in all cases. When video recording is not possible, the recording shall be made through audio technical means in all cases.

(8^1) The hearing of the injured person who is under 14 years old shall take place in the presence of one of their parents, a guardian or the person or representative of the institution entrusted with the child's upbringing and education, and in the presence of a psychologist selected by the judicial body. The psychologist will provide expert advice to the minor throughout the legal proceedings.

(8^2) If the persons referred to in paragraph 8^1 cannot be present or have the status of suspect, accused person, injured party, civil party, party held liable under the civil law or witness in the case, or if there is reasonable suspicion that they are likely to influence the minor's testimony, the hearing of that minor shall take place in the presence of a representative of the guardianship authority or of a relative with full capacity to act, and of a psychologist, as designated by the judicial body. The psychologist will provide expert advice to the minor throughout the legal proceedings.

(8^3) Where the hearing of the injured party who is a minor concerns the activity of the institution to which they were entrusted for upbringing and education, the representative of that institution shall be replaced with the representative of the guardianship authority or with a relative with full capacity to act, and with a psychologist, as designated by the judicial body. The psychologist shall provide expert advice to the minor throughout the legal proceedings.

Article 364(1) and (4) Participation of the accused person in the trial and their rights

(1) The case shall be tried in the presence of the accused person. The accused person held in custody must be brought to the trial. The accused person who is detained shall also be deemed present and, with their consent and in the presence of the defence counsel of their own choosing or of one appointed by the court and, where appropriate, of the interpreter, shall participate in the trial through videoconferencing on detention facility premises. (...)

(4) During the trial, the accused person, including where they are detained, may request, in writing, to be tried in absentia, being represented by the counsel of their own choosing or of one appointed by the court. Where the accused person who is detained has requested to be tried in absentia, the court may order, on request or of its own motion, that the accused person concerned may submit conclusions during the debates and be granted permission to speak through videoconferencing in the presence of the counsel of their own choosing or of one appointed by the court.

Article 597(2^1) of the Code of Criminal Procedure

Procedure of the enforcing court

(2^1) The convicted person who is detained or placed in an educational centre may also participate in the trial through videoconferencing, for the purpose of sorting out the issues regulated by this title, from the location where they are detained, with their consent and in the presence of the counsel of their own choosing or of one appointed by the court and, where appropriate, of the interpreter.

Law No 302/2004 on international judicial cooperation in criminal matters, republished

Article 235 Hearings through videoconferencing

(1) Where a person who is located within the territory of Romania must be heard as a witness or expert by the judicial authorities of a foreign state and it would be ill-timed or impossible for that person to appear in person within the territory of that state, the foreign state may request that the hearing should take place through videoconferencing in accordance with the following paragraphs.

(2) Such a request may be accepted by the Romanian state if it is not contrary to its fundamental principles of law and provided that it has the technical means available to enable the hearing to be conducted through videoconferencing.

(3) The request for a hearing through videoconferencing must state, in addition to the information referred to in Article 229, the reason why it would be ill-timed or impossible for the witness or expert to be present in person at the hearing, and the name of the judicial authority and of the persons who will conduct the hearing.

(4) The witness or expert shall be summoned in accordance with the Romanian law.

(5) The requests filed by the authorities of other states shall fall under the jurisdiction of prosecutor's offices, during the prosecution, or of courts, during the trial, which have jurisdiction related to subject-matter or to personal capacity under the Romanian law. Territorial jurisdiction shall be determined according to the domicile or place of residence of the person to be heard through videoconferencing.

(5¹) The requests concerning acts falling under the jurisdiction of the Directorate for Investigation of Organised Crime and Terrorist Acts [Direcția de Investigare a Infracțiunilor de Criminalitate Organizată și Terorism] or of the National Anticorruption Directorate [Direcția Națională Anticorupție] under the Romanian law shall be addressed by these authorities.

(6) Hearing through videoconferencing shall take place in accordance with the following rules:

a) the hearing shall take place in the presence of the competent Romanian judge or prosecutor, as the case may be, who is assisted by an interpreter, where applicable; they shall check the identity of the person heard and must ensure that the fundamental principles of the Romanian law are observed. Where the judge or prosecutor finds that the fundamental principles of the Romanian law have been breached, they shall immediately take the necessary actions to ensure that the hearing takes place in accordance with the Romanian law.

(b) Information about the procedural requirements for giving consent to the use of videoconferencing or other distance communication technologies for the hearing

Article 235(3) of the Code of Criminal Procedure provides that consent must be given for the hearing, without specifying the technical means to be used for the hearing. The provisions are supplemented by those of Article 106(2) of the Code of Criminal Procedure.

(c) Information on how access to the necessary videoconferencing infrastructure is ensured for the suspect or the accused or convicted person, or the affected person, as defined in Article 2(10) of Regulation (EU) 2018/1805, including with respect to persons with disabilities

The domestic law does not provide expressly for access to the necessary videoconferencing infrastructure for the above-mentioned persons.

In criminal proceedings, the hearing through videoconferencing was possible only for the persons taken into police custody or imprisoned if they gave their consent.

(d) Information about how the confidentiality of communication between the lawyer and the client before and during the hearing through videoconferencing is ensured

Confidential communication with the defence counsel is possible.

(e) Information about how holders of parental responsibility or other adults are informed about the hearing of a child through videoconferencing or other distance communication technologies – how the best interest of the child is taken into account

Article 111 of the Code of Criminal Procedure

Paragraph 8 - If the injured party is a minor, their hearing must be recorded through audio-video technical means in all cases. When video recording is not possible, the recording shall be made through audio technical means in all cases.

Paragraph 8¹ The hearing of the injured person who is under 14 years old shall take place in the presence of one of their parents, a guardian or the person or representative of the institution entrusted with the child's upbringing and education, and in the presence of a psychologist selected by the judicial body. The psychologist shall provide expert advice to the minor throughout the legal proceedings.

Paragraph 8³ Where the hearing of the injured party who is a minor concerns the activity of the institution to which they were entrusted for upbringing and education, the representative of that institution shall be replaced with the representative of the guardianship authority or with a relative with full capacity to act, and with a psychologist, as designated by the judicial body. The psychologist shall provide expert advice to the minor

throughout the legal proceedings.

(f) Information as to whether national law provides for the recording of the hearing; and, if provided for, information on the storage and dissemination of recordings; information as to whether speech-to-text conversion technologies are used

Article 15 of Law No 304/2022 on the judicial system provides for the possibility of audio or video recording.

Article 15

(1) Hearings shall be recorded by the court through video or audio technical means.

(2) During the hearing, the Registrar shall take notes on the conduct of proceedings. The parties may request that the notes be read and endorsed by the presiding judge.

(3) At the end of the hearing, each of the participants in proceedings shall receive a copy of the Registrar's notes on request.

(4) The transcripts of oral testimonies given during the trial, which are recorded automatically through the information technology, if such technology has been implemented by the court, shall be handed over to the parties, on request, care of the Registrar, subject to the Internal Rules of Procedure of Courts.

(5) The files of pending cases shall be drawn up and archived on paper.

(6) Without prejudice to paragraph 5, the National Electronic Case File shall be implemented in courts, subject to the conditions laid down in the regulation adopted by joint order of the Minister for Justice and of the President of the High Court of Cassation and Justice, as endorsed by the Superior Council of Magistracy; this shall enable, in accordance with the law, the parties' internet access to the case file, the electronic service of procedural documents and the submission of case file documents by the same means.

The following special procedural rules in criminal matters are laid down:

Article 110(5) of the Code of Criminal Procedure

Recording of statements

(5) During criminal proceedings, the hearing of the suspect or accused person shall be recorded through video or audio technical equipment. When recording is not possible, this must be documented in the statement of the suspect or accused person, explicitly stating the reason why recording was not possible.

A speech-to-text tool is currently being developed.

(g) Information on the available remedies under the national law that a suspect, an accused or convicted person or an affected person could seek in the event of a breach of the requirements or guarantees provided for in Article 6 of the Regulation

Article 342 'Subject matter of pre-trial proceedings' of the Code of Criminal Procedure

The subject matter of the pre-trial proceedings shall cover the review of jurisdiction and of the lawfulness of the court referral, after indictment, as well as the review of the lawfulness of the handling of evidence and of the conduct of proceedings by prosecution bodies.

Whenever the evidence taken during criminal proceedings is challenged under Article 374 of the Code of Criminal Procedure, the court shall be bound to take at least the challenged evidence anew.

(h) Information about the videoconferencing technology available in Romania or the most common videoconferencing platform/solution used

The available technology is 'Custom in-house developed IT solutions' (customised IT solutions that have been internally developed) / Zoom, Teams, etc., integrating multiple videoconference platforms through a connector.

To schedule and conduct videoconferencing, courts use an IT platform/solution which, through a connector, integrates multiple specific platforms (Zoom, Teams, etc.).

(i) Information about the practical arrangements for organising and conducting the hearing. Notably, which authority should be contacted? Are there special requirements (e.g. necessary information to be provided) for contacting that authority?

The requests for the organisation and conduct of the hearing must include the technical details of the connection link and of the requesting authority's equipment and information on the hearing date set (date and GMT time), which must be communicated to the requested authorities. Moreover, the request must include the date and time proposed by the requesting court to test the tools, which is, as a rule, two to three days before the date set for the hearing, etc.

(j) Whether speech-to-text conversion technologies are used in the context of hearings

A speech-to-text tool is currently being developed.

(k) How the suspect, accused or convicted person, or an affected person, is identified and authenticated

Article 107 'Questions concerning specifically the suspect or accused person' of the Code of Criminal Procedure

(1) At the beginning of the first hearing, the judicial body shall ask the suspect or accused person questions regarding their surname, first name, nickname, birth date and place, personal identification number, surname and first name of their parents, their citizenship, civil status, military status, education, profession or occupation, place of work, domicile and address where they actually live, and the address where they want the procedure documents to be served, their criminal record or whether other criminal proceedings are conducted against them, whether they request an interpreter, in the event that they cannot understand, speak or express themselves properly in Romanian, as well as regarding any other data intended to establish their personal status.

(2) The questions referred to in paragraph 1 shall only be reiterated at subsequent hearings when the judicial body deems it necessary.

Domestic law does not provide for methods of identification and authentication of parties when the hearing is held via videoconferencing or other distance communication technologies.

(l) How the suspect, accused or convicted person or an affected person can ask questions and, failing that, how they can participate significantly in the proceedings

Article 122 'Hearing the witness' of the Code of Criminal Procedure provides for the following at the trial stage:

(1) Each witness shall be heard separately, with no other witnesses present.

(2) The witness shall be allowed to state all that they know about the facts or factual circumstances for the substantiation of which they have been proposed, then they may be asked questions.

(3) It shall not be allowed to ask the witness questions regarding political, ideological or religious options, or other personal or family circumstances, except where they are strictly required to find the truth in the case at issue or to check the credibility of the witness.

(m) How the suspect, the accused or convicted person or an affected person can benefit from the right to an interpreter

Article 12 'Official language and right to an interpreter' of the Code of Criminal Procedure

(1) The official language in criminal proceedings shall be Romanian.

(2) Romanian citizens belonging to national minorities shall have the right to express themselves in their native

language before courts, and the procedural documents shall be drawn up in Romanian.

(3) Parties or litigants who cannot understand, speak or express themselves properly in Romanian shall be provided with the possibility of being assisted by an interpreter, free of charge, in order to become acquainted with the case file, to speak and to submit conclusions to the court. Where legal aid is mandatory, the suspect or accused person shall be provided with the possibility of being assisted by an interpreter, free of charge, in order to communicate with the lawyer to prepare for the hearing, apply for a remedy or lodge any claims pertaining to the settlement of the case.

(4) Interpreters authorised in accordance with the law shall be used in court proceedings. They shall be included in the category of authorised interpreters and translators under the law.

(n) How unauthorised access to sensitive data or to data flows to unknown entities is prevented

Law No 182 of 12 April 2002 on protection of classified information lays down provisions on national protection standards for classified information and provisions on prevention of access to sensitive data.

Chapter IV of the New Criminal Code covers fraud committed via information systems and electronic payment means.

The connection link is sent to the party concerned in the summons and the communication system is confined to the WAN network of the judiciary.

Article 17(1)(c) – Fees for the procedures in civil and commercial matters

(a) Procedures provided for in Regulations (EC) No 1896/2006, (EC) No 861/2007, (EU) No 655/2014 and (EC) No 805/2004

Regulation (EC) No 1896/2006:

applications for a European order for payment – RON 200; statement of opposition to the European order for payment – RON 100; see Article 6(2) and (2¹) of Government Emergency Order No 80/2013 on court stamp fees.

Regulation (EC) No 861/2007:

the fee of RON 50, where the value of the claim does not exceed RON 2 000 or where the value in EUR does not exceed the equivalent amount of RON 2 000, and RON 200, for claims whose value exceeds RON 2 000 or whose value in EUR exceeds the equivalent amount of RON 2 000;

see Article 6(1) of Government Emergency Order No 80/2013 on court stamp fees.

Regulation (EU) No 655/2014

The fee of RON 100 is applicable. See Article 11(1)(a) of Government Emergency Order No 80/2013 on court stamp fees.

Regulation (EC) No 805/2004

The fee of RON 20 is applicable. See Article 27 of Government Emergency Order No 80/2013 on court stamp fees.

(b) Proceedings for recognition, a declaration of enforceability or refusal of recognition provided for in Regulations (EU) No 650/2012, (EU) No 1215/2012 and (EU) No 606/2013 of the European Parliament and of the Council and Council Regulations (EC) No 4/2009, (EU) 2016/1103, (EU) 2016/1104 and (EU) 2019/1111

Proceedings for recognition, a declaration of enforceability or refusal of recognition provided for in Regulations (EU) No 650/2012, (EU) No 1215/2012 and (EU) No 606/2013 of the European Parliament and of the Council and

Council Regulations (EC) No 4/2009 and (EU) 2019/1111

The fee of RON 20 is applicable. See Article 27 of Government Emergency Order No 80/2013 on court stamp fees.

Regulation (EU) 2016/1103 - not applicable in Romania

Regulation (EU) 2016/1104 - not applicable in Romania

(c) Procedures related to the issuance, rectification and withdrawal of extracts provided under Regulation (EC) No 4/2009, the European Certificate of Succession and attestations provided for in Regulation (EU) No 650/2012, certificates provided for in Regulation (EU) No 1215/2012, certificates provided for in Regulation (EU) No 606/2013, attestations provided for in Regulation (EU) 2016/1103, attestations provided for in Regulation (EU) 2016/1104 and certificates provided for in Regulation (EU) 2019/1111

Procedures related to the issuance, rectification and withdrawal of extracts provided for in Regulation (EC) No 4/2009 - free of charge

See Article 22 of Law No 36/2012 on certain measures necessary for applying certain regulations and decisions of the Council of the European Union and instruments of private international law in the field of maintenance obligations.

Procedures related to the issuance, rectification and withdrawal of extracts provided for the European Certificate of Succession and attestations provided for in Regulation (EU) No 650/2012

Pursuant to Article 23 of Order No 177/C/2024 of 19 January 2024 of the Minister for Justice approving the rules establishing the minimum fees for the services provided by notaries public:

'Article 23(1) In the succession procedure, the fees for the issuance of a certificate of succession shall be established per certificate of succession, regardless of the number of heirs, considering the threshold values, the categories of services and procedures, and taking into account the heirs' degree of relationship with the deceased.

(2) The fees thus established shall be applicable only to the legal heirs of the deceased.

(3) For heirs under a will who are neither spouses nor relatives in a degree of succession with the deceased, the fees shall be increased by 25%.

(4) For successive successions, the fee shall be established per estate.

(5) For the issuance of an additional certificate of succession, the fee shall be calculated according to paragraphs 1 and 4 and the threshold values listed in Annex 3, with reference to the goods subject to addition, which are included in the estate.

(6) For the issuance of a European Certificate of Succession, the fee shall be established by applying 20% to the fee established for the issuance of the certificate of succession concerned, but not less than the minimum fee listed in Annex 3(a).'

ANNEX 3 to the Rules

SUCCESSION PROCEDURE

for which minimum fees are incremental per thresholds and expressed as percentages

<i>Value of estate at which the minimum fee is set</i>	<i>Minimum fee*)</i>
<i>a) up to RON 20 000</i>	<i>2.7%, but not less than RON 240/succession file</i>
<i>b) from RON 20 001 to RON 35 000</i>	<i>RON 540 + 1.9% for amounts exceeding RON 20 001</i>
<i>c) from RON 35 001 to RON 65 000</i>	<i>RON 725 + 1.6% for amounts exceeding RON 35 001</i>

d) over RON 65 001

RON 1 205 + 0.85% for amounts exceeding RON 65 001

Procedures related to the issuance of certificates provided for in Regulation (EU) No 1215/2012, certificates provided for in Regulation (EU) No 606/2013 and certificates provided for in Regulation (EU) 2019/1111

The fee of RON 20 is applicable. See Article 27 of Government Emergency Order No 80/2013 on court stamp fees.

Procedures related to the issuance, rectification and withdrawal of extracts provided for in Regulation (EU) 2016/1103, attestations provided for in Regulation (EU) 2016/1104 – the two Regulations are not applied in Romania.

(d) Proceedings initiated by a claim by a foreign creditor in insolvency proceedings under Article 53 of Regulation (EU) 2015/848

The fee of RON 200 is applicable. See Article 14(1) of Government Emergency Order No 80/2013 on court stamp fees.

(e) Communication between natural or legal persons or their representatives and the Central Authorities under Regulation (EC) No 4/2009 and Regulation (EU) 2019/1111 or the competent authorities under Chapter IV of Directive 2003/8/EC

Free of charge

Article 17(1)(d) – Details on the electronic payment methods available for fees due in cross-border cases

Court stamp fees

Article 40 of Government Emergency Order No 80/2013 on court stamp fees

(1) Court stamp fees shall be paid by the debtor of the fee in cash, by bank transfer, or online, into a separate revenue account of the local budget entitled ‘Court stamp fees and other stamp fees’, of the administrative-territorial unit where the natural person has their domicile or residence or, where applicable, where the legal person has its registered office. The costs of the transfer operations for the amounts owed as court stamp fees shall be borne by the debtor of the fee.

(2) If the debtor does not have their domicile, residence or registered office, as applicable, in Romania, the court stamp fee shall be payable to the local budget account of the administrative-territorial unit of the court where the action is brought or the application is filed.

[List of Treasury accounts per court jurisdiction for payment of the court stamp fee \(non-resident persons\) - Annex 1\(1880 Kb\)](#)

[Government Emergency Order No 80/2013 on court stamp fees - Annex 2\(40 Kb\)](#)

[Stamp fee calculator - Annex 3\(43 Kb\)](#)

The State Treasury is a direct participant in the electronic payment system in Romania, facilitating only the collection and payment in RON, and solely within the territory of Romania.

As a direct participant in the electronic payment system in Romania, the State Treasury settles payments according to payment documents through which public institutions and economic operators order payments from accounts opened at these institutions. It also collects amounts transferred by payers via entities registered in the following systems:

- ReGIS (for settlement of high-value money orders – a system managed by the National Bank of Romania [Banca Națională a României], launched on the website <https://www.bnr.ro/>) - [Annex 4 - ReGIS List\(431 Kb\)](#) and

- SENT (for settlement of small-value money orders – a system managed by TRANSFOND, launched on the website <https://www.transfond.ro/> - [Annex 5 – Transfond List](#)(15 Kb).

If the payer makes a payment from their own account opened with a credit institution abroad, that institution must have a corresponding bank in Romania through which the settlement of the respective amounts is carried out. It is necessary, as it is also in the case of payments made from accounts opened with credit institutions in Romania, to include information regarding the payment beneficiary, in particular the IBAN code of the account into which the payment is made and the tax identification number of the beneficiary.

Expert opinions and security deposits

Expert opinion fees are collected in cash in RON in the collecting accounts opened at the county-level branches or the Bucharest city branches, in the name of Local Offices of Expertise [*Birouri Locale de Expertiză*] attached to the territorial tribunals or the Bucharest Tribunal. The amounts set by the court as expert opinion fees are collected at the CEC Bank S.A. offices, on working days, during their established business hours. This collection method is provided for in the Collecting Account Agreement No RU15 of 17 August 2006 (No MJ 78627), extended through addendums Nos 441 of 9 July 2014 and 838 of 5 November 2015. [List of CEC Bank S.A. accounts for payment of expert opinion fees – Annex 6](#)(390 Kb)

Security deposits submitted on behalf of and at the disposal of the courts can be paid either at the bank's counter or via bank transfer, with the payment order clearly indicating all the necessary details to identify the court (as the beneficiary of the amount), as well as the legal case for which the deposit is being made. [List of CEC Bank S.A. accounts for payment of security deposits – Annex 7](#)(568 Kb)

Pursuant to Article 671 of the Code of Civil Procedure, the deposit or consignment of any sum of money for the purpose of participating, in accordance with the law, in the enforcement proceedings or for obtaining the suspension of enforcement, the deposit of sums with a special purpose, as well as the deposit or consignment of the income generated by seized assets or the proceeds from the sale of such assets shall be made at CEC Bank S.A., the State Treasury, or any other credit institution authorized to carry out consignment operations at the disposal of the enforcement court or the bailiff.

The deposit or consignment of these sums can be proved using the consignment receipt or any other document accepted by law.

These amounts shall be released to the persons entitled to them or to their representatives only under an order issued by the bailiff or the enforcing court, where applicable.

The provisions of Article 1057 et seq. on security deposits are applied accordingly.

Moreover, pursuant to Article 1057(1) of the same legislative act, when the law provides for a security deposit, the amount that the party concerned is required to pay is set by the court under the law and deposited with the State Treasury, CEC Bank S.A., or any other credit institution performing such operations, on behalf of the party concerned, and at the disposal of the court or bailiff, as the case may be.

[Security Deposit Calculator – Annex 8](#)(47 Kb)

At the level of each county branch and for Bucharest city, there is a CEC BANK S.A. account designated for the deposit of expert opinion fees. The account is held in the name of the Local Office of Expertise (corresponding to the territorial tribunal to which it is attached), as well as a consignment account for sums established as security deposits.

Legal expenses paid upfront by the State, as well as fines under legal, criminal or administrative proceedings

The sums collected from legal expenses paid upfront by the State from the budgets approved by the Ministry of Justice and the Public Prosecution Service for the conduct of criminal proceedings, which are borne by the parties or other participants in the legal proceedings as provided by the Code of Criminal Procedure, and from judicial fines, are established as revenue for the State budget and are transferred to a distinct revenue account.

They may be paid at the offices of the National Agency for Fiscal Administration to which the debtor's tax residence is attached, in accordance with the law on tax debt enforcement.

The obligation to pay the legal expenses to the State constitutes a tax debt. The operative part of the judgment, which includes the obligation to pay back the amounts incurred from the State budget to the State, constitutes an executory title and is immediately communicated to the competent bodies.

Pursuant to Article 31 of Law No 207/2015 on the Code of Fiscal Procedure:

'(1) In the case of tax debts administered by the central fiscal body, tax residence means:

- a) for natural persons, the address where they have their domicile, under the law, or the address where they actually live, if it is different from the domicile;
- b) for natural persons who carry out economic activities as self-employed persons or who are engaged in liberal professions, the registered office of the business or the place where they actually perform their main activity;
- c) for legal persons, the registered office or the place of actual administration and management of business, where they are not carried out at the registered office declared;
- d) for associations and other entities lacking legal personality, their headquarters or place where they actually perform their main activity.'

The information referred to in Article 17(1)(e) of the Regulation

Not applicable

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