



R O M A N I A CONSTITUTIONAL COURT

Parliament Palace

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PRESS RELEASE

I. On 16 December 2020, the Constitutional Court issued the following decisions of **admission**:

- **within the *a priori* (pre-promulgation) review**

By a majority vote,

A). Upheld the objection of unconstitutionality raised by the President of Romania and found unconstitutional the provisions of Article 7 (1) (e), introduced by the sole article of the Law amending Article 7 of National Education Law No 1/2011;

B). *By a majority vote in respect of Article I (1) and Article II and by unanimity in respect of the other provisions:*

1. Upheld the objection and found unconstitutional the provisions of Article I point 2 [by reference to Article 11¹], Article I point 2 [by reference to Article 11² (5) and (10)] and Article II of the Law amending and supplementing Government Emergency Ordinance No 22/2009 establishing the National Authority for Management and Regulation in Communications;

2. Dismissed, as unfounded, the objection of unconstitutionality and found that the provisions of Article I point 1 [by reference to Article 11 (2), (3) and (5)] of the Law amending and supplementing Government Emergency

Ordinance No 22/2009 establishing the National Authority for Management and Regulation in Communications were constitutional in relation to the criticisms made.

Unanimously,

C). Upheld the objection of unconstitutionality raised by the President of Romania and found that the Law on the transfer of an immovable property from the public property of the State and the administration of the Agenția Domeniilor Statului [State Property Agency], in the public property of Odobești City, Vrancea County, was unconstitutional as a whole;

D). Upheld the objection of unconstitutionality raised by the Government of Romania and found unconstitutional, as a whole, the Law amending Law No 69/2000 on physical education and sport;

E). Upheld the objection of unconstitutionality raised by the Government of Romania and found unconstitutional, as a whole, the Law approving Government Emergency Ordinance No 78/2019 amending certain legislative acts and laying down certain measures in the field of agriculture, and approving certain fiscal and budgetary measures.

- within the post-promulgation (*a posteriori*) review

By a majority vote,

1. Upheld the exception of unconstitutionality and found unconstitutional the phrase “*or in respect of which deferment of sentence was ordered*” contained in the provisions of Article 87 (3) of Law No 80/1995 on the statute of military staff;

Unanimously,

2. Upheld the exception of unconstitutionality and found unconstitutional the provisions of Article I (1), (2) and (4) of Government Emergency Ordinance No 60/2017 amending and supplementing Law No 448/2006 on the protection and promotion of the rights of persons with disabilities.

II. Furthermore, the Constitutional Court, **within the pre-promulgation *a priori* review**, unanimously, **dismissed, as unfounded**, the objection of

unconstitutionality formulated by the President of Romania and found that the Law on food supplements was constitutional in relation to the criticisms made.

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Decisions are final and generally binding.

The arguments set out in the grounds for the decisions of the Constitutional Court will be set out in the decisions, which will be published in the Official Gazette of Romania, Part I.

III. At the same hearing, the Court **postponed adjudication for 26 January 2021** on the objection of unconstitutionality raised by the President of Romania concerning the Law supplementing Law No /2016 on the pension system and other social security rights of lawyers.

**External Relations, Press and Protocol Department
of the Constitutional Court**