



ROMANIA THE CONSTITUTIONAL COURT

Palatul Parlamentului

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PRESS RELEASE

I. On 14 July 2020, the Plenum of the Constitutional Court, as part of the review prior to promulgation, debated:

A. The objection of unconstitutionality of the provisions of Law amending and completing Law No 17/2014 regarding certain measures for regulating the sale and purchase of agricultural land situated outside city limits and amending Law No 268/2011 on the privatization of trade companies that manage public and private land owned by the State for agricultural use and the establishment of the State Domains Agency is constitutional in relation to the criticisms formulated.

The decision is final and generally binding and shall be notified to the President of Romania.

B. The objection of unconstitutionality of the provisions of Law on establishing minimum ranking coefficients on staff remuneration at national level, objection formulated by deputies belonging to Parliamentary groups of the National Liberal Party and of the Union "Salvați România";

Following the deliberations, the Constitutional Court, by unanimous vote, upheld the objection of unconstitutionality and found that the Law on

establishing minimum ranking coefficients on staff remuneration at national level is unconstitutional, being violated the provisions of Article 111 (1) and Article 138 (5) of the Constitution.

The decision is final and generally binding and shall be notified to the President of Romania, to the Presidents of the two Chambers of the Parliament and to the Prime Minister.

C. The objection of unconstitutionality of the Law amending and completing the Government Emergency Ordinance No 217/2000 on the approval of the minimum monthly consumption basket, objection formulated by deputies belonging to the Parliamentary group of the National Liberal Party;

Following the deliberations, the Constitutional Court, by a majority of votes, decided:

1. It rejected, as inadmissible, the objection of unconstitutionality of Article I points 1, 2, 4 and 5 and Article II of Law amending and completing the Government Emergency Ordinance No 217/2000 on the approval of the minimum monthly consumption basket.

2. It rejected, as unfounded, the objection of unconstitutionality and found that the provisions of Article I point 3 of the Law amending and completing the Government Emergency Ordinance No 217/2000 on the approval of the minimum monthly consumption basket are constitutional in relation to the criticisms formulated.

The decision is final and generally binding and shall be notified to the President of Romania.

D. The objection of unconstitutionality of the provisions of Law regarding certain measures to protect national interests in the economic activity, objection formulated by deputies belonging to the Parliamentary group of the National Liberal Party;

Following the deliberations, the Constitutional Court, by a majority of votes, rejected, as unfounded, the objection of unconstitutionality and found that the provisions of the Law regarding certain measures to protect national

interests in the economic activity are constitutional in relation to the criticisms formulated.

The decision is final and generally binding and shall be notified to the President of Romania.

E. The objection of unconstitutionality of the provisions of the sole Article point 3 of the Law approving the Government Emergency Ordinance No 48/2020 on some financial-fiscal measures, objection formulated by the Government of Romania;

Following the deliberations, the Constitutional Court, by unanimous vote, upheld the objection of unconstitutionality and found that the provisions of the sole Article point 3 [with reference to Article XVIII] of the Law approving the Government Emergency Ordinance No 48/2020 on some financial-fiscal measures are unconstitutional.

The decision is final and generally binding and shall be notified to the President of Romania, to the Presidents of the two Chambers of the Parliament and to the Prime Minister.

F. The objection of unconstitutionality of the Law on the establishment of a Law on the establishment of state aid for granting compensation to agricultural producers affected by adverse weather phenomena, objection formulated by the Government of Romania;

Following the deliberations, the Constitutional Court, by unanimous vote, upheld the objection of unconstitutionality and found that the Law on the establishment of a Law on the establishment of State aid for granting compensation to agricultural producers affected by adverse weather phenomena is unconstitutional as a whole.

The Court held that the criticized normative act is contrary to the provisions of Article 1 (5) of the Constitution, as it contains contradictory provisions that lead to the impossibility of qualifying the established State aid as one subject to the obligation to notify the European Commission or as one exempted from this obligation.

The Court also found that, in the procedure of adopting the criticized law, the financial statement from the Government was not requested, which is contrary to the provisions of Article 138 (5) of the Constitution.

The decision is final and generally binding and shall be notified to the President of Romania, to the Presidents of the two Chambers of the Parliament and to the Prime Minister.

II. Regarding:

- The objections of unconstitutionality of the Law on certain measures in the field of European non-reimbursable funds, objections formulated by the High Court of Cassation and Justice and by the Government of Romania;

The Constitutional Court postponed the debates for **17 September 2020**.

- The objections of unconstitutionality of the Law amending and completing Law No 227/2015 on the Tax Code, objections formulated by the People's Advocate and by the High Court of Cassation and Justice;

The Constitutional Court postponed the debates for **30 September 2020**.

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The arguments retained as grounds for the solutions delivered by the Plenum of the Constitutional Court shall be presented in the decisions, to be published in the Official Gazette of Romania, Part I.

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