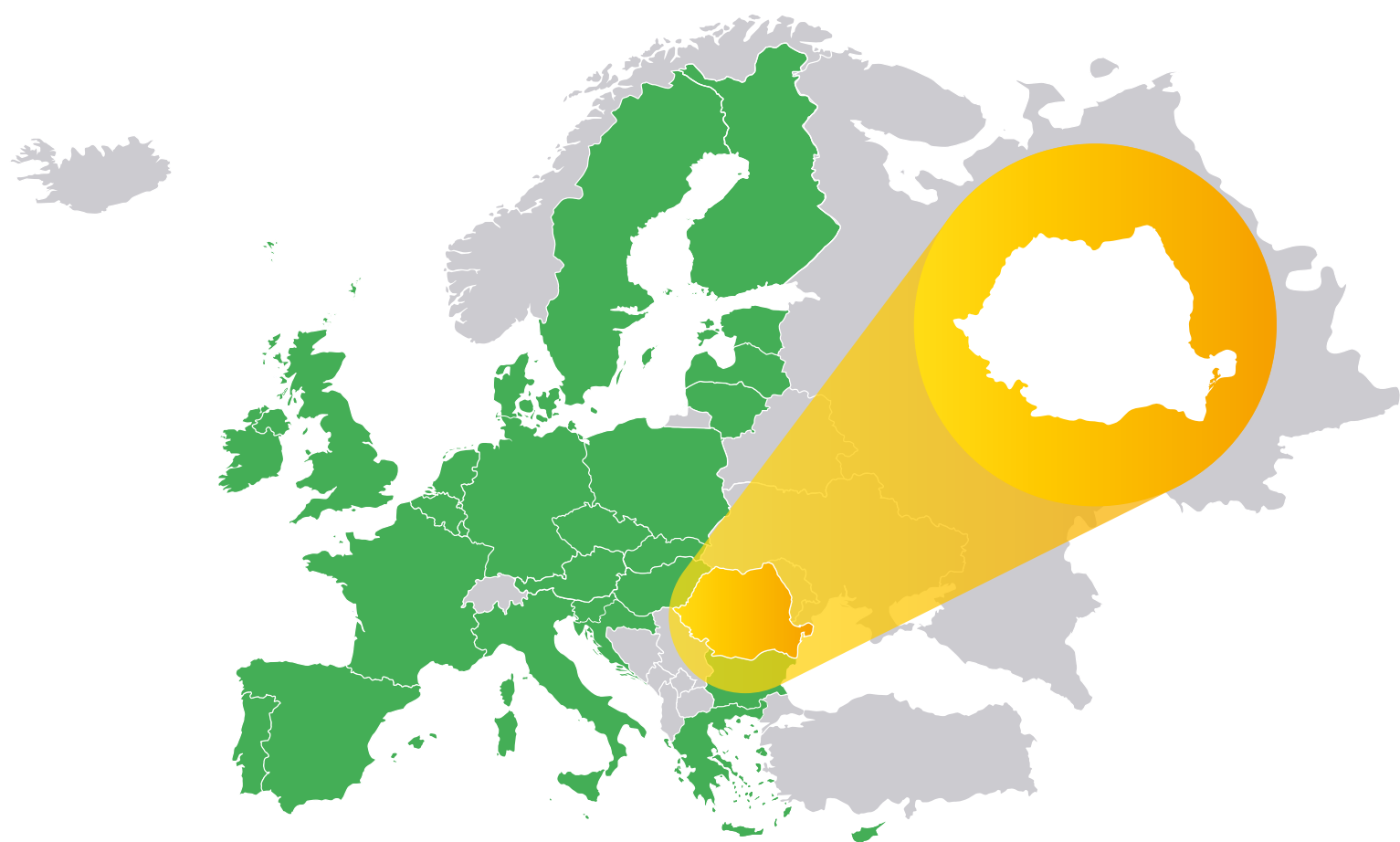


Minerals Policy Country Profile

ROMANIA



POLICY 1	Mining Law
POLICY 2	Employment and Training Incentives Scheme (ETIS)
POLICY 3	Social Development Schemes for Mining Communities (SDSMC).
POLICY 4	Small Grants Scheme (SGS)
POLICY 5	Mineral industry Strategy 2012–2035
POLICY 6	Government Resolution on the management of waste from extractive industries
POLICY 1	Forest Code
POLICY 2	Civil Code
POLICY 3	Law on Fiscal Code of Romania
POLICY 4	Norms for applying the Mining Law
POLICY 5	Law on Drinking Water
POLICY 6	Law on the Environmental Protection
POLICY 7	Water Law
POLICY 8	Law on Land Resources
POLICY 9	Law regarding the Protection of the National Heritage
POLICY 10	Law on Public Property and its juridical regime
POLICY 11	Law on Local Public Administration
POLICY 12	Law on Trading Companies
POLICY 13	Law on the Protection of Historical Monuments
POLICY 14	Law on Regional Development in Romania
POLICY 15	Decision on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral extracting industries
POLICY 16	Decision concerning the minimum requirements to safeguard the safety and health of workers in the mineral-extracting industries through drilling
POLICY 17	Law on Environmental Protection
POLICY 18	Labour Security Law
POLICY 19	Government Emergency Ordinance on environmental protection
POLICY 20	Law on expropriation for public utility purposes

Minerals Policy Country Profile – ROMANIA

Minerals policy governance	
<u>Horizontal policy integration</u>	
Mechanisms for ministerial coordination	Ad-hoc ministerial working groups; Expert Commission on the Romanian Strategy for Mineral Resources
<u>Vertical policy integration</u>	
Mechanisms for governmental organisation coordination	There exist no legally established mechanisms for coordinating with regional or local governments or public authorities
<u>Stakeholder Integration</u>	
Mechanisms for stakeholder involvement	Expert Commission on the Romanian Strategy for Mineral Resources
<u>Policy evaluation</u>	
Mechanisms for policy evaluation	no established policy evaluation mechanisms

Minerals Policy Country Profile – ROMANIA

		POLICY 1
		Mining Law
Title (original language)	-	
Title (translation in english)	Mining Law	
Year (and identification number if available)	No. 85 of 2003	
Short description	<p>Romanian Mining Law No. 85/2003 (the “Mining Law”) governs the performance of mining activities in Romania, by stimulating the capitalisation of mineral resources, which are the public property of the State. Mining activities comprise the reconnaissance, exploration, development, exploitation, preparation and concentration of mines, trade in mining products, and the conservation and closing of mines, including the relevant works for environment rehabilitation.</p> <p>The Mining Law also ensures maximum transparency in relation to mining activities, as well as fair competition between the operators, irrespective of the form of property (i.e. private or public), the origin of the capital and the nationality of the operators.</p> <p>The National Agency for Mineral Resources (the “NAMR”) is the main institution with supervisory and regulatory authority in the mining sector.</p>	
Access to document (hyperlink IN NATIONAL LANGUAGES)	http://www.namr.ro/wp-content/uploads/2016/02/hg350.pdf	
Access to document (hyperlink IN ENGLISH LANGUAGE)	http://faolex.fao.org/docs/pdf/rom73606E.pdf	
Access to document (document name providing information on the policy)		
Responsible for the design of the policy	Ministry of Economy	
Responsible for the implementation of the policy	National Agency for Mineral Resources	
Responsible person / policy maker at the ministerial level	-	
Policy instrument type	Legislation	
Stand-alone policy (or to which policy it is subordinate or ancillary)	-	
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-
	EXTRACTION (incl. Permitting)	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-
	DEEP SEA MINING	-
	DATA and knowledge base	-

Minerals Policy Country Profile – ROMANIA

		POLICY 2
		Employment and Training Incentives Scheme (ETIS)
Title (original language)		-
Title (translation in english)		Employment and Training Incentives Scheme (ETIS)
Year (and identification number if available)		-
Short description		The ETIS Support for job creation activities in mining regions and community capacity building in regard of local development activities (i.e. provision through the Agency of training and employment incentive payments to eligible employers in the mining regions to hire new workers for a period of up to a year. The beneficiaries are the employers from the mining areas; the incentive amounts to USD 1,200 year/job)
Access to document (hyperlink IN NATIONAL LANGUAGES)		-
Access to document (hyperlink IN ENGLISH LANGUAGE)		-
Access to document (document name providing information on the policy)		
Responsible for the design of the policy		Ministry of Economy
Responsible for the implementation of the policy		National Agency for Mineral Resources
Responsible person / policy maker at the ministerial level		-
Policy instrument type		Economic instrument
Stand-alone policy (or to which policy it is subordinate or ancillary)		-
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-
	EXTRACTION (incl. Permitting)	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-
	DEEP SEA MINING	-
	DATA and knowledge base	-

Minerals Policy Country Profile – ROMANIA

		POLICY 3
		Social Development Schemes for Mining Communities (SDSMC).
Title (original language)		-
Title (translation in english)		Social Development Schemes for Mining Communities (SDSMC).
Year (and identification number if available)		-
Short description		Provision of Grants to eligible community groups in the mining regions through the RSDF for eligible community-based infrastructure, income generation, and social services small projects, as well as provision of technical assistance and training to build capacity at the community level. The beneficiaries are disadvantaged groups of households or producing units (established in accordance with the Law no. 129/1998). The maximum grant amount is USD 100,000.
Access to document (hyperlink IN NATIONAL LANGUAGES)		=
Access to document (hyperlink IN ENGLISH LANGUAGE)		=
Access to document (document name providing information on the policy)		
Responsible for the design of the policy		Ministry of Economy
Responsible for the implementation of the policy		National Agency for Mineral Resources
Responsible person / policy maker at the ministerial level		-
Policy instrument type		Economic instrument
Stand-alone policy (or to which policy it is subordinate or ancillary)		-
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-
	EXTRACTION (incl. Permitting)	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-
	DEEP SEA MINING	-
	DATA and knowledge base	-

Minerals Policy Country Profile – ROMANIA

		POLICY 4
		Small Grants Scheme (SGS)
Title (original language)		-
Title (translation in english)		Small Grants Scheme (SGS)
Year (and identification number if available)		-
Short description		Provision of small grants to eligible Recipients by the Agency for eligible micro-projects to improve the welfare of women, youth and children in the mining regions, and induce the growth of social capital among mining communities (established in accordance with the Emergency Ordinance no. 94/2005; The maximum grant amount is USD 6,000.)
Access to document (hyperlink IN NATIONAL LANGUAGES)		=
Access to document (hyperlink IN ENGLISH LANGUAGE)		=
Access to document (document name providing information on the policy)		
Responsible for the design of the policy		Ministry of Economy
Responsible for the implementation of the policy		National Agency for Mineral Resources
Responsible person / policy maker at the ministerial level		-
Policy instrument type		Economic instrument
Stand-alone policy (or to which policy it is subordinate or ancillary)		-
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-
	EXTRACTION (incl. Permitting)	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-
	DEEP SEA MINING	-
	DATA and knowledge base	-

Minerals Policy Country Profile – ROMANIA

		POLICY 5
		Mineral industry Strategy 2012–2035
Title (original language)		-
Title (translation in english)		Mineral industry Strategy 2012–2035
Year (and identification number if available)		-
Short description		The Economic ministry of Romania released a report in 2012 titled “mineral industry Strategy 2012–2035,” which outlines a series of objectives and goals that the Government seeks to achieve. Among them are (a) ensuring the sustainable development of Romania’s mineral resources; (b) the harmonization of the national interest and investment capital while meeting the mentioned sustainability requirements; and (c) reducing the dependence on imported primary energy resources and raw minerals and improving the transparency of the mineral industry
Access to document (hyperlink IN NATIONAL LANGUAGES)		http://www.minind.ro/resurse_minerale/Strategia_industriei_miniere_2012_2035.pdf
Access to document (hyperlink IN ENGLISH LANGUAGE)		-
Access to document (document name providing information on the policy)		
Responsible for the design of the policy		Ministry of Economy
Responsible for the implementation of the policy		-
Responsible person / policy maker at the ministerial level		-
Policy instrument type		Policy Strategy
Stand-alone policy (or to which policy it is subordinate or ancillary)		-
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-
	EXTRACTION (incl. Permitting)	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-
	DEEP SEA MINING	-
	DATA and knowledge base	-

Minerals Policy Country Profile – ROMANIA

		POLICY 6
		Government Resolution on the management of waste from extractive industries
Title (original language)		-
Title (translation in english)		Government Resolution on the management of waste from extractive industries
Year (and identification number if available)		No. 856/2008
Short description		Government Resolution No. 856/2008 on the management of waste from extractive industries deals with waste resulting directly from i) prospecting, extraction, treatment and storage of mineral resources, and ii) the working of quarries. Mineral extractive waste must be managed pursuant to the relevant waste management plan endorsed by the National Agency for Mineral Resources (ANRM) and approved by the Ministry of Environment. Before performing any operation involving the pile and storage of extractive waste into a waste installation, the ANRM requests the establishment of a financial security interest. This ensures that all obligations in the environmental permit are financially secured and funds are available at any time for the rehabilitation of the site affected by waste installations.
Access to document (hyperlink IN NATIONAL LANGUAGES)		-
Access to document (hyperlink IN ENGLISH LANGUAGE)		-
Access to document (document name providing information on the policy)		
Responsible for the design of the policy		-
Responsible for the implementation of the policy		National Agency for Mineral Resources
Responsible person / policy maker at the ministerial level		-
Policy instrument type		Legislation
Stand-alone policy (or to which policy it is subordinate or ancillary)		-
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-
	EXTRACTION (incl. Permitting)	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-
	DEEP SEA MINING	-
	DATA and knowledge base	-

Minerals Policy Country Profile – ROMANIA

		POLICY 1	POLICY 2	POLICY 3	POLICY 4	POLICY 5
		Forest Code	Civil Code	Law on Fiscal Code of Romania	Norms for applying the Mining Law	Law on Drinking Water
Title (original language)						
Title (translation in english)		Forest Code	Civil Code	Law on Fiscal Code of Romania	Norms for applying the Mining Law	Law on Drinking Water
Year (and identification number if available)		Law No. 26 of 1996	-	Law No. 571 of 2003	No. 85 of 2003	Law No. 458 of 2002
Short description				Fiscal issues in the mining sector, as well as those relating to geology sector are important both for the Government of Romania and the investors. They are regulated by the Fiscal Code which provides for a profits tax of 16%, as well as by the Mining Law no. 85/2003, as subsequently supplemented and amended which foresees certain taxes specific to the mining sector. In accordance with the latter law, title holders of licences/permits are subject to the payment of a mineral resources prospecting, exploration and exploitation tax, as well as of a mining royalty.		
Policy instrument type		Legislation	Legislation	Legislation	Legislation	Legislation
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)					
	MINE CLOSURE / WASTE management (incl. Permitting)					
	DEEP SEA MINING					
	DATA and knowledge base					

Minerals Policy Country Profile – ROMANIA

		POLICY 6	POLICY 7	POLICY 8	POLICY 9
		Law on the Environmental Protection	Water Law	Law on Land Resources	Law regarding the Protection of the National Heritage
Title (original language)					
Title (translation in english)		Law on the Environmental Protection	Water Law	Law on Land Resources	Law regarding the Protection of the National Heritage
Year (and identification number if available)		Law No. 137 of 1995	Law No. 107 of 1996	1991	Law No. 182 of 2000
Short description			The provisions of the Water Law (last amendment by Law No. 310 of 2004) have the following objectives: a) the conservation, development and protection of water resources, as well as the ensuring of a free water flow; b) the protection against any form of pollution and modification of the characteristics of the water resources, of their banks and beds, or basins (Article 2). For the designing of surface mining activities that can influence the ground water reserve or water supply, appropriate rehabilitation and flood protection measures must be proposed (Article 10). The extraction of the mineral aggregates is allowed only from the evaluated reserves (granted from the Ministry of Waters, Forests and Environmental Protection), under the conditions for water flows and river beds and banks stability, and by taking care not to affect the structures in the areas directly or indirectly influenced by the water flow regime (Article 33).		
Policy instrument type		Legislation	Legislation	Legislation	Legislation
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)				
	MINE CLOSURE / WASTE management (incl. Permitting)				
	DEEP SEA MINING				
	DATA and knowledge base				

Minerals Policy Country Profile – ROMANIA

		POLICY 10	POLICY 11	POLICY 12	POLICY 13	POLICY 14	POLICY 15
		Law on Public Property and its juridical regime	Law on Local Public Administration	Law on Trading Companies	Law on the Protection of Historical Monuments	Law on Regional Development in Romania	Decision on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral extracting industries
Title (original language)							-
Title (translation in english)		Law on Public Property and its juridical regime	Law on Local Public Administration	Law on Trading Companies	Law on the Protection of Historical Monuments	Law on Regional Development in Romania	Decision on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral extracting industries
Year (and identification number if available)		Law No. 213 / 1998	Law No. 215 / 2001	Law No. 31 / 1990	Law No. 422 / 2001	Law No. 315 / 2004	-
Short description							-
Policy instrument type		Legislation	Legislation	Legislation	Legislation	Legislation	Legislation
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-	-	-	-
	DEEP SEA MINING	-	-	-	-	-	-
	DATA and knowledge base	-	-	-	-	-	-

Minerals Policy Country Profile – ROMANIA

		POLICY 16	POLICY 17	POLICY 18
		Decision concerning the minimum requirements to safeguard the safety and health of workers in the mineral-extracting industries through drilling	Law on Environmental Protection	Labour Security Law
Title (original language)		-	-	-
Title (translation in english)		Decision concerning the minimum requirements to safeguard the safety and health of workers in the mineral-extracting industries through drilling	Law on Environmental Protection	Labour Security Law
Year (and identification number if available)		-	-	Law No. 319/2006
Short description		-	The object of the law is to regulate environmental protection, an objective of major public interest, on the basis of the principles and strategic elements which lead to the sustainable development of society (Article 1). The central environmental protection authority, in consultation with the competent ministries, must establish the permitting procedure regarding the environmental protection issues related to mining activities (Article 48).	the Labour Security Law sets forth the general principles of health and safety. In the application of the Labour Security Law, specific regulations have been enacted in order to adapt such general requirements to the specific features of the mining sector.
Policy instrument type		Legislation	Legislation	Legislation
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-
	DEEP SEA MINING	-	-	-
	DATA and knowledge base	-	-	-

Minerals Policy Country Profile – ROMANIA

		POLICY 19	POLICY 20
		Government Emergency Ordinance on environmental protection	Law on expropriation for public utility purposes
Title (original language)		-	-
Title (translation in english)		Government Emergency Ordinance on environmental protection	Law on expropriation for public utility purposes
Year (and identification number if available)		No. 195/2005	No. 33/1994
Short description		Of a particular importance for the mining sector is the environmental legislation represented by the Emergency Ordinance no. 195/2005 approved by the Law no. 265/2006, as subsequently supplemented and amended, as well as by a number of subsequent regulations particularly related to environmental assessment.	-
Policy instrument type		Legislation	-
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-
	EXTRACTION (incl. Permitting)	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-
	DEEP SEA MINING	-	-
	DATA and knowledge base	-	-

Minerals Policy Country Profile – ROMANIA

Horizontal policy integration	
Mechanisms for ministerial coordination	Ad-hoc ministerial working groups; Expert Commission on the Romanian Strategy for Mineral Resources
MECHANISM 1	Ad-hoc ministerial working groups
1.1 Status	non-active (-2016)
1.2 Number of ministries involved	variable
1.3 Ministries involved	variable
1.4 Practical implications of the process	
1.4.1 Purpose and objective of the mechanism	Ad-hoc ministerial working groups were organised by the ministry of environment on the matter of designing and revising mining policy
1.4.2 Representatives participating	-
1.4.3 Regularity of meetings	-
1.4.4 Process description	-
1.4.5 Effectiveness and Outcomes	-
MECHANISM 2	Expert Commission on the Romanian Strategy for Mineral Resources
1.1 Status	active (2016)
1.2 Number of ministries involved	2
1.3 Ministries involved	Ministry of environment; National Agency for Mineral Resources (NAMR); Ministry of economy
1.4 Practical implications of the process	
1.4.1 Purpose and objective of the mechanism	The purpose of the legally established Expert Commission is to support the elaboration of the Romanian Strategy of Mineral Resources (ie. general framework for the new mining policies)
1.4.2 Representatives participating	Appointed representatives (General directors) from different ministries
1.4.3 Regularity of meetings	regular cycle
1.4.4 Process description	Meetings headed by the ministry of economy will be organised on a regular basis (regularity still needs to be decided). Since the Expert Commission has been only established recently the procedures for organising its work have not been elaborated yet.
1.4.5 Effectiveness and Outcomes	-
Vertical policy integration	
Mechanisms for governmental organisation coordination	There exist no legally established mechanisms for coordinating with regional or local governments or public authorities

Minerals Policy Country Profile – ROMANIA

Stakeholder Integration	
Mechanisms for stakeholder involvement	Expert Commission on the Romanian Strategy for Mineral Resources
MECHANISM 1	Expert Commission on the Romanian Strategy for Mineral Resources
3.1 Status	active (2016)
3.2 Number of stakeholders involved	variable
3.3 Type of stakeholders involved	several universities, Romanain Geological Survey, business and industry associations
3.4 Detailed description and practical implications	
3.4.1 Purpose and objective of the mechanism	The purpose of the legally established Expert Commission is to support the elaboration of the Romanian Strategy of Mineral Resources (ie. general framework for the new mining policies) by bringing in Stakeholder expertise's from the mining sector. So far the government faced difficulties involving civil society stakeholders from the mining sector (e.g. environmental NGOs, regional or or local community civil society representatives) in the Expert Commission.
3.4.2 Representatives participating	-
3.4.3 Regularity of meetings	regular cycle
3.4.4 Process description	Meetings headed by the ministry of economy will be organised on a regular basis (regularity still needs to be decided). Since the Expert Commission has been only established recently the procedures for organising its work have not been elaborated yet.
3.4.5 Effectiveness and Outcomes	-

Policy evaluation	
Mechanisms for policy evaluation	no established policy evaluation mechanisms