

## EFFECTS OF THE STATE OF ALERT IN THE CONTEXT OF COVID – 19

Considering the maintenance of the exceptional context that determined the establishment of the state of emergency until May 15, 2020 and the fact that the general public interest demands establishing an alert state, by Government Decision no. 394/2020, **starting with May 18, 2020.**

### 1. Restrictions on free movement

With the establishment of the state of alert in Romania, the first restrictions and interdictions in the circulation and behavior of people were imposed.

- The obligation to wear a protective mask, in closed public spaces, commercial spaces, means of public transport and at work, is established.
- The movement of persons is forbidden, inside the localities, in pedestrian groups larger than 3 persons who do not belong to the same family, as well as the formation of such groups
- It is forbidden to organize and hold rallies, demonstrations, processions, concerts or other types of gatherings in open spaces, including drive-in ones, as well as gatherings of the nature of cultural, scientific, artistic, sports or entertainment indoors activities.
- Outdoor recreational and sports activities are prohibited, except for those carried out with the participation of no more than 3 people who do not live together, namely cycling, hiking, running, boating, mountaineering, hunting, fishing and other recreational and sports activities carried out in the open air established by joint order of the Minister of Health, as the case may be, with the Minister of Youth and Sports, the Minister of Environment, Water and Forests or the Minister of Agriculture and Rural Development
- It is forbidden to participate in private indoor events, except for those that take place with the participation of up to 8 people and in compliance with the rules of social distance.
- It is forbidden for people to move outside the locality / metropolitan area, with certain exceptions: (i) travel in professional interest, including between home / household and the place / places of professional activity and back, (ii) travel in humanitarian or voluntary purpose, (iii) travel for agricultural activities, (iv) travel for the sale of agri-food products by agricultural producers, (v) travel for the care or administration of a property in another locality or the issuance of documents

necessary to obtain some rights; (vi) travel to participate in medical programs or procedures; (vii) travel for other justified reasons, such as caring for / accompanying children / family members, caring for a relative / relative or dependent, assistance for the elderly, sick or disabled, death of a family member; (viii) travel for medical care that cannot be postponed or made remotely; (ix) travel for individual recreational or sporting activities carried out outdoors; (x) travel to participate in family events; (xi) travel for the acquisition, service, performance of ITP or other vehicle maintenance operations, activities that cannot be performed in the locality of residence; (xii) travel for the provision of goods that cover the needs of persons and pets, as well as goods necessary for carrying out the professional activity, which cannot be purchased from the place of residence / residence.

- Travel outside the locality is justified by the service card or certificate issued by the employer or by completing a statement on their own responsibility. The declaration must contain: name, surname, date of birth, home address, reason and place of travel, date and signature
- The entry on the territory of Romania, through the state border crossing points, of foreign citizens and stateless persons is prohibited, except for the following foreign citizens: (i) family members of Romanian citizens; (ii) family members of nationals of other EU Member States. or of the European Economic Area or of the Swiss Confederation, with residence in Romania; (iii) persons holding a long-stay visa, a residence permit or a document equivalent to a residence permit issued by the authorities or a document equivalent to them issued by the authorities of other states, according to EU law; (iv) persons traveling in the professional interest, proven by visa, residence permit or other equivalent document, respectively medical staff, medical researchers, medical staff for geriatric care, as well as carriers and other categories of personnel involved in transport of goods that provide such necessary transports; (v) diplomatic or consular personnel, personnel of international organizations, military personnel or personnel who can provide humanitarian aid; (vi) persons in transit, including those repatriated as a result of the granting of consular protection; (vii) passengers traveling for imperative reasons; and (viii) persons in need of international protection or other humanitarian reasons
- The parks, for the public, are reopened, in compliance with the general prevention and protection measures, except for the children's playgrounds.
- For all persons coming to Romania from abroad, the measure of quarantine / isolation is established at the home / location declared by the person in question, together with roommates, including family / relatives, as the case may be, and persons who do not have the possibility to meet the conditions

for quarantine / isolation at the home / other location or who requests this in order not to expose their family may opt for the institutionalized quarantine measure, in specially designed spaces provided by the local public administration authorities

- Persons who do not comply with the measures of quarantine / isolation at home/ other location will be placed in institutionalized quarantine for a period of 14 days and obliged to bear the value of accommodation and food during the institutionalized quarantine.
- Are exempted from the quarantine / isolation at home / institutionalized measure certain categories of persons who do not show symptoms associated with COVID-19: (i) drivers of goods transport vehicles with a maximum authorized capacity of more than 2.4 tons / transport persons who have more than 9 seats, including the driver's seat; (ii) members of the European Parliament, parliamentarians and staff belonging to the national defense, public order and national security system; (iii) aircraft pilots and flight crew; (iv) locomotive drivers and railway staff; (v) cross-border workers entering Romania from Hungary, Bulgaria, Serbia, Ukraine and Moldova; (vi) employees of the Romanian economic operators who perform works, according to the concluded contracts, outside the Romanian territory, upon their return to the country and prove the contractual relations with the beneficiary outside the national territory; (vii) representatives of foreign companies that have subsidiaries / branches / representatives or agencies on the national territory, if they prove the contractual relations with the economic entities on the national territory; (viii) persons entering Romania for the provision of activities of use, installation, commissioning, maintenance, service of medical equipment and technology, as well as equipment in the fields of science, economics, defense, public order and national security, if they prove the contractual relations with the beneficiary / beneficiaries on the Romanian territory, as well as the inspectors of the international bodies; (ix) members of diplomatic missions, consular posts and other diplomatic missions accredited in Bucharest, holders of diplomatic passports, staff assimilated to diplomatic staff, as well as members of the Romanian Diplomatic and Consular Corps and holders of diplomatic and service passports, as well as family members thereof; (x) employees of the national defense, public order and national security system who return to Romania from missions performed abroad; (xi) pupils, students, Romanian citizens or citizens of the neighboring states of Romania, with domicile or residence outside Romania and enrolled in educational units / institutions on the territory of our country, who have to take tests or exams at the end of secondary school cycles / high school / higher education

- The following are also exempted from quarantine / isolation: (i) Romanian, maritime and inland waterway personnel repatriating by any means of transport, presenting to the competent authorities the "certificate for workers in the international transport sector"; (ii) seafarers disembarking from inland waterway vessels flying the Romanian flag in a Romanian port and not showing symptoms associated with COVID-19, provided that the employer provides the certificate for international transport workers; and of the personal protection equipment against COVID-19, during the movement from the ship to the location where it can be contacted in the period between voyages; and (iii) sea and river navigating personnel carrying out the exchange of crew on board ships in Romanian ports, regardless of the flag they fly, if at the entrance to the country, as well as at embarkation / disembarkation from the ship, they present to the competent authorities "the certificate for workers in the international transport sector "
- Quarantine measures are maintained for Suceava municipality and in the neighboring area and in Tandarei, Ialomita County.
- Certain crossing points of the state border at the Romanian-Hungarian, Romanian-Serbian border remain temporarily, totally or partially closed; Roman Bulgarian; Romanian-Ukrainian and Romania's border with the Republic of Moldova.
- All flights by economic operators from aviation to Austria, Belgium, the Swiss Confederation, France, Germany, Iran, Italy, the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands, Spain, the United States of America, Turkey are suspended. , and from these countries to Romania for all airports in Romania, by the Ministry of Transport, Infrastructure and Communications, at the proposal of CNSSU.
- These measures do not apply to flights performed by state aircraft, cargo and correspondence flights, humanitarian or providing emergency medical services, non-commercial technical landings, search-rescue or emergency response flights, at the request of an authority. public transport in Romania, the transport of technical intervention teams, at the request of economic operators established in Romania, aircraft positioning flights, without commercial cargo (ferry), technical in order to perform works on aircraft, charter flights for the transport of seasonal workers or for repatriation of foreign / Romanian citizens, from Romania to other states, with the approval of the Romanian Civil Aviation Authority and the competent authority of the destination state or with the approval of the Romanian Civil Aviation Authority, based on the agreement of the Ministry of Internal Affairs and the Ministry of Foreign Affairs, as appropriate

- Also, the measures do not apply to flights performed by air carriers holding an operating license in accordance with European Union regulations, through irregular flights (charter), for the transport of workers in the transport sector provided in Annex no. 3 to the Communication on the implementation of Green Lanes under the Guidelines on border management measures to protect health and ensure the availability of essential goods and services - C (2020) 1897, from 23.03.2020, from Romania to other states and from other states to Romania, with the approval of the Romanian Civil Aeronautical Authority, of the Ministry of Foreign Affairs and of the competent authority from the destination state.
- During the alert state, the economic operators managing the transport infrastructure have the following obligations: (i) to take the necessary measures to ensure the protection distance between persons of at least 1.5 m in the areas at risk of congestion, by configuring, after case, both of the routes of movement of persons, and of the temporary parking surfaces in such areas; (ii) take measures to inform passengers, through posters or audio or video means, of health protection measures; (iii) to carry out the periodic disinfection of the areas at risk of congestion, as well as of the means of public transport.
- During the state of alert, wearing a protective mask to cover the nose and mouth is mandatory in all stations, bus stations, ports, places of embarkation / disembarkation, airport terminals and subway stations, as well as inside any public transport.
- The suspension of international road transport of persons by regular services, special regular services and occasional services in international traffic, for all journeys made by transport operators to Italy, Spain, France, Germany, Austria, Belgium, the Swiss Confederation, the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands and Turkey and from these countries to Romania, by the Ministry of Transport, Infrastructure and Communications, at the proposal of CNSSU.
- International road transport of persons by occasional services is permitted if the following cumulative conditions are met: (i) only persons who: have a valid employment contract in the territory of the destination state, have a valid right of residence in the state are transported destination or return to Romania from the state in which they worked or lived; (ii) the road transport operator informs the Romanian Road Authority - A.R.R. from the Ministry of Transport, Infrastructure and Communications, at least 24 hours before the start of the race, regarding the performance of the race together with all the other essential data; (iii) the road transport operator carrying out the transport, together with the recruitment agency and the persons to be transported

shall take all necessary measures to comply with the rules and recommendations of the responsible authorities to avoid congestion, protection and safety measures for passengers and drivers.

- Failure to comply with the measures implemented in the alert state entails disciplinary, civil, contraventional or criminal liability, as the case may be. The contraventional sanctions are represented by the fine with a value between 500 - 15,000 RON, depending on the deed and its gravity

## **2. Restrictions on the activity of economic operators**

In order to prevent the spread of SARS-CoV-2 coronavirus, certain restrictions and interdictions have been imposed on the activity conducted by economic operators, such as:

- The consumption of food, alcoholic and non-alcoholic beverages is suspended in the common dining areas of restaurants, hotels, motels, boarding houses, cafes or other public places, both inside and on the terraces outside them, except for the preparation activities. of food and sale of food and alcoholic beverages that are not consumed in the respective spaces.
- The retail activities of products and services in the shopping centers where several economic operators carry out their activity are suspended, except for the activity carried out in small shopping centers, under 15,000 sq m, with individual stores within 500 sqm each; (ii) the sale of electronic and household appliances, only if the economic operators ensure their delivery to the buyer's domicile / headquarters; (iii) the activity carried out by the economic operators within the shopping centers that have the access provided directly from outside the premises and the communication with the rest of the complex is interrupted; (iv) the activity carried out by agri-food stores, pharmacies, dental offices, clothes cleaners and personal care centers, as well as the sale of medical optics products and services
- The activity of economic operators that carry out activities in closed spaces in the following fields is suspended: (i) gambling, (ii) fitness activities, (iii) activities in swimming pools, (iv) spa treatment activities, (v) places of play, (vi) game rooms and (vi i) activity in open spaces for the administration of beaches or outdoor pools.
- Employers in the private system with more than 50 employees have the obligation to establish individualized work schedules, without the employee's consent, so that between employees to ensure the existence of an hour interval at the beginning and end of the work schedule, within three hours. The individualized work schedule and its distribution by days are established in the additional

act to the individual employment contract

- The public institutions / authorities and the economic operators / professionals have the obligation to organize the activity, so as to ensure, upon entering the headquarters, obligatorily: (i) the epidemiological triage; (ii) mandatory hand disinfection, both for own staff and for visitors.
- Passenger transport operators, public and private, organize their activity so that the specific rules are observed.
- During the alert state, the employer may order, with the employee's consent, the development of the activity in telework or work at home, the modification of the workplace or its attributions.
- Marking the area intended for public access and the surface of relations with the public / sale through visible signs to ensure a safety distance of at least 1.5 m between persons.
- The measures of continuity of the activity of the residential centers for care and assistance of the elderly, the residential centers for children and adults, with and without disabilities, as well as for other vulnerable categories are ensured and the work schedule of the employees is established.
- Employers have the opportunity to order the measure of preventive isolation at work or in areas specially dedicated to staff holding essential positions to ensure the proper functioning of the national energy system.
- During the state of alert, it is forbidden to declare, trigger or develop collective labor disputes in the units of the national energy system, in the operative units of the nuclear sectors, in the units with continuous fire, in the sanitary and social assistance units, of telecommunications, of the radio. and public television, in the transports on the railways, in the units that ensure the public transport and the sanitation of the localities, as well as the supply of the population with gas, electricity, heat and water.
- During the entire alert state, the notice periods do not start to run, and, if they have started to run, they are suspended for the personnel employed in health units, social assistance, medical-social assistance and in the institutions in the field of defense, order public and national security

### **3. Facilities granted throughout the state of alert**

- During the isolation / quarantine measure at home or institutionalized quarantine, persons who do not show symptoms associated with COVID-19 may participate in the funeral ceremony in case of death of the spouse, a relative / affine grade 1-3, with the consent of the Directorate of Public Health and the approval of the County Centers / of the Bucharest Municipality for coordinating and leading the intervention.
- The physical training activities within the sports structures and bases consisting of training camps, trainings and sports competitions organized on the Romanian territory can be carried out only under the conditions established by the joint order of the Minister of Youth and Sports and the Minister of Health.
- Also allowed are: (i) personal care activities carried out in specially designed spaces; and (ii) hotel activities.
- Regarding the hotel activities: (i) the restaurants, bars, cafes and confectioneries inside the hotel will not function in a first stage, and the meal will be served in room-service regime; (ii) children's playgrounds will be closed; (iii) the places specially arranged for fitness, saunas, indoor swimming pool, etc., inside the hotels, in this first stage, remain closed; (iv) washing and disinfection of surfaces in rooms and common areas will be done more frequently than usual, with disinfectant solutions based on alcohol or chlorine; (v) lifts shall be used only if strictly necessary and only by a maximum of two persons at a time, who shall wear protective masks throughout the use of the lift.
- The activity of museum institutions, libraries, bookstores, cinemas, film and audiovisual production studios, performance and / or concert institutions, cultural centers and / or homes and other cultural institutions, as well as cultural events in the air free and public and private festivals may be held in compliance with certain measures to prevent the spread of COVID-19.
- The activity of religious services, including private services, is carried out in compliance with the rules of health protection: (i) the services will be officiated by church / religious ministers only in the open air, maintaining the distance between people; (ii) touching or kissing sacred objects of worship shall be avoided; instead of these ritual gestures, kneeling or bowing will be indicated; (iii) the blessing will be offered / received from a distance of at least 1 m; (iv) it will be avoided to offer / receive communion in the conditions in which teaspoons and disposable glasses cannot be

provided; (v) the access of the persons in the place of worship will be limited, respecting an area of 4 sq m per person; (vi) the personnel serving the place of worship, as well as the persons entering the place of worship shall wear a mask; (vii) the disinfectant will be made available at the entrance to the place of worship, so on.

- For the events and festivals to be held between March 8 and September 30, 2020, or during the period in which the right to organize events and festivals is suspended, the following rules shall apply: (i) in case of rescheduling its event the festival (but not later than September 30, 2021), the participant in the event or festival will be able to use the purchased access ticket; (ii) in case of cancellation of the event or festival or in case of impossibility to use the access ticket on the date of rescheduling the event or festival, the participant in the event or festival will receive from the organizer a voucher for the full amount paid to the organizer; (iii) if the voucher is not used for the purchase of products or services by September 30, 2021 at the latest, the organizer will reimburse all amounts received from the consumer until December 31, 2021.
- Documents issued by public authorities that expire during the state of emergency can be changed within 90 days from the end of the state of emergency.
- The validity of the documents issued by the public institutions and authorities is maintained throughout the state of emergency, as well as for a period of 90 days from the cessation of this state
- The validity of the following documents is maintained for a period of 60 days from the cessation of the state of emergency: (i) the certificates of classification of the child in a degree of disability issued by the commission for child protection; (ii) certificates of degree and type of disability issued by the evaluation commission for disabled adults; (iii) the certificates of maternal assistant issued by the commission for child protection; (iv) the certificates of the person or family apt to adopt issued by the general directorate of social assistance and child protection.
- The documents used in the social health insurance system, which expires until September 2020, remain valid depending on the evolution of the epidemiological situation.
- The validity of the documents issued by the General Inspectorate for Immigration is maintained throughout the state of emergency, as well as for a period of 90 days from the end of this state.
- The right of residence of foreigners on Romanian territory, conferred by entry visas to Romania / international conventions, normative acts unilaterally abolishing the visa regime or European legislative acts exempting from the obligation to obtain visas, is maintained for 90 days from the

cessation of the state of emergency without them being subject to any sanction or restrictive measure. These days are not taken into account when calculating the stay period of maximum 90 days during any period of 180 days prior to each stay day on the territory of Romania

- For persons deprived of their liberty in the detention and pre-trial detention centers of the Ministry of Internal Affairs, the right to telephone calls is supplemented to a maximum of 45 minutes per day.
- For the first 2 months from the end of the state of emergency, the statutory body that has the competence to convene the general meeting of companies regulated by law, decides how or the combination of methods of convening by means of distance communication, provided that they allow the transmission the text, together with the information and documents regarding the issues registered on the agenda, at an e-mail address / e-mail, Fax number or any other coordinates communicated by each shareholder. The completion of the agenda, if necessary, is done through the same methods of communication as those used to convene the general meeting.
- For the first 2 months after the cessation of the state of emergency, general meetings of shareholders may take place, even if the articles of association do not provide or prohibit, and by correspondence or electronic means of direct distance communication, including teleconferencing or videoconferencing, indicated in convocation.
- The decision of the general meeting of shareholders, which will include all the items on the agenda approved at the general meeting, will be prepared and signed with handwritten signature or extended electronic signature by the legal representative of the company
- In this way, the following will also take place: (i) the general meetings of the convened before May 8, 2020, but for which the holding of the meeting is established for a date subsequent to the establishment of the state of emergency; and (ii) meetings of bondholders.
- In the first 30 days after the cessation of the state of emergency, the participation in the meetings of the collective bodies of administration, supervision and / or of the management of the companies regulated by law, can be done through direct means of distance communication, regardless of the decision. The manner of participation in the meeting and of exercising the voting right is chosen by the statutory body that has the competence to convene.
- The new modalities of convening and participating in the general meeting / meetings of the bondholders are also applicable when: (i) the general meetings were convened during the state of

emergency, but which are convened after the cessation of this state; and (ii) general meetings convened and convened in the first 2 months after the cessation of the state of emergency

- The legal term by which the ordinary general meeting must meet for the first time in 2020, if applicable, is extended until July 31, 2020.
- At the same time, until July 31, 2020, the board of directors, respectively the directorate is not bound by the obligation to convene the extraordinary general meeting to decide whether the company should be dissolved, if it finds that, following losses, established through the annual financial statements approved according to the law, the net assets of the company decreased to less than half of the value of the subscribed share capital.
- For a period of 6 months from the date of cessation of the state of emergency, the work activity with the public at the counters of the Trade Register will be reduced and will take place during a 4-hour work program. During this period, the activity of the Trade Register will be carried out mainly by electronic means and by correspondence.
- For a period of 6 months from the date of cessation of the state of emergency, the declarations on their own responsibility or the signature specimens that are submitted to the Trade Register may take the form of a document under private signature and may be sent without any other formality, by electronic means. with electronic signature or by mail and courier services. The declarations on one's own responsibility or the signature specimens can also be given in authentic form, certified by a lawyer or given in front of a representative of the Trade Register.
- New measures are introduced regarding the holidays and indemnities of social health insurance, as well as social protection measures: (i) modification, by subsequent application norms approved by order of the Minister of Health and CNAS, of the manner and duration of granting the period of the state of emergency, of the holidays and of the social health insurance indemnities for the insured, quarantined or isolated persons; (ii) the replacement of the term of 90 days within which the payment of health insurance indemnities may be requested with a term of up to 180 days, for the medical leave certificates granted during the state of emergency; and (iii) setting a deadline for the issuance of medical leave certificates for persons infected or suspected of being infected with COVID-19 virus by family doctors, respectively after the last day of the institutionalized quarantine or isolation period, but not later than 30 calendar days from the date of cessation of the emergency period.

- Persons insured for leave and social health insurance benefits, who are prohibited from continuing their activity and for whom the quarantine measure was instituted as a result of a suspicion of COVID-19 infection, benefit from leave and allowances for quarantine, regardless of the place where it is established, for a period and on the basis of the documents provided by order of the Minister of Health, depending on the evolution of the epidemiological situation. Medical leave certificates are issued by family doctors after the last day of the quarantine period, but not later than 30 calendar days from the date of the end of the quarantine period.
- In the case of the debtor who has interrupted his activity totally or partially as a result of the measures adopted during the state of emergency, the creditors can formulate, during the alert state, the request to open the insolvency procedure only after the reasonable attempt, proved with documents communicated between parties by any means, including electronic means, to conclude a payment agreement.
- The period of suspension of employment at the initiative of the employer in case of interruption or temporary reduction of activity, without termination of employment, for economic, technological, structural or similar reasons during the emergency and alert, is taken into account when establishing the contribution period of at least 12 months in the last 24 months prior to the date of registration of the application for unemployment benefit.
- For a period of 6 months from the date of cessation of the state of emergency, public institutions and authorities requesting the presentation of civil status certificates, in original and / or photocopies, are obliged to accept extracts for official use from civil status documents sent in electronic format by the local community public service for the registration of persons or by the civil status office within the mayors of the administrative-territorial units.
- For a period of 6 months from the date of cessation of the state of emergency, the primary documents underlying the registration of birth and death certificates are sent by the issuers to the local community public service of evidence of persons / competent civil status office, by fax or by electronic means administered by the authorities of the Romanian state. The original documents must be submitted within a maximum of 90 days from the expiration of the 6 months after the end of the state of emergency. The documents issued in electronic format by public authorities and institutions will be signed with a qualified electronic signature and are assimilated to authentic documents.

- Public authorities and institutions have the obligation to receive documents signed with an electronic signature by making their own portals available, by using such tools provided by third parties or by electronic mail.
- The obligation of the companies to submit the declaration regarding the real beneficiary is extended until November 1, 2020. Until this date, the declaration regarding the real beneficiary can take the form of a document under private signature and can be sent to the trade register office without any other formality. electronic, electronically signed or by postal and courier services. The declaration regarding the real beneficiary can also be given in authentic form, certified by a lawyer or given in front of a representative of the Trade Register.
- The deadlines for the submission of the annual financial statements related to the financial year 2019, respectively of the annual accounting reports concluded on December 31, 2019 until July 31, 2020 are extended.
- Deliveries to associations and foundations legally constituted, of medicines, protective equipment, other devices or medical equipment and sanitary materials that can be used in the prevention, limitation, treatment and control of COVID-19 are exempt from value added tax. carried out by 1 September 2020
- The county road transport of persons by regular flights takes place, until 31.12.2021, based on the county transport programs and the licenses in force on April 4, 2020
- The county councils will conclude management delegation contracts for the further assurance of the county public transport of persons through regular flights
- During the alert state, for the products used to solve the cause that determined the alert state, the prices can be capped
- Taxpayers obliged to pay the tax according to Law 170/2016 on the specific tax of certain activities (i.e. traders who carry out activities in the field of HoReCa) will not owe specific tax for the period in which they totally or partially interrupt their activity during the state of emergency. In order to benefit from this facility, taxpayers must: (i) totally or partially interrupt the activity; (ii) holds the certificate for emergency situations issued by the Ministry of Economy, Energy and Business Environment; and (iii) is not insolvent according to the information available on the Trade Register website.

- Micro-enterprises are given the opportunity to deduct from income tax sponsorships granted to public institutions and authorities, including specialized bodies of public administration.
- The customs authorities shall not require payment of value added tax on imports of: (i) medicines, protective equipment and machinery for the production of protective masks, other medical devices or equipment and sanitary materials, which may be used in the prevention, limitation, treatment and combating COVID-19; and (ii) completely denatured ethyl alcohol, used for the production of disinfectants, during the state of emergency
- In 2020, the gambling operators whose licenses for organizing / authorizing the operation of gambling cease to be valid during the state of emergency may formulate applications for the reauthorization of the activity until no later than 90 days from the date of cessation of the state of emergency. urgently decreed.
- The value added tax requested for reimbursement through the returns with the negative amount of value added tax with reimbursement option, submitted within the legal term of deposit, is reimbursed by the central fiscal body, with subsequent performance of the fiscal inspection, with certain exceptions.
- Until the fulfillment of a term of 15 calendar days from the date of cessation of the state of emergency, the denaturing of ethyl alcohol is allowed in the fiscal warehouses authorized for the production of alcoholic beverages, if denatured ethyl alcohol: (i) is in the stock of operators holding a tax warehouse authorization for the production of alcoholic beverages on the date of entry into force of this emergency ordinance; or (ii) is purchased and received within the fiscal warehouse for the production of alcoholic beverages
- Operators wishing to denature ethyl alcohol submit to the competent territorial customs bodies an application, which contains information on the name of the operator, the excise code of the fiscal warehouse, the quantity and origin of ethyl alcohol and the denaturants to be used. If the ethyl alcohol purchased and received within the fiscal warehouse is intended to be denatured after the date of entry into force of this emergency ordinance, the request will be accompanied by a copy of the related commercial / administrative accompanying documents
- Operators are obliged to bottle and deliver the entire amount of denatured ethyl alcohol no later than 60 calendar days from the date of cessation of the state of emergency, after this date it is forbidden to bottle and deliver denatured ethyl alcohol to / from tax warehouses authorized for

production of alcoholic beverages. If this term cannot be observed, the quantities remaining in the fiscal warehouses, unbottled or undelivered, will be capitalized under the supervision of the competent bodies within the National Agency for Fiscal Administration only to the fiscal warehouses for ethyl alcohol production

- The expenses related to granting consular protection to Romanian citizens who cannot leave the territory of other states as a result of traffic restriction measures adopted in the context of an epidemic / pandemic, and who do not have means of subsistence, are reimbursed from the budget of the Ministry of Foreign Affairs.
- In order to benefit from the monthly allowance of 75% of the average gross salary, lawyers, whose activity is reduced as a result of the effects of the SARS-CoV-2 coronavirus, until May 31, 2020, with the possibility of granting the allowance after this date, if in the month for which they request the allowance they have achieved receipts with at least 25% lower than the monthly average for 2019, but which do not exceed the average gross salary, they will complete a request and a declaration on their own responsibility, in the form approved by Ministry Order Labor and Social Protection regarding the fulfillment of the granting conditions, which it sends to the agency for payments and social inspection. The indemnities granted are not subject to forced execution by seizure during their granting
- The measures of forced execution are suspended or not by seizing the budgetary, fiscal, financial and commercial receivables that are applied on the monthly rights paid through the territorial or sectorial pension houses.
- For persons who are on leave and the payment of the allowance for raising children and of the allowance for the care of the disabled child or on leave and the payment of the accommodation allowance for the children entrusted for adoption, the granting of rights is extended until 31 May 2020
- For persons who on May 14, 2020 are on leave and the payment of the child raising allowance, the insertion incentive is granted from the date of submission of the application, if they make income subject to income tax, until the child fulfills of the age of 3 years, respectively 4 years, in the case of the disabled child
- The terms and procedures for the medical review in the case of the persons who benefit from the disability pension, respectively from the survivor's pension, will be resumed within 30 days from

the date of cessation of the state of emergency.

- The decisions on the remaining working capacity and the documents proving the quality of legal representative or agent, of the persons for whom the pension decisions were issued, whose validity ceases during the state of emergency, extend their validity until the expiration of the period of 30 days from the date of cessation of the state of emergency. The payment of invalidity pensions established on the basis of these medical decisions is suspended starting with the month following the one in which the period of 30 days from the date of cessation of the state of emergency expires, in case the new document is not presented
- Medical leave certificates issued during the state of emergency related to cases of work accident or occupational disease are sent to the territorial pension houses by mail or electronic means of remote transmission by the beneficiaries of benefits or by legal entities that have the quality of employers
- In order to recover the allowances, during the state of emergency, the endorsement of the medical leave certificates by the public health directorates for cases of occupational diseases, of the territorial pension houses for the cases of work accident or of the occupational medicine doctors for the work certificates is suspended. medical leave for temporary transfer to another job or reduction of working time.
- Vulnerable persons, as defined by law, including categories such as: minor persons, with chronic diseases, with an economic level below the poverty line, with disabilities, with terminal illnesses, in unemployment, etc., who are in isolation at home, in order to limit the transmission of SARS-CoV-2 virus, receive support in the form of (i) community health care services with the provision of personal protective equipment used by persons providing community health care; and (ii) ensuring a food allowance in the amount of 30 lei / day, VAT included, which covers expenses for water and food
- It is recommended to the local public administration authorities and the owners, natural or legal persons, to install devices with disinfectant solutions at the entrances to buildings intended for collective housing and to periodically disinfect elevators, stairwells and other common spaces inside these buildings
- For a period of 3 months from the date of cessation of the state of emergency, medical personnel participating in medical actions against COVID-19, who perform, lead or coordinate missions and service tasks in conditions of special danger benefit from an increase of up to 30%, calculated at

the basic salary / position balance / position salary

- Upon the death of the medical staff participating in medical actions against COVID-19, his / her family or the person who incurred the expenses related to the death shall be granted, as the case may be, an additional aid equal to twice the average gross salary used to substantiate the social insurance budget of the state.
- The descendant of medical personnel who have died as a result of medical complications caused by COVID-19 coronavirus infection enjoy the following rights: (i) the right to a survivor's pension until the age of 18 or, if they continue their studies, until their completion, without to exceed the age of 26 years; (ii) survivor's pension equal to 75% of the basic salary / position balance / position salary held / held by the medical staff at the date of death; (iii) the right to medical assistance and free medicines within the sanitary network of the Ministry of Health or, as the case may be, the ministries with their own sanitary network, with the settlement of the expenses by them; (iv) exemption from the payment of the tax on the land and on the building used as domicile owned or co-owned. The surviving spouse benefits from the rights provided for in (ii) - (iv) if he or she does not remarry
- If there are no descendants, if the deceased was the only supporter of his parents, they benefit from a monthly allowance in the amount of 50% of the survivor's pension level
- Within 15 days from the date of granting the survivor's rights, the beneficiary opts for the rights established according to the law, the unitary system of public pensions and the survivor's pension established according to the new rights offered
- Flights performed by all air carriers holding an operating license in accordance with European Union regulations are allowed, through irregular flights (charter), for the transport of seasonal workers in Romania.
- The validity of collective labor agreements and collective agreements is maintained for a period of 90 days from the end of the state of emergency
- It is maintained for a period of 60 days from the cessation of the state of emergency, the validity of the accreditation certificates of the social service providers and of the operating licenses of the social services, provisional and definitive, extended during the state of emergency
- The holders of broadcasting licenses and licenses for the use of radio frequencies in digital terrestrial

system are exempted from the payment of the spectrum use tariff for 2020

- The debt securities issued during 2020 for the individualization of the amount of the spectrum use tariff are abolished by the decision of the National Authority for Administration and Regulation in Communications. Holders of broadcasting licenses and / or licenses for the use of radio frequencies in digital terrestrial system who have already paid the tariff for the use of the spectrum according to the debt securities may benefit, upon request, from the refund of the amounts.
- The deadline for payment of the spectrum usage fee due by the holders of licenses for the use of radio frequencies established in the debt securities issued for the first quarter of 2020 is October 31, 2020. Holders of licenses for the use of radio frequencies, who have already paid the fee use of the spectrum according to the issued debt securities can benefit, upon request, from the refund of the amounts paid
- During the alert state, the transmission and distribution operators of electricity and natural gas or the operators of water, sewerage and sanitation ensure the continuity of service provision, and in case there is an incident of a reason for disconnection / disconnection, postpone this operation until termination of the alert state
- The value of medical services and medicines for treating COVID-19 cases and their complications, including the value of performing tests to confirm COVID-19 infection, for staff of Romanian diplomatic missions, consular offices and cultural institutes abroad and accompanying family members in maintenance, in case it is not supported / settled by the health insurance provider, is supported from the budget of the Ministry of Foreign Affairs
- Romanian diplomatic missions, consular offices and cultural institutes abroad can contract medical insurance services for their own staff and accompanying family members in maintenance, according to their own norms developed and approved by order of the Minister of Foreign Affairs, within the package of medical services. basis approved by Government decision.
- During the alert state, the courses in all educational units and institutions are suspended until the end of the 2019-2020 school / university year.
- The preparation activities for the national exams, which involve the "face to face" interaction, between June 2 and June 12, 2020, as well as the activities consisting in taking the national exams are carried out in compliance with certain conditions, such as: (i) access it must be organized in such a way as to ensure a minimum area of 4 sq m for each person and a minimum distance of 2 m

between any two close persons; (ii) not to allow access to persons whose body temperature, measured at the entrance to the premises, exceeds 37.3 0 C; (iii) to ensure the disinfection of the exposed surfaces and the measure of the physical distance

- Daily epidemiological triage (temperature measurement) is performed by a doctor or nurse in each school
- Educational institutions may establish, depending on the specifics of each and with the provision of all safety measures to prevent and combat the effects of the COVID-19 pandemic, the development of certain categories of activities that involve "face to face" interaction such as: (i) activities for concluding the related school situation; (ii) activities for preparing / taking the entrance exams for the bachelor's and master's cycles, respectively; (iii) activities necessary in order to prepare / take the final exams for the bachelor's and master's degree cycles, respectively; (iv) the activities necessary to complete the advanced / postgraduate courses; (v) other activities established on the basis of the principle of university autonomy, assuming public responsibility
- The boards of directors of the pre-university education units will elaborate and approve their own procedure, through which they establish the modalities for carrying out the activities of preparing the national exams, their own circuit of entry and exit of students, teaching staff, auxiliary and non-teaching staff. , as well as the way in which the sanitation / disinfection of the educational unit / institution will be performed
- The pre-university education units organize, as far as possible, the development of activities from the educational plans, in online format
- It is allowed to carry out, after May 2, 2020, some training activities, for a period of 2 weeks, for the students of the final classes (8th, 12th and 13th), as well as for the organization national examinations and research of professional competencies, as well as the specific activities of each higher education institution, under the conditions of observing the prevention measures.
- Until the elimination of the restrictions regarding the public assemblies, the development of all the teaching-learning-evaluation activities related to the second semester of the academic year 2019-2020, of the final exams of the bachelor's, master's or postgraduate study programs, the support doctoral theses, the defense of the habilitation theses for the academic year 2019-2020 and, at the same time, the process of admission to university studies, can also be done online.

- Until the beginning of the academic year 2020-2021, the higher education institutions from the national education system use the online mode as an alternative teaching method
- Until the elimination of the restrictions regarding the public meetings by the competent authorities, the solution of the activity restriction for the tenured teachers in the pre-university education system is achieved by distribution on vacancies / departments, activity coordinated by the county school inspectorates / Bucharest School Inspectorate
- The students from the accredited / authorized pre-university education benefit free of charge from public services of local road, naval, subway, as well as railway transport for all categories of trains, class II, throughout the calendar year

The legal basis of the above is represented by; *Decision 281/2020; Emergency Ordinance no. 43/2020; Order 875/2020; Emergency Ordinance no. 38/2020; Emergency Ordinance no. 46/2020; Emergency Ordinance no. 47/2020; FSA Regulation 5 / 09.04.2020 for the adoption of measures regarding the conduct of general meetings of issuers during the existence of the state of emergency generated by COVID-19; Emergency Ordinance no. 48/2020; Emergency Ordinance 49/2020 for the modification and completion of the Government Emergency Ordinance no. 158/2005 on leave and social health insurance benefits, as well as for the regulation of some social protection measures; Emergency Ordinance no. 53/2020; and Order no. 890/2020; Emergency Ordinance no. 55/2020; Emergency Ordinance no. 56/2020 Decision 312/2020; Order 725/2020 issued by the Ministry of Health; Emergency Ordinance no. 58/2020;; Emergency Ordinance no. 59/2020; Emergency Ordinance no. 62/2020; Emergency Ordinance no. 70/2020; Law 55/2020; Law 56/2020; Decision 394/2020; Order 1070/2020; Order 4266/2020; Order 4267/2020; Order 1731/2020; Order 984/2020. .*

#### **4. Issuance of Certificates for Emergency Situations (CES)**

In order to help economic operators whose activity has been affected in the context of the SARS-COV-2 epidemic, the Ministry of Economy, Energy and Business Environment will issue Certificates for Emergency Situations, at the economic operators' request, under the following conditions:

- The applicant must: (i) have ceased operation either totally or partially based on the decisions issued by the public authorities, throughout the state of emergency, being issued a Type 1 Certificate (Blue) in this respect; (ii) have reduced its activity, with a decrease in receipts by at least 25% in March 2020 as compared to the average receipts in January and February 2020, being issued a Type 2

Certificate (Yellow) in this respect.

- An applicant may request a single type of Certificate and such request for a Certificate will be filed by the applicant solely online, filling out a statement on own responsibility, via the <http://prevenire.gov.ro/> platform;
- The CES will be issued automatically and online, after the application is validated in the system, only for the period of the state of emergency in Romania and is valid without signature and stamp;
- The following information and documents will be uploaded for the issuance of a CES, signed electronically by the applicant or their proxy: (i) identification details; (ii) statement on own responsibility of the legal representative, attesting that all filed information and documents are accurate and comply with the legislation in force concerning the type of requested Certificate;
- The certificate can be used in relations with public institutions in order to obtain facilities/support measures or in business relations;
- The statements and documents based on which the statement was issued will be checked during the inspections and controls conducted by the competent bodies.
- The Ministry of Economy, Energy and Business Environment may issue emergency certificates, upon request, to economic operators whose activity has been affected in the context of the SARS-CoV-2 pandemic during the state of emergency, until June 15, 2020.
- Emergency certificates can also be requested by economic operators that have registered a decrease in revenues or revenues of at least 25% in May 2020 compared to the average of January and February 2020

The legal basis of the above is represented by *Order no. 791/2020 on granting certificates for emergency situations to economic operators whose activity has been affected in the context of the SARS-Cov-2 pandemic and Order no. 872/2020 for the modification of Order no. 791/2020; and Emergency Ordinance no. 70/2020.*

**Mitel & Asociatii**