Factsheet:

Access to Base Registries in Romania

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Romania towards Interoperability

Pursuing the goal of reaching other European countries, Romania is investing significant effort into implementing interoperability at national level. Although a National Interoperability Framework (NIF) is not finalized yet, draft interoperability laws and strategies were developed since 2009.

The **Government Programme 2010-2013 ('eRomania')[1]** played an important role in the improvement of the e-Government system in Romania. More specifically, the administrative procedures were simplified and converted to electronic format, an information infrastructure was developed and national electronic registries[2] were planned on being built. Additionally, a national integrated system for online public services designed for citizens and businesses was developed. Cooperation within the public administrations was among the programmes´ goals and played a decisive role in providing interoperable, secure electronic public services through a central point of access. This strong impulse towards modernisation of the public administration lead to the provision of higher quality public services.

The eRomania programme was under the management of the Ministry of Communications and Information Society (MCSI), who proceeded with the **National Strategy on Digital Agenda for Romania 2014-2020[3],** targeting directly the ICT sector. The strategy is aligned with the Digital Agenda for Europe, taking it as a reference. The strategy settles four different actions, the first one covering "e-Government, Interoperability, Cyber Security, Cloud Computing, Open Data, Big Data and Social Media". The action aims at improving the transparency of the public administration acts, increase the access to digitised public services and decrease costs making the public administrations more efficient. In order to achieve this general goals, concrete lines of actions were set up. Among them are the promotion of better standards, the identification of data registries and their relevant owners for interoperability, improvement of the legislation, a unique point of contact or single sign on, e-identity, improvement of governance on implementation of computerised public services and inter-institutional cooperation in general.

The National Strategy on Digital Agenda for Romania 2014-2020 goes hand in hand with the **National Reform Programme 2016**[4], which has similar goals - unifying access to electronic public services, defining mechanisms for collaboration between government systems and implementing unique authentication systems in public administration.

Part of the National Reform Programme 2016 is also the improvement of the cadastral activity within the National Agency for Cadastre and Land Registration (ANCPI). The agency aims to **complete the process** of the systematic registration of real estate data together with the improvement of the integrated system for the cadastre and land registry. To put the last initiative into context, back in 2007, as a result of the INSPIRE initiative, a unified cadastre and land registration system developed at national level was implemented in Romania. It was managed in compliance with the European and international standards in the field of cadastre and land registration. For that, an integrated cadastre and land registration IT system was created, called e-Terra 3[5] system, which is the National Agency for Cadastre and Land Registration's main operational computer system. It ensures the management of the electronic cadastre and land registration records. The aim of the e-Terra computer system is to increase the quality of their services by unifying, standardising and automating the processes of updating and inquiring the cadastral records, managed by National Agency for Cadastre and Land Registration. The system manages a unique database containing

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[1] http://www.monitoruljuridic.ro/act/strategia-nationala-din-9-martie-2010-e-romania-2010-2013-emitent-guvernul-publicat-n-monitorul-oficial-nr-276-din-28-aprilie-118294.html

[2] By draft law, the national electronic registers are considered to be: Population Registry, Tax Registry, Trade Registry, Cadastral and Land Registry, Vehicle Registry, Social Insurance Registry, and Support Registry for students.

[3] https://www.comunicatii.gov.ro/?page_id=2154

[4] http://ec.europa.eu/europe2020/pdf/csr2016/nrp2016_romania_ro.pdf

[5] e-Terra 3 is part of http://geoportal.ancpi.ro/

the graphical and textual data related to cadastral and legal record. The e-Terra system was constantly upgraded to ensure consistent support for the implementation of the INSPIRE Directive structural instruments.

For the trade registry, the National Trade Register Office intends to introduce a new mechanism for the register´s process optimisation as well as increasing the access to information regarding the business partners from the EU Member States.

Regarding the Romanian **National Interoperability Framework**, in order to develop the final form to be approved by the Romanian Government, the Ministry of Communications and Information Society provided to public consultation a draft version of the framework.[6] The draft states that the general objective of the National Interoperability Framework is to promote and support the provision of public services in Romania, through the development of interoperability, both from a cross-sectoral and cross-border perspective; and to guide the authorities and institutions of public administration in the provision of public services by citizens and businesses. The National Interoperability Framework proposes a set of definitions, principles, recommendations, tools and guidelines to support Romania's public administration in the implementation of interoperable information systems. The Romanian NIF was prepared taking into account the current European Interoperability Framework (EIF).

Finally and regarding open data, the National Reform Programme 2016 aims at defining the data sets to be collected and extending the data sets present on the corresponding portal[7].

Under the Ministry of Communications and Information Society (MCSI), several other projects were initiated[8]: "The development of infrastructure to secure interoperability and access to the Central Administration (PKI Bridge)"[9], which is already completed, "Developing the interoperability of databases for SMEs"[10] and "Establishment of the development tools for e-government (eGov)"[11], which are on-going.

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[6] http://www.agora.ro/stire/mcsi-cadrul-na-ional-de-interoperabilitate-lansat-dezbatere-publica
  https://www.comunicatii.gov.ro/?page_id=2150

[7] www.data.gov.ro

[8] https://www.comunicatii.gov.ro/?page_id=2150

[9] http://www.comunicatii.gov.ro/?page_id=4703

[10] https://www.comunicatii.gov.ro/?page_id=2150

[11] http://www.comunicatii.gov.ro/?page_id=6476

Legal Interoperability

Interoperability requires proper legislative timing and clarity and although the national strategies and initiatives mentioned before are backed by correspondent legislation, a notable part of them are still draft laws sublimated to public debate[12]. Among them are the Draft Law on National Interoperability Framework, the Draft Law on National Electronic Registers or Draft Law on the minimum security measures of information systems in Public Administration.

The **Draft Law on National Interoperability Framework**[13] establishes the rights and obligations of the operators of computer systems used to offer electronic public services. The law sets the principles and goals to be achieved with the transposition of the interoperability framework and the authorities responsible for its implementation. It also settles the rules for the National System of Authentication (SUNA), which allow secure authentication of public services´ users, and the National Depositary of Documents (DND), information system that allows for secure storage of individuals and legal entities documents. The law also specifies the technical and methodological rules concerning the National Interoperability Framework.

The law also states that within 90 days of the publication of technical and methodological rules, the operators of computer systems who provide electronic public services together with the institutions responsible for managing the national electronic registers, will have to implement the necessary actions to accept and process requests submitted by citizens through the National Electronic System. They will also accept and process the requests received from another computer system through which public services are available. The automatic acquisition of information that already exists within the national electronic registries has to be ensured, in order to eliminate repeated introduction of data, thus insinuating the implementation of the **once-only principle**. Failure to comply with the established in the law will lead to receiving a fine.

The **Draft Law on the minimum security measures of information systems in Public Administration**[14] was created for the protection of the public administration's information systems. The security actions are formed by the framing and descriptions of the organisational, physical and IT security measures for data protection.

The **Draft Law on National Electronic Registers**[15] ensures the coverage, constitution, administration and operations of the National Electronic Registers (REN), aiming at reducing the duplication of the data used by the public sector, preventing the repeated collection of information from persons or bodies (the **once-only principle**) and ensuring the reliability and safety of the data. **T**he law is mainly intended for the individuals and institutions involved in setting strategies for the Information Society, as well as in the design or operation of electronic services. The National Electronic Registers are defined by law as "collections of information and data originated from social entities, in electronic format, considered as authentic sources of information". The National Electronic Registers are considered to be: Population Registry, Tax Registry, Trade Registry, Cadastral and Land Registry (territorial Identification, addresses and properties), Vehicle Registry, Social Insurance Registry, and Support Registry for students.

There are also specific legal provisions for those National Electronic Registers in Romania:

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[12] http://www.mcsi.ro/Minister/Domenii-de-activitate-ale-MCSI/Tehnologia-Informatiei/Initiative-legislative
[13] http://www.mcsi.ro/Minister/Domenii-de-activitate-ale-MCSI/Tehnologia-Informatiei/Initiative-legislative/Interoperabilitate
[14] http://www.mcsi.ro/Minister/Domenii-de-activitate-ale-MCSI/Tehnologia-Informatiei/Initiative-legislative/secur2b-(1)
[15] http://www.mcsi.ro/Minister/Domenii-de-activitate-ale-MCSI/Tehnologia-Informatiei/Initiative-legislative/Registrele-Electronice-Nationale

- The **Law no. 26/1990 on the Trade Register**[16], updated by the Law 152/2015 amending and supplementing certain acts in the field of registration in the Trade Register[17], defines the trade registry as the recording of individuals, family associations and legal persons together with the registration of their operations referred by the current law. The registry is under the authority of the National Trade Register Office. The registration is done electronically, both in the trade registry offices and in the computerised Central Registry. Applications and documents, received on paper or in electronic form, are archived by the National Trade Register Office in electronic form. The issue of certificates is mandatory when requested and the law also sets the fees and penalties when the law is breached. The **Law no. 359/2004 on simplifying the formalities for registration in the trade and tax registry**[18] aims at simplifying the administrative procedures and promote the quality of services, by assigning, for example, a unique registration code, facilitating the exchange of registration certificates or providing support services.
- The **Law no. 7/1996 on cadastre and real estate**, republished in 2013,[19] sets the purpose of maintaining a cadastre and real estate registry, the authority and the administrative level at which the cadastre is maintained, the organisation of the cadastral activities, the procedures for registration in the land registry, sanctions and transitory and final provisions.
- The **Law no. 105 of September 25, 1996 on the population registry and ID card**[20] covers aspects such as the organisation of the population and its registration together with the bodies responsible for that. It also contains other information regarding the ID card, the establishment and change of domicile and residence of Romanian citizens or sanctions.
- Of great importance is also the **Emergency Degree no. 97/2005 on the records, domiciliation, residence and identity documents of Romanian citizens[21],** which records the Romanian citizens' data in a national system of registration (the National Person Identity System). The authority behind this system is the Ministry of Interior, specifically the Directorate for Persons Records and Database Administration together with the National Register of Persons. This system records all activities carried out electronically for recording the citizens, producing, issuing and recording the civil status documents, identity cards, voter cards and other documents required by the person in relations with the state. The National Person Identity System is to be an open system, serving as the sole support for data provision under the law for all systems that process information of the individuals. The data is to be collected on 3 levels: locally by municipalities, ay county levels and then centrally by the Directorate for Persons Records and Database Administration, together with the National Register of Persons.

On the other hand, data protection is also legally covered. In Romania there are two main pieces of legislation on the subject, particularly the **Law no. 677/2001 on the Protection of Persons concerning the Processing of Personal Data and the Free Circulation of such Data[22]** and the **Law no 506/2004 on the Processing of Personal Data and the Protection of Privacy in the Electronic Communications Sector.[23]** The first one aims at providing the legal and operational support to cover the entities and the mechanisms which are responsible for ensuring data protection. For that matter, a personal data processing system and its security was set up together with a supervisory authority that will ensure the law will not be

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[16] http://www.euroavocatura.ro/print2.php?print2=lege&idItem=1222
[17] http://legeaz.net/monitorul-oficial-519-2015/legea-152-2015-modificarea
[18] http://lege5.ro/Gratuit/gezdamryhe/legea-nr-359-2004-privind-simplificarea-formalitatilor-la-inregistrarea-in-registrul-comertului-a-persoanelor-fizice-asociatiilor-familiale-si-persoanelor-juridice-inregistrarea-fiscala-a-acestora-pre
[19] http://www.dreptonline.ro/legislatie/legea_cadastrului_publicitatii_imobiliare.php
[20] http://www.cdep.ro/pls/legis/legis_pck.htp_act_text?idt=4095
[21]
http://www.dreptonline.ro/legislatie/oug_97_2005_republicata_2011_evidenta_domiciliul_resedinta_actele_identitate_cetatenilor_romani.php
[22] http://ec.europa.eu/justice/policies/privacy/docs/implementation/ro_law_677_2001_en_unofficial.pdf
[23] http://www.dataprotection.ro/servlet/ViewDocument?id=173

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breached. The illegal processing of personal data is fined from fined from 10 million to 250 million RON. The law also gives control to individuals to access and correct their personal information held by public or private bodies.

Lastly, the **Romanian Public Sector Information Law no 109/2007**[24] is the one transposing at national level the PSI Directive, with the general purpose of regulating the reuse of information from public institutions in order to create new information products and services. The use of documents held by public institutions is free. Under this law, the public institutions must provide conditions to facilitate access to documents available for reuse, in particular through the development of lists and directories when using electronic means, with the most important documents for reuse, and the clear indication of the persons to be contact and the information points. To facilitate that latest, the beta version of the open government portal[25] was set up. The trade register, for that matter, released datasets related to companies registered in the Trade Register no later than July 29, 2016[26].

In line with the previous, the **Law no. 544/2001 on Free Access to Information of Public Interest**[27] allows the citizens to request information from the public authorities and state-owned companies. The law also makes it mandatory for the authorities to publish a wide variety of basic information on their structure and activities such as their registry of 'documents of public interest', for example. The law is intended to be amended. Public debate about the appropriateness and completeness of the law has been initiated[28].

The activities plan for creating and updating the National Infrastructure for Spatial Information in Romania was approved under the ordinance **HG nr.38/2016.**[29]

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[24] http://www.legi-internet.ro/legislatie-itc/altele/legea-nr1092007-reutilizarea-informatiilor.html
[25] http://data.gov.ro/dataset
[26] http://data.gov.ro/organization/onrc
[27] http://legislatie.resurse-pentru-democratie.org/legea/544-2001.php
[28] http://www.fonduriadministratie.ro/ghidul-solicitantului-ip52016/
[29] http://lege5.ro/Gratuit/gezdeobygeyq/ordonanta-de-urgenta-nr-38-2016-pentru-modificarea-si-completarea-legii-nr-249-2015-privind-modalitatea-de-gestionare-a-ambalajelor-si-a-deseurilor-de-ambalaje

Organisational Interoperability

The organisational interoperability covers the collaboration of the administrations and agencies which want to exchange information so that the provision of the services is transparent and customer oriented.

The main entity within the Public Sector in the ICT sector is the **Ministry of Communications and Information Society (MCSI),** which is the main provider holding executive control over digital, interoperability and e-Government strategies and initiatives at national level. It coordinates programmes such as "National Interoperability Framework", not yet finished, "eRomania" or the "National Strategy on Digital Agenda for Romania 2014-2020", among many others[30].

The relevant subordinated institutions are the Agency for Digital Agenda of Romania, the Agency for Information Society Services and the National Institute for Research and Development in Informatics (ICI).

The **Agency for Digital Agenda of Romania** is responsible for the coordination of the operating systems that are related to the delivery of e-Government services. It is in charge of the operation of the e-Government Portal[31], the electronic System for Public Procurement[32], the Virtual Payment Desk[33] and the IT System for the electronic attribution of international authorisations on transport goods[34].

Regarding the administration of base registries, the following table gathers the main Base Registries in Romania together with the Public Administration bodies to which they belong and the Master Data Type/s they handle:

Base Registry	Authority	Master Data
Population Registry	Ministry of Internal Affairs	PERSONAL DATA (NATURAL AND LEGAL PERSONS)
Vehicle Registry	Road Authority of Romania, Ministry of Internal Affairs	VEHICLES
Trade Registry	National Trade Register Office, Ministry of Justice	BUSINESS AND LEGAL ENTITIES
Land Registry	National Agency for Cadastre and Land Registration (ANCPI)	REAL ESTATE, LAND, BUILDINGS
Tax Registry	National Agency of Fiscal Administration	TAXES

The majority of the registries are administered locally, at county level. Exceptions are the Trade Registry, which is a central database, and the cadastre and land registration administered at national level too.

The National Registry of People is managed by the Ministry of Interior, concretely by the Directorate for Persons Records and Database Administration (DEPABD) together with the National Register of Persons.

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[30] https://www.comunicatii.gov.ro/?page_id=2154

[31] http://e-guvernare.ro/

[32] http://e-licitatie.ro/Public/Common/Content.aspx?f=PublicHomePage

[33] https://www.ghiseul.ro/ghiseul/public

[34] http://autorizatiiauto.ro/Portal

The data update in the registry is done by the DEPABD and also by the community public services for people on the basis of documents submitted by the person concerned or released by authorities. Those authorities are the Ministry of Foreign Affairs for civil status events occurring abroad, Ministry of Justice, for those who gain or lose Romanian citizenship, courts and the General Directorate of Passports, for those who acquire or hold the status of Romanian citizen residing abroad.

Semantic Interoperability

The semantic interoperability allows all the actors to understand the exchanged data and also permits the systems to integrate the information and process it in a meaningful manner.

The National Interoperability Framework, which is under development, will include the criteria and recommendation for the semantic interoperability. Unfortunately, other information regarding semantic measures was not founded.

Technical Interoperability

Technical interoperability is achieved through the connection of systems and public services via open interfaces and through the exchange and the presentation of data.

Although scarce information is available regarding technical interconnectivity of base registries in Romania, the public administration is striving towards achieving it.

For that matter, the Draft Law on National Interoperability Framework includes technical specifications to achieve interoperability between systems, products, software, application or service accessible through the National Electronic System (NES) - a common platform for providing several e-Services to businesses and citizens via a portal[35].

An interoperability working group was created consisting of the Ministry of Communications and Information Society, as the main responsible, together with the Agency for Information Society Services and the National Institute for Research and Development in Informatics (ICI). This working group will develop the methodological and technical standards concerning the technical interoperability regarding the use of public e-services directly from its own electronic system interface. They will also ensure the exchange of information between two or more computer systems of public administration through a central node and the access via a computerised system of the data stored in the national base registries. The technical and methodological rules will consider the relevant international standards.

The National Interoperability Framework will pursue ensuring the use of standards, adoption and promotion of the use of XML together with accessible web interfaces for providing and for accessing public services and electronic information. The structuring of data (metadata) will be done considering the ISO standard 15836:2009 or other international and open standards (e.g. ISO 20775: ISO25577:2008, 2009). Other standards and technical specifications used at European level (W3C, IETF, OASIS, ISSS, etc.) will also be considered. Open standards and open technologies will be used to reduce total costs for maintenance and development of public services.

Another project managed by the Ministry of Communications and Information Society, briefly mentioned before, is the "Establishing the development of tools for e-government (eGov)". The goal is to improve the institutional capacity of public authorities by developing e-government tools for citizens and businesses, while providing the vision and directions for action in the field of e-Government. For that, a set of minimum procedural standards for all institutions involved in e-government both at central and local level will be created.

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[35] www.e-guvernare.ro

Cross-border Interoperability

Romania is a participant of the EUCARIS[36] system. The country is making available vehicle and driving licence information based on the EUCARIS Treaty. Currently Romania is implementing EUCARIS for an interoperable EU-wide eCall (Delegated Regulation (EU) No 305/2013).

Romania is also using the EUCARIS technology for information exchange based on the EU Prüm Council Decisions (2008/615/JHA and 2008/616/JHA), the 3rd Driving Licence Directive (2006/126/EU), the Road Safety Directive (2015/413/EU) and legislation concerning the European Register of Road Transport Undertakings (ERRU), the regulations (EU) No 1071/2009, 1072/2009, 1073/2009 and 1213/2010 (information exchange via HUB of the European Commission).

Romania is also a member of ECRIS[37]. It is not clear whether Romania is not or is pending membership for EULIS[38].

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[36] EUCARIS (European Car and Driving License Information System) https://www.eucaris.net/
[37] ECRIS (European Criminal Records Information System) http://ec.europa.eu/justice/criminal/european-e-justice/ecris/index_en.htm and http://eige.europa.eu/gender-based-violence/administrative-data-sources/electronic-court-record-information-system-database-ecris
[38] EULIS (European Land Information Service) http://eulis.eu/

E-Government Public Services making use of Base Registries data

The main portals offering electronic e-Government services to Romanian citizens are:

The **e-Government portal**[39], under the Agency for Digital Agenda (AADR), is a central point that provides general information regarding the departments of central and local government, as well as the legislations and regulations for the interaction with the public administration.

Through the e-Government portal the **National Electronic System (SEN)** can be accessed. SEN facilitates the interaction between the citizens/businesses with the public administration. Currently, more than 12000 public institutions were registered on SEN (mandatory by law) and the portal lists them in the National Register of Public Institutions in Romania, available as well on the portal.

The National Electronic System provides citizens with forms used in interaction with the public administration, allowing them to obtain various documents. Furthermore, through SEN, the citizens who own a qualified electronic certificate issued by an accredited certification provider (list also available on the portal) have the possibility to submit online the "Declaration on payment obligations of social contributions, income tax and nominal record of insured persons".

The e-Government portal also provides access to the Trade Registry´s online services, the electronic System for Public Procurement[40], the Virtual Payment Desk[41] and the IT System for the electronic attribution of international authorisations on transport goods[42].

A different platform is the **Electronic Point of Single Contact**[43], which integrates the e-Government services in a national electronic system. The portal is divided into a service catalogue, activity areas, general information, contacts and the option to create a request. The provided services are targeting the citizens and businesses separately. The information can be accessed both in the Romanian and English language.
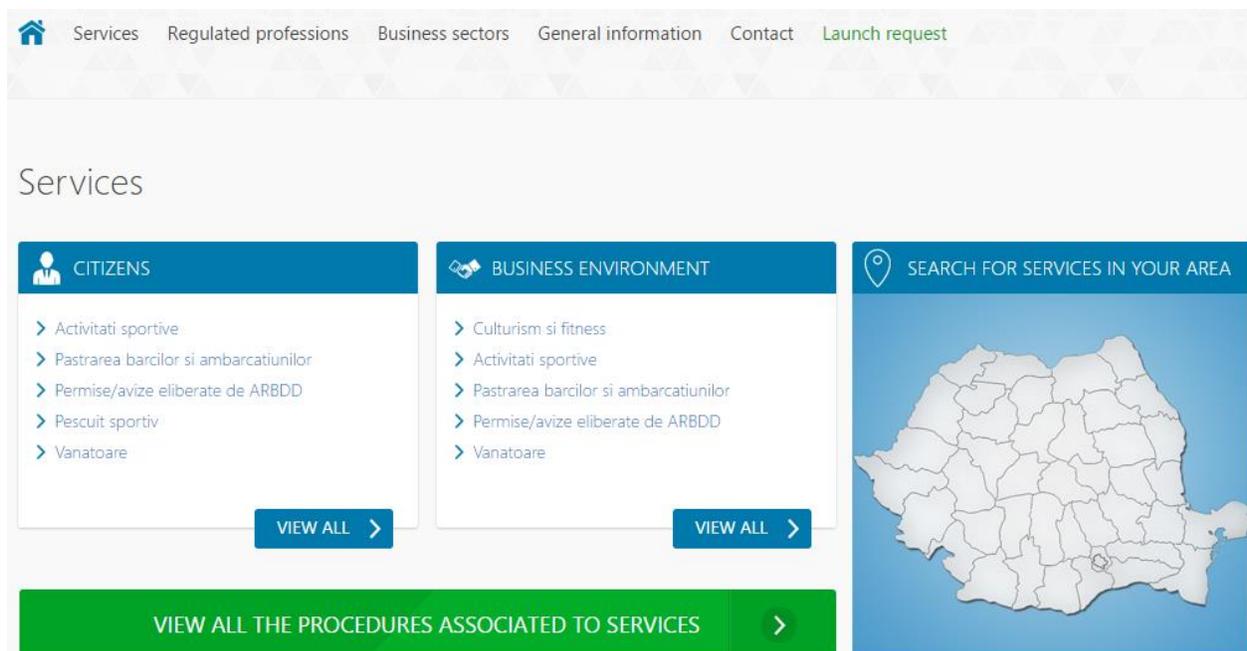
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[39] http://www.e-guvernare.ro/
[40] http://e-licitatie.ro/Public/Common/Content.aspx?f=PublicHomePage
[41] https://www.ghiseul.ro/ghiseul/public
[42] http://autorizatiiauto.ro/Portal
[43] https://edirect.e-guvernare.ro/SitePages/landingpage.aspx

There also specific portals providing access to Base Registries. For example, the trade registry portal[44] provides all the needed information regarding the registration of a company in Romania, including access to the separate online services[45] the register provides. The eForms service provides access to the intelligent forms that can be electronically signed and sent to the competent authority. However, there is no electronic national land registry currently available in Romania. For tax services[46]; certificates (birth/marriage), passports, announcement of moving[47]; car registration[48], several portals are available although they only provide information on procedures and on required documents.

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[44] http://www.onrc.ro/index.php/ro/ https://portal.onrc.ro/
[45] https://portal.onrc.ro/ONRCPortalWeb/ONRCPortal.portal
[46] www.anaf.ro
[47] www.mai.gov.ro
[48] http://www.mira.gov.ro/ (section Utile); http://www.drpciv.ro