大成 **DENTONS**

Attestation of the existence of a case of force majeure

versus

Emergency certificate

March 2020

Issuing Authority

ATTESTATION of the existence of a CASE of FORCE MAJEURE

The Chamber of Commerce and Industry of Romania

County Chambers of Commerce and Industry

EMERGENCY CERTIFICATE

Ministry of Economy, Energy and Business Environment

Beneficiary

ATTESTATION of the existence of a CASE of FORCE MAJEURE

Romanian companies affected by the force majeure in <u>a specific contract</u>

domestic obligations

international obligations

EMERGENCY CERTIFICATE

ONLY economic operators directly affected

in the context of COVID-19

Legal Basis

ATTESTATION of the existence of a CASE of FORCE MAJEURE

Law no. 335/2007 regarding the chambers of commerce in Romania (art. 28 paragraph (2) letter i.)

EMERGENCY CERTIFICATE

Decree no. 195/2020 regarding the establishment of a state of emergency in the territory of Romania (Annex I, art. 12)

Procedure

ATTESTATION of the existence of a CASE of FORCE MAJEURE

EMERGENCY CERTIFICATE

copy of the contract affected by the force majeure event, comprising the force majeure clause

certifications from authorized bodies, authorities and institutions, on a case-by-case basis (other than the CCIR)

notices addressed to the contractual partner – effects on the performance of the contractual obligations

any other useful documents

proof of fee payment

To be approved by Order of the Minister of Economy, Energy and Business Environment

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Fee

ATTESTATION of the existence of a CASE of FORCE MAJEURE

Aviz: EUR 500 (plus VAT)

Special advice: 30 euro / 30 minutes (plus VAT)

EMERGENCY CERTIFICATE

To be approved by Order of the Minister of Economy, Energy and Business Environment

Term

ATTESTATION of the existence of a CASE of FORCE MAJEURE

15 days (from the date of submitting complete documentation and payment of fee)

EMERGENCY CERTIFICATE

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Consequence

ATTESTATION of the existence of a CASE of FORCE MAJEURE

ONLY on the contract affected by the force majeure event

EMERGENCY CERTIFICATE

On the whole activity of the economic operators directly affected in the context of COVID-19