

**OFFICIAL GAZETTE OF ROMANIA**

**PART 1**

Year 176 (XX) No 737

**LAWS, DECREES, DECISIONS AND OTHER ACTS**

Thursday 30 October 2008

Contents

...

**LAWS AND DECREES**

...

213. Law amending Law No 109/2007 on the reuse of information from public institutions ... 3

994. Decree promulgating the Law amending Law No 109/2007 on the reuse of information from public institutions ... 3

**PARLIAMENT OF ROMANIA**

**CHAMBER OF DEPUTIES**

**SENATE**

**Law amending Law No 109/2007 on the reuse of information from public institutions**

The Romanian Parliament has adopted this Law

**Article I** – Law No 109/2007 on the reuse of information from public institutions, published in Official Gazette of Romania Part I No 300 of 5 May 2007, is hereby amended as follows:

**1. Article 4(e) shall read as follows:**

'e) third party - any individual or private or public law legal person, other than a public institution, that is the holder of an intellectual property right over the information contained in the requested document.'

**2. Article 5 shall read as follows:**

'Article 5 - (1) The reuse of documents held by public institutions shall be free of restriction.

(2) Conditions for the reuse of documents must not be discriminatory with regard to similar categories of documents destined for reuse.'

**3. Article 6(2) shall read as follows:**

(2) Applications for the reuse of documents shall be dealt with no later than 20 working days after they were received by the public institution, through the department designated for that purpose.'

**4. Article 8 shall read as follows:**

'Article 8 - (1) If the request for the reuse of information involves making copies of documents held by the public institution, the cost of copying shall be borne by the applicant, in accordance with the conditions laid down by law.

(2) The revenues generated from payment of these charges shall constitute a revenue for the state budget.'

**5. Article 10(2) shall read as follows:**

'(2) The reuse of information from public institutions may form the subject of an agreement concerning the granting of an exclusive right only if the right is necessary for the performance of a public service. The validity of the reason for which the exclusive right was granted shall be re-examined on a periodic basis and in any case once every three years.'

**6. Article 10(3) is hereby repealed.**

**7. Article 11(2) is hereby repealed.**

Article II - The Ministry of Communications and Information Technology shall draw up implementing rules for Law No 109/2007 on the reuse of information from public institutions no later than 60 days after the entry into force of this Law. The implementing rules shall be approved by Government decision.

*This Law has been adopted by the Parliament of Romania in compliance with Articles 75 and 76(2) of the Constitution of Romania, republished.*

For the PRESIDENT OF THE CHAMBER OF DEPUTIES

EUGEN NICOLICEA

PRESIDENT OF THE SENATE

NICOLAE VĂCĂROIU

Bucharest, 24 October 2008. No 213.

**PRESIDENT OF ROMANIA**

**DECREE**

**promulgating the Law amending Law No 109/2007 on the reuse of information from public institutions**

Pursuant to Articles 77(1) and 100(1) of the Romanian Constitution, republished,

The President of Romania hereby decrees as follows:

Sole Article - The Law amending Law No 109/2007 on the reuse of information from public institutions is hereby promulgated and shall be published in Part I of the Official Gazette of Romania.

PRESIDENT OF ROMANIA

TRAIAN BĂSESCU

Bucharest, 23 October 2008. No 994.