



The Parliament of Romania
The Chamber of Deputies

03.07.2013
No. 1/2398/vz

OPINION

**on the Proposal for a Regulation of the European Parliament and of the Council on
promoting the free movement of citizens and businesses
by simplifying the acceptance of certain public documents in the European Union
and amending Regulation (EU) No 1024/2012
COM (2013) 228**

THE CHAMBER OF DEPUTIES,

Having regard to the Treaty of Lisbon, and in particular Articles 5 and 12 thereof and Protocols No 1 and 2 annexed thereto,

Having regard to the Decision of the Chamber of Deputies No 11/2011,

Having regard to the Constitution of Romania, republished, and in particular Article 148,

Having regard to the note drafted by Chamber of Deputies Directorate for Community Law,

Having regard to the minutes drafted by the Committee for Public Administration, Territorial Planning and Ecological Balance at its session of 4 June 2013,

Having regard to the minutes drafted by the Committee for Legal Matters, Discipline and Immunities at its session of 12 June 2013,

Having regard to the opinion of the Ministry of Foreign Affairs and the note of the Ministry of Internal Affairs,

Having regard to the information note of the Committee for European Affairs adopted at its session of 19 June 2013,

Having regard to the approval granted by the Standing Committee of the Chamber of Deputies on 26 June 2013,

Pursuant to Article 40 of the Decision of the Chamber of Deputies No 11/2011 of 27 April 2011,

HAS ADOPTED THIS OPINION:

The Chamber of Deputies

1. Welcomes this initiative of simplifying and promoting the identified administrative formalities, taking into account that it will:

- facilitate and enhance the exercise of the Union citizens' right to free movement within the European Union and of businesses' right to free movement as well as the right of the latter to freedom of establishment and freedom to provide services within the Single Market, whilst upholding the general public policy interest of ensuring the authenticity of public documents;
- lead to a parallel circulation of Member States' public documents in order to avoid burdensome administrative formalities;
- increase legal efficiency and promote legal security, without infringing basic human rights and freedoms;
- cut the red tape, costs and delays caused by the identified administrative formalities,
- reduce translation costs related to the free circulation of public documents within the European Union.

2. Admits that there is a need for identifying effective, secure and simple mechanisms or systems, which would allow to consolidate mutual trust and to promote closer cooperation between Member States within the Single Market, especially with the aim of preventing fraud and forgery of public documents.

3. Believing that it should not be overlooked that certifying the copy of an official document means more than simply applying a seal or stamp to a document and signing it, expresses reserves concerning Article 5 of the regulation '*...authorities shall not require parallel presentation of the original of a public document and of its certified copy issued by the authorities of other Member States*'.

4. Believes that adopting this proposal is in line with Romania's interests of facilitating the exercise of fundamental freedoms enshrined in various international treaties.

5. Believes that increasing the efficiency of using public documents by EU citizens and businesses, through eliminating disproportionate and burdensome administrative formalities, represents the added value of this proposal.

This opinion is addressed to the presidents of the European Parliament, of the Council and of the European Commission, and to the Romanian Government.

SPEAKER

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