

corporate - legislative retrospective

Order no. 2112/2010 regarding the approval of the procedure for the **requesting and issuance of the certificate for the space to be used as headquarters** and for the registration of the document attesting to the right of use over the space to be used as headquarters, as well as for the approval of the model and contents of certain forms.

Pursuant to the amendment of the provisions of company Law no. 31/1990 („Law no. 31/1990”), which provide for the mandatory nature of submitting to the trade registry office, at the incorporation of the company and at the changing of the headquarters of the same, the document attesting to the right of use over the space intended to be used as headquarters, registered with the tax body within the National Tax Administration Agency in the jurisdiction of which the real estate property to be used as headquarters is located, as well as the certificate issued by the tax body that certifies the fact that for the real estate property to be used as headquarters no other has been registered, which attests to the assignment of the right of use over the same real estate property either for consideration or free of charge, or to the existence of other contracts by means of which the right of use over the same real estate property was assigned, as the case may be, Official Gazette no. 443 of July 1, 2010 published Order no. 2112 of the National Tax Administration Agency dated June 30, 2010, regarding the approval of the procedure or request and issuance of the certificate for the space to be used as headquarters and for the registration of the document attesting to the right of use over the space to be used as headquarters, as well as the approval of the model and contents of certain forms (the “Order”).

According to the Order, in order to register the document attesting to the right of use and to obtain the certificate for the space to be used as headquarters one shall submit the standard form “Application for the registration of the document attesting to the right of use over the space to be used as headquarters and for the issuance of the certificate for the space to be used as headquarters” accompanied by the following documents:

- (a) the right of use supporting documents, such as: ownership title, sale-purchase contract, lease contract, bailment agreement or other documents attesting to the right of use;
- (b) identity card and/or power of attorney of the applicant, as the case may be;
- (c) the document attesting to the name of the legal entities' legal representative.

The resolution term is of 5 business days following the date of registration of the application, accompanied by the complete documentation, with the competent fiscal body.

For more information about the above, please contact:

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