



## constructions - legal changes published in december 2022

**Law No 375/2022 amending and supplementing Government Emergency Ordinance No 57/2019 on the Administrative Code ("Law No 375/2022") was published in the Official Gazette, Part I No 1255 of 27 December 2022 and entered into force on 30 December 2022.** This regulation concerns the establishment,

organisation and operation of administrative consortia, which are voluntary associations of administrative-territorial units, with the aim of making public services more efficient and using specialised human resources to achieve the interests of the local community. According to the amendments of the Law No 375/2002, administrative consortia have no legal personality.

As regards the rules on the organisation and operation of the administrative consortia, such are established based on an association agreement, approved through the decisions of the associated local councils. By means of the agreement, the administrative-territorial units members may ensure, among others: **(1)** activities of legal nature, including representation in court, according to the law; **(2)** exercise of their own preventive financial control; **(3)** activities of financial nature, including the administration of local taxes and duties; **(4)** activities of drafting and/or approving urban planning documentation for administrative-territorial units that do not have specific specialized structures; **(5)** issuance of the urbanism certificates and building/demolition permits, of the specialised structure approval or of the opportunity approval for the elaboration of an urbanism zoning plan, etc.

Law No 375/2022 also provides for the liability of staff working in administrative consortia. Therefore, culpable breach of duty entails administrative, civil or criminal liability under the law and the Administrative Code.

In order to encourage administrative-territorial units to cooperate actively in their voluntary association in administrative consortia, a multiannual programme to support the cooperation of administrative-territorial units that are members of administrative consortia is established from 2024. The financing of the programme is provided by the state budget, through the budget of the Ministry of Development, Public Works and Administration, and its approval is made by Government decision, upon proposal of the ministry responsible for public administration.