LAW No. 124 of July 7, 2025 for the approval of Government Emergency Ordinance No. 155/2024 on the establishment of a framework for the cybersecurity of networks and information systems in the national civil cyberspace

ISSUER • PARLIAMENT OF ROMANIA

Published in the OFFICIAL GAZETTE no. 638 of 7 July 2025 The Parliament of Romania adopts this law. SINGLE ARTICLE Government Emergency Ordinance no. 155 of 30 December 2024 on the establishment of a framework for the cybersecurity of networks and information systems in the national civil cyberspace, published in the Official Gazette of Romania, Part I, no. 1332 of 31 December 2024, is hereby approved, with the following amendments and additions:

1. In Article 2, paragraph (5) is amended and will have the following content:
(5) This emergency ordinance shall apply without prejudice to the provisions of Law No. 506/2004 on the processing of personal data and the protection of privacy in the electronic communications sector, as subsequently amended and supplemented, of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), of Law No. 190/2018 on implementing measures for Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), as subsequently amended, of Law No. 286/2009 on the Criminal Code, with subsequent amendments and completions, and the legal provisions regarding the resilience of critical entities.
2. In Article 3, after paragraph (2), two new paragraphs are inserted, paragraphs (3) and (4), with the following content:
(3) In the activities of registration, surveillance and control, as well as in the reception and management of incident reports, as well as in internal processes, DNSC protects the security and commercial interests of the entities, as defined by the provisions of art. 4 letter f), as well as the confidentiality of the information provided by them.
(4) The information processed for the purpose of fulfilling the obligations under paragraph (3) does not fall within the category of information of public interest as regulated in Law no. 544/2001 on free access to information of public interest, as subsequently amended and supplemented.
3. Article 4, letter v) is amended and will have the following content:
v) social networking service platform means a platform that allows end users to connect, share, discover and communicate with each other across multiple devices, including through online conversations, posts, videos and recommendations;
4. In Article 14, paragraphs (2) and (3) are amended and will have the following content:
(2) The members of the management bodies of essential and significant entities shall undergo accredited training courses to ensure a sufficient level of knowledge and skills to identify risks and assess cybersecurity risk management practices and their impact on the services provided by the entity. Essential and significant entities shall regularly provide training to all staff to ensure a sufficient level of knowledge and skills.
(3) The management bodies of essential entities and important entities shall establish permanent means of contact, ensure the allocation of the necessary resources for the implementation of cybersecurity risk management measures and designate, within 30 days from the date of communication of the decision of the DNSC director for the identification and registration in the register, those responsible for the security of networks and information systems whose role is to implement and supervise cybersecurity risk management measures at the entity level.
5. In Article 15, the introductory part of paragraph (6) is amended and will have the following content:
(6) An incident is considered significant or the impact of an incident is considered significant if at least one of the following conditions is met:
6. In Article 18, letter g) of paragraph (3) and paragraph (10) are amended and will have the following content:
g) the Member States in which they provide services falling within Annex No. 1 or Annex No. 2, as the case may be;
.....
(10) The national single point of contact shall transmit, in relation to DNS service providers, TLD name registries, entities providing domain name registration services, cloud computing service providers, content delivery network operators, data centre service providers, managed service providers, managed security service providers and digital service providers, the information provided for in paragraph (3) to ENISA, upon receipt thereof, with the exception of the information contained in paragraph (3) letters i) and j) by 17 January 2025 at the latest and whenever there are changes in relation to them. The single point of contact shall review the information provided for regularly and at least every two years. Every two years, the single point of contact shall notify the European Commission and the Cooperation Group of the number of essential and important entities identified for each sector and sub-sector, in accordance with Annexes 1 and 2, and shall notify the European Commission of the number of essential and important entities identified pursuant to the provisions of Art. 9, the sector and subsector to which they belong according to Annexes No. 1 and 2, the type of service they provide, as well as the legal basis on which they were identified and, at the request of the European Commission, the single point of contact may transmit their names.
7. In Article 20, paragraph (4) is amended and will have the following content:
(4) Agreements on the exchange of information in the field of cybersecurity shall also include information on operational elements, including the use of dedicated ICT platforms and automation tools, the content and conditions of the agreements on the exchange of information and the DNSC shall be notified immediately of both the conclusion and withdrawal from them.
8. In Article 23 paragraph (1), letter b) is amended and will have the following content:
b) a governance framework for achieving the objectives and priorities referred to in letter a), including the public policies provided for in paragraph (2);
9. In Article 36, paragraph (4) is amended and will have the following content:
(4) Manufacturers and suppliers of ICT products or services, which are essential or important entities, have the obligation to transmit to DNSC all information regarding the vulnerabilities they identify, as well as regarding the vulnerabilities reported to them by third parties and which affect their own products or services, and to remedy those vulnerabilities within a period established in agreement with DNSC.
10. In Article 36, after paragraph (7), a new paragraph, paragraph (8), is inserted, with the following content:
(8) DNSC shall notify the European Commission, without undue delay, of both the capacity it performs according to the provisions of paragraph (1), and the tasks it performs in the exercise of this capacity, as well as any subsequent changes to its capacity or to the tasks performed.
11. In Article 37, the introductory part of paragraph (3) is amended and will have the following content:
(3) DNSC cooperates, collaborates and periodically exchanges information with the National Bank of Romania, hereinafter referred to as the NBR, and the Financial Supervisory Authority, hereinafter referred to as the ASF, to assess and manage cyber risks, identify vulnerabilities and implement appropriate protection measures for essential entities and important entities in the banking and financial market infrastructures sector, as follows:
12. In Article 37, paragraph (9), after letter e), a new letter, letter f), is inserted, with the following content:
f) exchange relevant information on a regular basis, including with regard to relevant cyber incidents and threats.
13. In Article 47, paragraph (5) is amended and will have the following content:
(5) Within 15 working days from the date of receipt of the finding note pursuant to paragraph (3) or the submission of the point of view pursuant to paragraph (3), as the case may be, the entities are obliged to draw up and submit to the DNSC the plan of measures to remedy all deficiencies found and the deadlines assumed for their implementation. The entities are obliged to implement the plan of measures within the assumed deadline, to notify the DNSC regarding the implementation of all measures provided for in the plan and to provide supporting documents in this regard, within five days from the completion of the assumed deadline.
14. In Article 50, paragraphs (2) and (4) are amended and will have the following content:
(2) The following acts constitute serious violations:
a) repeated violations;
b) obstructing audits, monitoring activities ordered by the DNSC following findings or control activities carried out by the DNSC or by the competent sectoral authority;
c) providing false or manifestly distorted information regarding the cybersecurity risk management measures provided for in art. 11-14 or the reporting obligations provided for in art. 15;
d) restricting the access of personnel designated for this purpose by the DNSC to the premises subject to control, as well as to the data and information necessary for the control;
e) failure to comply with the DNSC provisions issued pursuant to art. 48 paragraph (2).

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(4) The general meeting of shareholders and the board of directors are not management bodies of essential and important entities within the meaning of this emergency ordinance.
15. In Article 60 paragraph (1), letters n), bb) and cc) are amended and will have the following content:
n) failure by essential and important entities to comply with the obligation to notify or remedy significant incidents or the obligation to remedy deficiencies found by the competent authorities in compliance with the terms and conditions indicated by the respective authorities;
.....
bb) failure by producers and suppliers of ICT products or services that are essential or important entities to comply with the obligation to transmit information according to art. 36 paragraph (4), within the mutually agreed deadline;
cc) failure by producers and suppliers of ICT products or services that are essential or important entities to comply with the obligation to remedy vulnerabilities according to art. 36 paragraph (4);
16. In Article 60 paragraph (1), after letter oo), two new letters are inserted, letters pp) and qq), with the following content:
pp) failure by essential and important entities to comply with the implementation obligation according to art. 47 paragraph (5), within the assumed deadline;
qq) failure by essential and important entities to comply with the notification and provision of supporting documents according to art. 47 paragraph (5), within the indicated deadline.
17. In Article 60, paragraph (2) is amended and will have the following content:
(2) By way of derogation from the provisions of art. 8 para. (2) letter a) of Government Ordinance no. 2/2001 on the legal regime of contraventions, approved with amendments and completions by Law no. 180/2002, with subsequent amendments and completions, the contraventions provided for in para. (1) shall be sanctioned as follows:
a) for large entities, a fine from 5,000 lei to a maximum of 7,000,000 euros in the equivalent in lei or a maximum of 1.4% of the annual worldwide turnover, taking into account the highest value of these, for the contraventions provided for in para. (1) letters a)-d), f)-m), dd), jj) and mm);
b) for essential entities, a fine of 10,000 lei to a maximum of 10,000,000 euros in the lei equivalent or a maximum of 2% of the annual worldwide turnover, taking into account the highest value of these, for the contraventions provided for in paragraph (1) letters a)-m), dd), jj) and mm);
c) for important entities, a fine of 1,000 lei to 300,000 lei, for the contraventions provided for in paragraph (1) letters n)-t), ee), ff), kk), ll) and nn)-qq);
d) for essential entities, a fine of 1,500 lei to 500,000 lei, in the case of paragraph (1) letters n)-t), ee), ff), kk), ll) and nn)-qq);
e) fine from 1,000 lei to 100,000 lei, for the contraventions provided for in paragraph (1) letters u)-z), aa)-cc) and gg)-ii).

18. In Article 60, after paragraph (2), a new paragraph is inserted, paragraph (2^1), with the following content:
(2^1) By way of derogation from the provisions of art. 8 paragraph (2) letter a) of Government Ordinance no. 2/2001, approved with amendments and completions by Law no. 180/2002, with subsequent amendments and completions, the serious violations provided for in art. 50 paragraph (2) constitute contraventions and are sanctioned with a fine from 3,000 lei to 600,000 lei.
19. In article 60, paragraphs (3) and (4) are amended and will have the following content:
(3) The annual worldwide turnover referred to in paragraph (2) letters a) and b) is that recorded by the significant or essential entity in the last financial year.
(4) In order to individualize the sanction provided for in paragraph (2), the criteria provided for in art. 50 paragraph (1) shall be taken into account. In the cases provided for in art. 50 paragraph (2) letter a), the amount of the limits provided for in paragraph (2^1) shall be increased by half.
20. In Article 61, paragraph (2) is amended and will have the following content:
(2) The detection of contraventions provided for in art. 60 par. (1) letters a)-n), ee), ff), jj)-qq) is carried out by the DNSC or by the control staff of the sectoral competent authorities according to art. 37 par. (1), for essential or important entities, as the case may be, which carry out their activity in the field of competence of these authorities, the application of the sanction being carried out, in the case of the sectoral competent authorities, by decision of their management, with the corresponding application of par. (3)-(8). The detection of contraventions provided for in art. 60 par. (1) letters o)-dd), gg)-ii) and par. (2^1) is carried out by the DNSC, the application of the sanction being carried out by decision of the DNSC director.
21. In Article 67, paragraph (12) is amended and will have the following content:
(12) The secondment of civil servants with special status - police officers is carried out under the terms of Law no. 360/2002 on the Police Officer's Status, as subsequently amended and supplemented. Exceptionally, the period of secondment may be extended for objective reasons requiring the presence of the civil servant with special status - police officer within the authorities referred to in paragraph (1), with his written consent, every six months, but no later than December 31, 2027.
22. In Annex No. 1, sector 5 - Health sector and sector 8 - Digital infrastructure are amended and will have the following content:

1	2	3
5. Health sector		- Medical service providers, as defined by art. 347 letter c) of Law no. 95/2006 on the health reform, republished, with subsec - EU reference laboratories as defined in Article 15 of Regulation (EU) 2022/2371 of the European Parliament and of the Council - Entities carrying out research and development activities on medicinal products within the meaning of the definition in art. - Entities manufacturing basic pharmaceutical products and pharmaceutical preparations referred to in section C division 21 of - Entities manufacturing medical devices considered to be essential in the context of a public health emergency (list of essent - Entities holding an authorisation to distribute medicinal products referred to in art. 803 of Law no. 95/2006, republished, w - Enterprises carrying out any of the economic activities mentioned in division 4646 - Wholesale of pharmaceutical and medical
…		
8. Digital infrastructure		- IXP (internet exchange point) providers - DNS service providers, except primary name server operators - TLD name registries - Cloud computing service providers - Data center service providers - Content delivery network providers - Trusted service providers - Providers of public electronic communications networks - Providers of publicly available electronic communications services

23. In Annex No. 2, the name of sector 4 - "4. Food production, processing and distribution" is amended and will have the following content:
4. Food production, processing and/or distribution

This law was adopted by the Parliament of Romania, in compliance with the provisions of art. 75 and art. 76 paragraph (2) of the Constitution of Romania, republished.
p. PRESIDENT OF THE CHAMBER OF DEPUTIES,
VASILE-DANIEL SUCIU
PRESIDENT OF THE SENATE
ILIE-GAVRIL BOLOJAN
Bucharest, July 7, 2025.
No. 124.
