LEGAL PROVISIONS

aplicable to the settlement and financial instruments registration system SaFIR

(April 2019)

National legislation:

- Order of NBR Governor no 637/2011 for the designation of systems covered by the provisions of Law no 253/2004 on settlement finality in payment and securities settlement systems (Monitorul Oficial, Part I no 443 of 24.06.2011)

- Law No. 253/2004 on the settlement finality in the payment systems and securities settlement systems (Monitorul Oficial, Part I no. 566 of 28.06.2004), as subsequently amended and supplemented

- Government Ordinance No. 9/2004 on certain financial collateral arrangements (Monitorul Oficial, Part I no 78 of 30 January 2004), approved as amended and supplemented by Law No. 222/2004 (Monitorul Oficial, Part I no. 508 of 07.06.2004), as subsequently amended and supplemented

- Government Emergency Ordinance No. 64/2007 on public debt (Monitorul Oficial, Part I no. 439 of 28.06.2007), approved by Law No. 109/2008 (Monitorul Oficial, Part I no. 369 of 14.05.2008), as subsequently amended and supplemented

- Technical rules in application of the Government Emergency Ordinance No. 64/2007 on public debt, approved by Government Decision no. 1.470 of 2007 (Monitorul Oficial, Part I no. 870 of 19.12.2007), as subsequently amended and supplemented

- Regulation on operations with dematerialized government securities on domestic market, approved by Order of the Ministry of Finances no. 2245/2016.

- Agreement no.1/2005 between the Minister of Public Finances and the National Bank of Romania (Monitorul Oficial, Part I no. 134 of 14.02.2005)

- Government Emergency Ordinance no. 99/2006 on credit institutions and capital adequacy (Monitorul Oficial, Part I no. 1027 of 27.12. 2006), approved by Law no. 227/2007 (Monitorul Oficial, Part I no. 480 of 18.07.2007), as subsequently amended and supplemented

- Regulation of the National Bank of Romania no. 12/2005 on the government securities secondary market operated by the National Bank of Romania (Monitorul Oficial, Part I no. 882 of 30.09.2005)

- NBR Technical rules no. 1/2006 in application of the NBR Regulation no. 12/2005 on the government securities secondary market operated by the National Bank of Romania (Monitorul Oficial, Part I no. 136 of 14.02.2006)
- NBR Regulation No 3/2018 on financial market infrastructures and payment instruments oversight
- Law No. 312/2004 on NBR statute.

Legal acts of European Union

- Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (Official Journal of the European Union L 257, 28.8.2014, p. 1–72)
- Commission Delegated Regulation (EU) 2017/389 of 11 November 2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council as regards the parameters for the calculation of cash penalties for settlement fails and the operations of CSDs in host Member States (Official Journal of the European Union L 65, 10.3.2017, p. 1–8)
- Commission Delegated Regulation (EU) 2017/391 of 11 November 2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council with regard to regulatory technical standards further specifying the content of the reporting on internalised settlements (Official Journal of the European Union L 65, 10.3.2017, p. 44–47)
- Commission Delegated Regulation (EU) 2017/392 of 11 November 2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council with regard to regulatory technical standards on authorisation, supervisory and operational requirements for central securities depositories (Official Journal of the European Union L 65, 10.3.2017, p. 48–115)
- Commission Implementing Regulation (EU) 2017/393 of 11 November 2016 laying down implementing technical standards with regard to the templates and procedures for the reporting and transmission of information on internalised settlements in accordance with Regulation (EU) No 909/2014 of the European Parliament and of the Council (Official Journal of the European Union L 65, 10.3.2017, p. 116–144)
- Commission Implementing Regulation (EU) 2017/394 of 11 November 2016 laying down implementing technical standards with regard to standard forms, templates and procedures for authorisation, review and evaluation of central securities depositories, for the cooperation between

authorities of the home Member State and the host Member State, for the consultation of authorities involved in the authorisation to provide banking-type ancillary services, for access involving central securities depositories, and with regard to the format of the records to be maintained by central securities depositories in accordance with Regulation (EU) No 909/2014 of the European Parliament and of the Council (Official Journal of the European Union L 65, 10.3.2017, p. 145–206)

- 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 (Official Journal of the European Union L 119, 04.05.2016, p. 1–88)
- Commission Delegated Regulation (EU) 2018/1229 of 25 May 2018 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council with regard to regulatory technical standards on settlement discipline .