



Stimati colaboratori,

Va informam ca in **M. Of. nr. 248/25.03.2020**, a fost publicat **Ordinul nr. 791/2020 al Ministerului Economiei, Energiei si Mediului de Afaceri privind acordarea certificatelor de situatii de urgenta operatorilor economici a caror activitate este afectata în contextul pandemiei SARS-CoV-2 („Ordin”)**

Cererea pentru eliberarea certificatului pentru situatii de urgenta („CSU”/”certificat”) se depune de catre Solicitant doar pe cale electronica utilizand platforma <http://prevenire.gov.ro/>

Eliberarea CSU se face automat, electronic, dupa validarea de catre sistem a cererii. Certificatele se elibereaza doar pe perioada existentei starii de urgenta in Romania si ele sunt valabile fara semnatura si stampila, verificarea acestora putandu-se efectua, dupa serie si numar, pe platforma <http://prevenire.gov.ro/>

Se emit doua tipuri de certificate:

1. TIP 1 (Albastru) are formatul prezentat in anexa 1 din Ordin – si se emite pentru solicitantii care cer eliberarea acestuia in baza declaratiei pe proprie raspundere din care rezulta intreruperea totala sau partiala a activitatii solicitantului, ca urmare a deciziilor autoritatilor publice competente, potrivit legii, pe perioada starii de urgenta decretate.

Dear collaborators,

We inform you that in the **Official Gazette no. 248 / 25.03.2020**, was published **Order no. 791/2020 of the Ministry of Economy, Energy and Business Environment on granting of emergency certificates to economic operators whose activity is affected in the context of the SAR-CoV-2 pandemic ("Order")**

The request for issuing the certificate for emergency situations ("CES" / "certificate") is submitted by the Applicant only electronically using the <http://prevenire.gov.ro/> platform.

The release of the CES is done automatically, electronically, after the system has validated the request.

The certificates are issued only during the existence of the state of emergency in Romania and they are valid without the signature and stamp, their verification can be carried out, by series and number, on the platform <http://prevenire.gov.ro/>

Two types of certificates are issued:

1. TYPE 1 (blue) shall have the format shown in Annex 1 of the Order — and shall be issued to applicants who apply for its issue on the basis of a self-declaration resulting in total or partial interruption of the applicant’s activity as a result of the decisions of the competent public authorities, according to the law, during the period of emergency state decreed. The format of the self-declaration shall be laid down in Annex 3 to the Order.



Formatul declaratiei pe propria raspundere este prevazut in anexa 3 la Ordin.

2. TIP 2 (Galben) are formatul prezentat in anexa 2 din Ordin – si se emite pentru solicitantii care cer eliberarea acestuia in baza declaratiei pe proprie raspundere din care rezulta inregistrarea unei diminuari a incasarilor in luna martie 2020 cu un procent de 25% fata de media incasarilor din perioada ianuarie – februarie 2020.

Formatul declaratiei pe propria raspundere este prevazut in anexa 3 la Ordin si urmeaza sa fie postat de catre Ministerul Economiei, Energiei si Mediului de Afaceri pe platforma <http://prevenire.gov.ro/>

Un solicitant poate cere doar un singur tip de certificat.

Documentele care se incarca pe platforma <http://prevenire.gov.ro/>, pentru eliberarea certificatului TIP 1/TIP 2 sunt:

- a) datele de identificare
- b) declaratia pe propria raspundere a reprezentantului legal care atesta ca toate datele si informatiile care stau la baza cererii pentru obtinerea certificatului sunt conforme cu realitatea si respecta legislatia in vigoare raportat la tipul certificatului solicitat, cu referire la inchiderea totala/partiala a activitatii sau la diminuarea incasarilor in cuantumul mentionat la pct. 2 de mai sus.

Documentele care se incarca pe platforma, inclusiv declaratia pe propria raspundere, se semneaza electronic de catre reprezentantul legal.

Atunci cand reprezentantul legal nu detine semnatura electronica acesta semneaza

2. TYPE 2 (yellow) shall have the format shown in Annex 2 of the Order — and shall be issued to applicants applying for its issue on the basis of a self-declaration resulting from the recording of a decrease of the incomes in March 2020 with a percentage of 25% compared to the average of the incomes from January to February 2020.

The format of the self-declaration is set out in Annex 3 to the Order and is to be posted by the Ministry of Economy, Energy and Business Environment on platform <http://prevenire.gov.ro/>

An applicant may only apply for one type of certificate.

The documents to be loaded on the platform <http://prevenire.gov.ro/> for the issue of the TYPE 1/TYPE 2 certificate shall be:

- a) identifying data
- b) a declaration on the sole responsibility of the legal representative that all the data and information on which the application for a certificate is based conform to the facts and comply with the legislation in force with reference to the type of certificate requested, with reference to the total/partial closure of the activity or to a reduction in the proceeds in the amount referred to in paragraph 2 above. Documents that are uploaded to the platform, including self-declaration, shall be signed electronically by the legal representative.



olograf, iar toate documentele care se incarca pe platforma trebuie sa fie semnate electronic de catre un imputernicit desemnat in acest sens.

Solicitantii care nu sunt inregistrati la oficiul registrului comertului, incarca documentele si informatiile prevazute la pct. a) si b) de mai sus impreuna cu documente privind autorizarea activitatii.

Incarcarea documentelor pe platforma <http://prevenire.gov.ro/> se face in mod obligatoriu sub semnatura electronica a reprezentantului legal al operatorului economic sau imputernicitului acestuia, detinator de semnatura electronica.

Organele abilitate, in cadrul actiunilor de inspectie si control desfasurate verifica inclusiv documentele care au stat la baza emiterii declaratiei pe propria raspundere a solicitantului CSU.

De asemenea, in eventualitatea identificarii unor suspiciuni rezonabile cu privire la obtinerea CSU cu nerespectarea dispozitiilor legale incidente sau nu se atesta situatia reala si de drept si/sau de fapt a solicitantului, vor fi sesizate organele abilitate pentru stabilirea masurilor, potrivit competentelor.

Ministerul Economiei, Energiei si Mediului de Afaceri, va asigura adaptarea si functionarea <http://prevenire.gov.ro/>, in termen de 5 zile de la aprobarea si publicarea Ordinului in Monitorul Oficial.

When the legal representative does not have an electronic signature, he shall sign the handwritten signature, and all documents loading onto the platform shall be signed electronically by a person designated for this purpose.

Applicants who are not registered at the trade register office shall upload the documents and information referred to in (a) and (b) above together with documents relating to the authorization of the activity.

Loading of documents on platform <http://prevenire.gov.ro/> shall be mandatory under the electronic signature of the economic operator's legal representative or its authorized representative holding the electronic signature.

The competent authorities shall also verify the documents which have been the basis for issuing the CES applicant's self-declaration in the framework of the inspection and control actions carried out.

Also, in the event of reasonable suspicion of obtaining the CES in breach of the incident legal provisions or the real and legal and / or factual situation of the applicant is not attested, the authorized authorities to establish the measures will be notified, in accordance with their powers.

The Ministry of Economy, Energy and Business Environment will ensure the adaptation and functioning of <http://prevenire.gov.ro/> within 5 days after the approval and publication of the Order in the Official Gazette.

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