



Legea nr. 55/2020 privind unele masuri pentru prevenirea si combaterea efectelor pandemiei de COVID-19

In vigoare de la 18 mai 2020

Pentru prevenirea si combaterea efectelor pandemiei de COVID-19, pe durata starii de alerta se instituie masuri temporare si, dupa caz, graduale inclusiv prin restrangerea exercitiului altor drepturi si libertati fundamentale, in scopul protejarii drepturilor la viata, la integritate fizica si la ocrotirea sanatatii.

1. Starea de alerta se instituie de Guvern prin hotarare, la propunerea ministrului afacerilor interne, si nu poate depasi 30 de zile
2. Starea de alerta poate fi prelungita, pentru motive temeinice, pentru cel mult 30 de zile, prin hotarare a Guvernului, la propunerea ministrului afacerilor interne.
3. Valabilitatea documentelor eliberate de institutiile si autoritatile publice, precum si de entitatile private autorizate conform legii se mentine pe toata perioada starii de alerta, precum si pentru o perioada de 90 de zile de la incetarea acestei stari.
4. Pe perioada starii de alerta cat si pentru o perioada de 10 zile de la incetarea acestei stari, se mentine valabilitatea documentelor emise pentru contraventii pe drumurile publice soldate cu accidente cat si valabilitatea documentelor, cat si cele prin care s-a dispus prelungirea dreptului de circulatie pe drumurile publice.

Law no. 55/2020 on certain measures to prevent and combat the effects of the COVID-19 pandemic

In force since May 18th, 2020

In order to prevent and combat the effects of the COVID-19 pandemic, temporary and, where appropriate, gradual measures shall be instituted during the alert period, including by restricting the exercise of other fundamental rights and freedoms, in order to protect the rights to life, physical integrity and health care.

1. The state of alert is established by the Government by decision, at the proposal of the Minister of Internal Affairs, and may not exceed 30 days.
2. The state of alert may be extended, for good reasons, for a maximum of 30 days, by decision of the Government, at the proposal of the Minister of Internal Affairs.
3. The validity of the documents issued by the public institutions and authorities, as well as by the private entities authorized according to the law, is maintained for the entire period of the alert state, as well as for a period of 90 days from the termination of this state.
4. During the alert state and for a period of 10 days from the end of this state, the validity of the documents issued for contraventions on public roads resulting in accidents is maintained, as well as the validity of the documents, as well as those by which the extension of the traffic right was ordered on public roads.



5. Pe perioada starii de alerta se instiie mai multe masuri dintre care mentionam:
 - Masuri pentru cresterea capacitatii de raspuns;
 - Masuri pentru asigurarea rezilientei comunitatilor;
 - Masuri pentru diminuarea impactului tipului de risc.
 6. Pe durata starii de alerta se poate suspenda consumul produselor alimentare si bauturilor alcoolice si nealcoolice in spatiile comune de servire a mesei din restaurante, hoteluri, moteluri, pensiuni, cafenele sau alte localuri publice, atat in interiorul, cat si la terasele din exteriorul acestora.
 7. Se pot suspenda activitatile de comercializare cu amanuntul a produselor si serviciilor in centrele comerciale in care isi desfasoara activitatea mai multi operatori economici, cu acordul CNSSU (Comitetul National pentru Situatii Speciale de Urgenta). Aceasta masura nu se aplica in cazul centrelor comerciale mici, de sub 15.000 mp, cu magazine individuale din incinta de sub 500 mp fiecare.
 8. Prin exceptie **sunt permise urmatoarele activitati comerciale:**
 - a) vanzarea produselor electronice si electrocasnice, doar daca operatorii economici asigura livrarea acestora la domiciliul/sediul cumparatorului;
 - b) activitatea desfasurata de operatorii economici din cadrul centrelor comerciale care au accesul asigurat direct din exteriorul incintei si este intrerupta comunicarea cu restul complexului;
 - c) activitatea desfasurata de catre magazinele agroalimentare, farmacii, cabinetele stomatologice, curatorii de haine si centrele de ingrijire personala, precum si vanzarea produselor si serviciilor de optica medicala.
5. During the alert period, several measures are instituted, among which we mention:
 - Measures to increase response capacity;
 - Measures to ensure the resilience of communities;
 - Measures to reduce the impact of the type of risk.
 6. During the alert state, consumption of food and alcoholic and non-alcoholic beverages in common dining areas in restaurants, hotels, motels, hostels, cafes or other public establishments may be suspended both inside and outside the dining areas.
 7. The retail activities of products and services in the shopping centers where several economic operators operate may be suspended, with the agreement of the NESSC (National Emergency Special Situations Committee). This measure does not apply in the case of small shopping centers, under 15,000 mp, with individual shops under 500 mp each.
 8. The **following commercial activities are allowed as an exception:**
 - a) the sale of electronic and household appliances products, only if the economic operators ensure their delivery to the buyer's domicile / headquarters;
 - b) the activity carried out by the economic operators within the commercial centers that have the access provided directly from outside the premises and the communication with the rest of the complex is interrupted;
 - c) the activity carried out by agro-food stores, pharmacies, dentistry offices, clothes cleaners and personal care centers, and the sale of medical optical products and services.

9. Personalul care va desfasura activitatile de mai sus va purta in permanenta masca ce va fi schimbata la un interval de cel mult 4 ore, iar operatorul economic va asigura masti pentru acestia, precum si solutii de dezinfectie a mainilor in zona de acces in incinta. Purtarea mastilor de protectie de catre client si respectarea normelor de distantare la case de marcat sunt obligatorii.
 10. Pe durata starii de alerta, prin ordin comun al ministrului sanatatii si ministrului afacerilor interne se poate institui:
 - a) obligativitatea purtarii mastii de protectie in spatiile publice inchise, spatiile comerciale, mijloacele de transport in comun si la locul de munca;
 - b) obligativitatea organizarii activitatii institutiilor si autoritatilor publice, operatorilor economici si profesionistilor, astfel incat sa se asigure la intrarea in sediu, in mod obligatoriu, triajul epidemiologic si dezinfectarea obligatorie a mainilor, atat pentru personalul propriu, cat si pentru vizitatori. Triajul se realizeaza prin masurarea temperaturii prin termometru noncontact.
 11. Pe durata starii de alerta, angajatorul poate dispune, cu consimtamantul angajatului, desfasurarea activitatii in regim de telemunca sau munca la domiciliu, modificarea locului de munca ori a atributiilor acestuia.
 12. Conducatorii institutiilor publice implicate in combaterea pandemiei de COVID-19, precum si a efectelor acesteia pot dispune unilateral intreruperea concediilor de odihna, de odihna suplimentare, fara plata, de studii si pentru formare profesionala ale personalului angajat si reluarea activitatii pentru personalul propriu.
9. The personnel who will carry out the above activities will permanently wear the mask that will be changed at an interval of maximum 4 hours, and the economic operator will provide masks for them, as well as hand disinfection solutions in the access area. Wearing protective masks by the customer and compliance with the rules of distance to cash registers are mandatory.
 10. During the state of alert, by joint order of the Minister of Health and the Minister of Internal Affairs may be established:
 - a) the obligation to wear protective masks in enclosed public spaces, commercial premises, public transport and at the workplace;
 - b) the obligation to organize the activity of public institutions and authorities, economic operators and professionals, so as to ensure, upon entry into the headquarters, mandatory epidemiological triage and mandatory disinfection of hands, both for staff and visitors. Triage is performed by measuring the temperature by non-contact thermometer.
 11. During the state of alert, the employer may order, with the consent of the employee, to carry out the activity in telework or work at home, change the job or his duties.
 12. The heads of public institutions involved in combating the COVID-19 pandemic, as well as its effects may unilaterally order the interruption of rest leave, additional rest, unpaid, study and training of employees and resume work for their staff. Heads of public institutions involved in the fight against the

De asemenea, conducatorii institutiilor publice implicate in combaterea pandemiei de COVID-19 pot dispune detasarea cu acordul prealabil al angajatului si al angajatorului care detaseaza, cu conditia ca angajatorul la care se face detasarea sa fie din acelasi domeniu de activitate.

13. Valabilitatea contractelor colective de munca si a acordurilor colective de munca se prelungeste pe durata starii de alerta, precum si pentru o perioada de 90 de zile de la incetarea acesteia. Partile au obligatia initierii negocierii colective in termen de 45 de zile de la incetarea starii de alerta, in conditiile legii.
14. Angajatorii din sistemul privat, autoritatile si institutiile publice centrale si locale, indiferent de modul de finantare si subordonare, precum si regiile autonome, societatile nationale, companiile nationale si societatile la care capitalul social este detinut integral sau majoritar de stat ori de o unitate administrativ-teritoriala, cu un numar mai mare de 50 de salariati, pot stabili programe individualizate de munca, fara acordul salariatului, astfel incat intre salariati sa se asigure existenta unui interval de o ora la inceperea si la terminarea programului de munca, intr-o perioada de 3 ore.
15. Pentru angajatii din sistemul public, angajatorul poate stabili, cu acordul acestora, executarea unor lucrari sau sarcini de serviciu urgente, in legatura cu prevenirea si combaterea situatiei care a generat starea de alerta, indiferent de natura atributiilor de serviciu, cu asigurarea masurilor de protectie a angajatului.
16. Pe durata starii de alerta, angajatii din sistemul public vor ramane disponibili pentru efectuarea sarcinilor de serviciu, in functie de volumul de activitate al institutiei, in vederea realizarii scopului prezentei legi, cu respectarea unui numar de maximum 48 de ore pe saptamana,

COVID-19 pandemic may also order secondment with the prior consent of the employee and the employer posting, provided that the employer to which the posting takes place is within the same field of activity.

13. The validity of the collective labor contracts and of the collective labor agreements is extended during the alert state, as well as for a period of 90 days from its termination. The parties are required to initiate collective bargaining within 45 days of the end of the alert state, under the terms of the law.
14. Employers in the private system, central and local public authorities and institutions, regardless of the method of financing and subordination, as well as autonomous utilities, national companies, national companies and companies in which the share capital is wholly or majority owned by the state or by a unit administrative-territorial, with a number of more than 50 employees, may establish individualized work programs, without the agreement of the employee, so that employees can ensure that one hour is available at the start and end of the working period within a period of three hours.
15. For employees in the public system, the employer may establish, with their consent, the execution of urgent works or duties, in connection with preventing and combating the situation that generated the state of alert, regardless of the nature of duties, with the provision of measures employee protection.
16. During the state of alert, employees in the public system will remain available to perform duties, depending on the volume of activity of the institution, in order to achieve the purpose of this law, in compliance with a maximum of 48 hours per week, including overtime.



inclusiv orele suplimentare.

17. Pe durata starii de alerta se interzice declararea, declansarea sau desfasurarea conflictelor colective de munca in unitatile sistemului energetic national, in unitatile operative de la sectoarele nucleare, in unitatile cu foc continuu, in unitatile sanitare si de asistenta sociala, de telecomunicatii, ale radioului si televiziunii publice, in transporturile pe caile ferate, in unitatile care asigura transportul in comun si salubritatea localitatilor, precum si aprovizionarea populatiei cu gaze, energie electrica, caldura si apa.
 18. In cazul personalului incadrat in unitati sanitare, de asistenta sociala, de asistenta medico-sociala si in institutiile din domeniul apararii, ordinii publice si securitatii nationale, termenele de preaviz nu incep sa curga, iar, daca au inceput sa curga, se suspenda pe intreaga durata a starii de alerta.
 19. Pentru asigurarea bunei desfasurari a transportului de persoane pentru fiecare tip de transport terestru, subteran, aerian sau naval, se instituie restrictii si masuri cu respectarea masurilor de protectie sanitara.
 20. Activitatile didactice ce impun prezenta fizica a anteprescolarilor, prescolarilor, elevilor si studentilor in unitatile si institutiile de invatamant se pot suspenda, la propunerea CNSSU, prin ordin comun al ministrului educatiei si cercetarii si al ministrului sanatatii. Derularea activitatilor didactice se vor efectua in mediul online. Se pot desfasura online si examenele de finalizare a studiilor de licenta, de masterat sau a programelor de studii postuniversitare, sustinerea tezelor de doctorat, sustinerea tezelor de abilitare. ustinerea examenelor nationale si de certificare a competentelor profesionale, care presupun interactiunea "fata in fata" se organizeaza in
17. During the state of alert, the declaration, initiation or development of collective labor disputes in the units of the national energy system, in the operative units of the nuclear sectors, in the units with continuous fire, in the sanitary and social assistance units, of telecommunications, of public radio and television, in rail transport, in establishments which provide public transport and sanitation of municipalities, as well as gas, electricity, heat and water supply to the public.
 18. In the case of staff employed in health, social care, healthcare and social care facilities and institutions in the field of defense, public order and national security, the notice periods shall not begin to run and, if they have begun to run, shall be suspended for the entire duration of the alert.
 19. Restrictions and measures subject to health protection measures shall be established to ensure the proper functioning of the transport of persons by land, subsurface, air or sea.
 20. Teaching activities that require the physical presence of ante-preschoolers, preschoolers, pupils and students in educational units and institutions may be suspended, at the proposal of NESSC, by joint order of the Minister of Education and Research and the Minister of Health. The teaching activities will be carried out online. The examination of the completion of the bachelor, master's or post-graduate studies, taking of doctoral theses, taking of credentials of the authority can also be carried out online. The support of national examinations and the certification of professional competence, which involve face-to-face interaction, is organized under health



- conditii de protectie sanitara.
21. Debitorul aflat in stare de insolventa la data intrarii in vigoare a prezentei legi, sau care ajunge in stare de insolventa poate, pe durata starii de alerta, sa adreseze tribunalului o cerere pentru deschiderea procedurii insolventei, fara insa a avea o obligatie in acest sens. Termenul de 30 de zile de la aparitia starii de insolventa pentru depunerea cererii la tribunal, nu va mai fi luat in calcul pe durata starii de alerta, acesta incepand sa curga de la data incetarii starii de alerta.
 22. Pe durata starii de alerta, in cazul debitorilor care si-au intrerupt activitatea total sau partial ca efect al masurilor adoptate pe perioada starii de urgenta, mentinute si in perioada starii de alerta, valoarea-prag este de 50.000 lei, atat pentru creditorii, cat si pentru debitorii. Cand cererea de deschidere a procedurii de insolventa este introdusa de debitor, cuantumul creantelor bugetare trebuie sa fie mai mic de 50% din totalul declarat al creantelor debitorului.
 23. In procedurile de concordat preventiv aflate in derulare la data intrarii in vigoare a prezentei legi, perioada in care se desfasoara negocierile asupra proiectului de concordat preventiv se prelungeste cu 60 de zile.
 24. Daca debitorul se afla in perioada de observatie la data intrarii in vigoare a prezentei legi, aceasta se prelungeste cu 3 luni. Corelativ, termenul in care categoriile de persoane indreptatite pot propune un plan de reorganizare se prelungeste cu 3 luni, inclusiv in cazul in care termenul de depunere a planului, prevazut de lege, a inceput sa curga.
 25. In cazul debitorului aflat in reorganizare judiciara la data intrarii in vigoare a prezentei legi, durata executarii planului de reorganizare judiciara se prelungeste cu doua luni. Debitorul aflat in reorganizare judiciara poate solicita protection conditions.
 21. The debtor who is in a state of insolvency at the date of entry into force of this law, or who reaches a state of insolvency may, during the state of alert, submit to the court a request to open insolvency proceedings, but without having an obligation in this sense. The term of 30 days from the appearance of the state of insolvency for submitting the application to the court, will not be taken into account during the alert state, it starting to run from the date of termination of the alert state.
 22. During the alert state, in the case of debtors who have totally or partially interrupted their activity as a result of the measures adopted during the state of emergency, maintained during the alert state, the threshold value is 50,000 lei, both for creditors, as well as for debtors. Where the application for the opening of insolvency proceedings is made by the debtor, the amount of the budgetary claims shall be less than 50 % of the total declared amount of the debtor's claims.
 23. In the preventive composition procedures in progress on the date of entry into force of this law, the period in which the negotiations on the draft preventive composition are carried out shall be extended by 60 days.
 24. If the debtor is in the observation period on the date of entry into force of this law, it shall be extended by 3 months. Correlatively, the term in which the categories of eligible persons can propose a reorganization plan is extended by 3 months, including if the term for submitting the plan, provided by law, has started to run.
 25. In the case of a debtor undergoing judicial reorganization on the date of entry into force of this law, the period of execution of the judicial reorganization plan shall be extended by two months. The debtor undergoing judicial

- judecatorului sindic, in termen de 30 de zile de la intrarea in vigoare a prezentei legi, suspendarea executarii planului pentru un termen care nu poate depasi doua luni. Cererea se judeca de urgenta, pe baza de inscrisuri, fara citarea partilor. Perioada de executare a planului de reorganizare se poate prelungi fara a depasi o durata totala a derularii sale de 5 ani.
26. Pentru debitorul care si-a intrerupt activitatea total sau partial ca efect al masurilor adoptate pentru prevenirea raspandirii pandemiei de COVID-19, pe durata starii de urgenta si/sau de alerta, durata initiala de executare a planului de reorganizare, poate fi de 4 ani, cu posibilitatea prelungirii, fara a depasi o durata totala a derularii planului de 5 ani.
27. Incalcarea prevederilor starii de alerta atrage raspunderea disciplinara, civila, contraventionala sau penala, dupa caz, amenzile fiind cuprinse intre 500 si 15.000 lei.
- reorganization may, within 30 days of the entry into force of this law, apply to the judge for a period not exceeding two months to suspend the execution of the plan. The application shall be made in an urgent and written form without notice from the parties. The period of execution of the reorganization plan may be extended without exceeding a total duration of 5 years.
26. For the debtor who has interrupted his activity totally or partially as an effect of the measures adopted to prevent the spread of the COVID-19 pandemic, during the state of emergency and / or alert, the initial duration of execution of the reorganization plan may be 4 years, with the possibility of extension, without exceeding a total duration of the 5-year plan.
27. Violation of the provisions of the alert state attracts disciplinary, civil, contraventional or criminal liability, as the case may be, the fines being between 500 and 15,000 lei.

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