

Bill on implementation of 5G networks clears Senate, as decision-making body

The Senate plenum, acting as decision-making body, adopted today by a vote of 117 to 13 (the Alliance for the Unity of Romanians) and one abstention the bill initiated by the government regarding specific measures for IT and communications infrastructures of national interest and the requirements for the implementation of 5G networks.

The bill covers measures regarding the licensing of producers of technologies, equipment and software used in IT and communication infrastructures of national interest, as well as in electronic communication networks for the provision of 5G electronic communication services - 5G networks, with a view to preventing, counteracting and eliminating risks, threats and vulnerabilities to national security and defense.

According to an amendment introduced by the Senate's Law, Economic, Defense and Communications Committees and adopted by the plenum, the suppliers who will be in the situation of having their licenses withdrawn can use the equipment for a period of 7 years in the case of networks and 5 years in the case of the core network.

"For the achievement of the intended purpose, the use of technologies, equipment and software within the IT and communications infrastructure of national interest, as well as in 5G networks - except for the terminal equipment used by end users defined according to OUG No. 111/2011 - is conditioned on the producers' obtaining a license under the terms of the present law. The license is granted by decision of the Prime Minister, based on the assent of the Supreme Council for National Defense (CSAT), within 4 months from application date," the bill stipulates.

According to the regulatory act, the assent is based on a set of documents, as well as on assessments from the perspective of risks, threats and vulnerabilities to national security and defense. If the analysis identifies risks, threats or vulnerabilities to the country's security, CSAT shall issue a negative opinion.

Licensed providers of networks and electronic communication services may use only technologies, equipment and software in 5G networks developed by licensed manufacturers, in accordance with this law.

The use by the providers of networks and electronic communication services of technologies, equipment and software in 5G networks provided by manufacturers who do not hold a legal license is liable to a fine between 1 and 5 percent of their turnover.