

CMS: Romania adopts 5G Law amid public discussions on postponement of auctions

On 7 June 2021, the Romanian parliament adopted the Law on the conditions for the deployment of 5G networks, which is now awaiting promulgation by the Romanian President.

Based on the initial draft, there is one new relevant amendment, which refers to the scenario where a supplier's authorisation would be withdrawn. In such a case, the supplier would be able to continue using the equipment for another seven years (for networks) and five years (for the core elements). For further details on the initial draft, see our October 2020 and April 2021 Law-now publications.

Romania still plans to start the 5G auction proceedings in 2021 with revenues of EUR 510m estimated. The recent adoption of the 5G Law indicates the government's determination to keep to this schedule.

At the same time, there have been recent public discussions on the postponement of the 5G auction. According to the 1,200-page recovery and resilience plan (PNRR), the deadlines for the 5G auctions have been changed as follows: the tender invitation is to be launched in Q4 of 2022, while the awarding of 5G licenses is expected for Q2 of 2023.

According to public officials, the deadlines mentioned in the PNRR are "maximal" and the 5G auction may still be launched according to the initial plan in 2021. A strong reason for delay, however, may be the reliance of the 5G auction proceedings on the implementation of the European Electronic Communications Code.

The draft law is still in early stages of adoption, currently awaiting approval from the Romanian government.

CMS is monitoring the status of the 5G developments in Romania and will provide updates on its progress. For more information on 5G regulations in Romania, contact your regular CMS advisor or local CMS experts

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