



## Legal Newsletter February 2025

### **1. Lists of risky countries may impose two new obligations on Romanian companies**

In February 2025, the list of countries where there is a risk of money laundering, and the list of fiscally non-cooperative countries were updated.

Key takeaways:

- The Money Laundering Country Risk List is compiled and regularly updated by the Financial Action Task Force on Money Laundering and is divided into a "black" list of jurisdictions with a high risk of money laundering and a "grey" list of jurisdictions that are under monitoring due to the risk of money laundering but have committed to address their problems
- The list of fiscally non-cooperative countries is drawn up and regularly updated by the EU Council and is divided into a "black" list of fiscally non-cooperative jurisdictions (risk of fraud, evasion and money laundering) and a "grey" list of jurisdictions under monitoring but which have committed to tackle their cooperation problems

The list of countries at risk of money laundering currently includes:

- black list: North Korea, Iran and Myanmar
- grey list: South Africa, Algeria, Angola, Bulgaria, Burkina Faso, Cameroon, Ivory Coast, Congo, Croatia, Haiti, Kenya, Laos, Lebanon, Mali, Monaco, Mozambique, Namibia, Nepal, Nigeria, South Africa, South Sudan, Syria, Tanzania, Venezuela, Vietnam and Yemen

The list of fiscally non-cooperative countries includes:

- black list: Anguilla, Fiji, Guam, Palau, Panama, Russia, Samoa, American Samoa, Trinidad and Tobago, US Virgin Islands, Vanuatu and the United States Virgin Islands
- grey list: Antigua and Barbuda, Belize, Brunei, the British Virgin Islands, Eswatini, the Seychelles, Turkey and Vietnam

Both lists may result in Romanian companies being obliged to file an annual beneficial ownership declaration, while the second list may also influence the tax outcome for corporate taxpayers.

*Source: Press release published on 21.02.2025 on The Financial Action Task Force website, Calendar – EU list of non-cooperative jurisdictions*

### **2. Procedure and form for registering rental contracts**

Order no. 161 of 3 February 2025, amending Order of the President of the National Agency for Tax Administration no. 114/2019 on the approval of the procedure for the registration of lease contracts as well as the model and content of the "Application for Registration of Lease Contracts" form, was published in the Official Gazette on 6 February 2025.

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### Key takeaways:

- Point 1 of Annex no. 1, Section A is amended and now reads as follows: “1. Taxpayers who derive income from the transfer of the use of personal property, other than income from leasing and from the rental for tourist purposes of rooms located in personally owned dwellings, are obliged to register the contract concluded between the parties, as well as any subsequent amendments thereto, within 30 days of the conclusion/occurrence of the amendment, with the relevant tax authority, in keeping with Art. 83, para. (6) of Law no. 227/2015 (the Fiscal Code), as amended and supplemented”
- Point 2.(2) of Annex no. 1, Section A is amended and now reads as follows: “2.(2) If the property of which the use is transferred is jointly owned, the obligation to register the contract concluded between the parties with the relevant tax authority shall be incumbent on the owner, the usufructuary or other legal holder designated in the lease or the act of amendment thereof, as the case may be”
- Annex no. 2 is amended and replaced by the Annex which forms an integral part of the Order
- In the case of lease contracts in force on 1 January 2025, as well as their acts of amendment, which have been registered with the tax authority prior to this date, the provisions regarding the designation of the owner, usufructuary or other legal holder who fulfils the obligation to register the lease contract do not apply

*Source: Order no. 161 of 3 February 2025 amending Order of the President of the National Agency for Fiscal Administration no. 114/2019 on the approval of the procedure for the registration of lease contracts, as well as the model and content of the "Application for Registration of Lease Contracts" form*

### 3. New fire safety rules

According to a press release dated 28 February 2025 issued by the Ministry of Development, Public Works and Administration, new fire safety regulations have been approved by Ministerial Order and submitted for publication in the Official Gazette.

The provisions set out in Design Standard P118/1 governing the fire safety of buildings date back to 1999 and some of its provisions no longer reflect the current reality.

### Key features of the new regulations:

- they provide up-to-date technical solutions, contain detailed schemes for resolving technical issues, thus improving the design process and resulting in shorter approval times and higher fire safety standards
- all new buildings are to be built according to the new rules, with the newly adopted rules also providing for compensatory approaches and new solutions for old buildings
- External evacuation stairs, which under current regulations had to be installed on the outside of all old hospital buildings, will no longer be compulsory because the new regulations provide for multiple solutions in relevant situations, such as reduced evacuation flows, fire safety zones and elevators with their own power supplies designed for the evacuation of people and patients with reduced mobility



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- the regulations also clarify issues relating to building materials, finishing and carpentry, resulting in lower construction costs without compromising fire safety
- the regulations enter into force 60 days after publication of the normative act in the Official Journal of Romania

*Source: Press Release of the Ministry of Development, Public Works and Administration, dated 28 Feb. 2025*

This newsletter is a service of TPA Romania.

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**IMPRINT** Information updated: February 2025. This information has been simplified and is not a substitute for individual advice.

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