

Legal Newsletter May 2025

1. New amendments to the law on the prevention and combating of money laundering and terrorist financing

Law no. 86/2025, amending and supplementing Law no. 129/2019 on the prevention and combating of money laundering and terrorist financing, entered into force on 26 May 2025, thereby introducing a number of important changes, such as new obligations on companies in terms of knowing their clients, legitimate interest requirements with respect to data requests regarding the beneficial owners of companies and a strengthening of protections on the professional secrecy of lawyers.

In terms of the know-your-customer measures, the following new obligations have been introduced:

- In real estate transactions, the real estate agent is to apply know-your-customer measures to both the prospective seller and the prospective buyer of the real estate
- Casinos are obliged to identify all transactions carried out by customers in the casino and to link them to the customer profiles established following the application of know-your-customer measures
- Foreign exchange offices are obliged to apply standard know-your-customer measures in the case of transactions of EUR 2,000 (RON equivalent) or more, regardless of whether the transaction is carried out through a single operation or several linked operations
- Crypto service providers are obliged to apply the standard measures in the case of transactions of EUR 1,000 (RON equivalent) or more, regardless of whether the transaction is carried out through a single operation or several linked operations

Changes have also been made to the regime governing non-governmental organisations (NGOs), such that the National Office for the Prevention and Combating of Money Laundering (ONPCSB) is to supervise the activity carried out by associations and foundations on a risk basis and to identify types of entities vulnerable to misuse in terms of terrorist financing. Therefore, upon request, NGOs will need to provide the ONPCSB with the information required to fulfil its legal obligations.

The protection of lawyers' professional secrecy has also been strengthened, as follows:

- The provision according to which professional secrecy becomes opposable to the ONPCSB has been expressly maintained, in the sense that the legal provisions continue to protect the lawyer against any request that would violate the confidentiality of the relationship with the client
- The provision whereby lawyers apply Law no. 129/2019 in compliance with the provisions of Law no. 51/1995 on the organisation and practice of the legal profession has been retained, thus guaranteeing that the obligations introduced by the legislation on the prevention and combating of money laundering cannot annul or relativise the lawyer's obligation of confidentiality
- In order to avoid the use of general phrases in the risk assessments performed as a basis for granting access to confidential data, it has been clarified that national money laundering risk assessments must be carried out in compliance with professional secrecy norms, as per the conditions provided for by law

Another important change concerns the need to demonstrate a legitimate interest when requesting data on beneficial owners of companies and NGOs with all registers that provide such data, not just that of trusts. This follows the finding by the Court of Justice of the European Union that public access to beneficial ownership information constitutes a serious interference with fundamental rights in terms of respect for private life and the protection of personal data.

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In light of this change, the National Office of the Trade Register has announced the temporary suspension, as of 26 May 2025, of the service providing information about beneficial owners from the Register of Beneficial Owners.

Source: Law no. 86/2025, amending and supplementing Law no. 129/2019 on the prevention and combating of money laundering and terrorist financing, as well as amending and supplementing certain normative acts, and a Communication dated 27 May 2025 published on the website of the National Office of the Trade Register regarding the temporary suspension of the service providing information on beneficial owners

2. Meta to train its artificial intelligence models on EU user data

According to a press release, Meta will train its generative artificial intelligence (AI) models on the public content posted by its users in Europe, meaning that Facebook and Instagram user data will be used to train their algorithms starting 27 May 2025, with the photos and public posts by users of both social networks being targeted.

Meta claims it will not use private messages or content from users under the age of 18, because this is personal content that users have not posted online with the idea that it would be used for artificial intelligence purposes. However, the company considers public messages to be legitimate content for training its AI model.

If desired, data collection for Meta AI can be disabled in the Settings and Privacy section of both social media platforms.

Although Meta has since last year been planning to use user data to train AI tools in Europe, there have been numerous objections from European regulators.

The most recent sanctions imposed by European Commission involved a fine of EUR 200 million for Meta's failure to offer consumers the choice of a service that uses less personal data.

Source: Media article published by La Libre Belgique on 26 May 2025, Bursa newspaper #International / 24 April

3. Free land register extracts for owners

As per Order no. 441 of 27 March 2025 amending and supplementing Order of the Director General of the National Agency for Cadastre and Real Estate Publicity no. 16/2019, land register extracts containing information and cadastral map extracts containing orthophotoplans can be obtained free of charge by owners, as follows:

- over the counter at cadastre and real estate publicity offices, as of 7 April 2025
- online, as of 2 June 2025

Source: Communication Service of the National Agency for Cadastre and Real Estate Publicity and Order no. 441 of 27 March 2025 amending and supplementing Order of the Director General of the National Agency for

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Cadastre and Real Estate Publicity no. 16/2019 approving the tariffs for services provided by the National Agency for Cadastre and Real Estate Publicity and its subordinate institutions

4. Change to the value threshold for low-value claims

Law no. 57/2025 amending Article 1,026(1) of Law no. 134/2010 on the Civil Procedure Code was published in the Official Gazette, Part I, no. 433 on 12 May 2025, increasing the ceiling for low-value claims from RON 10,000 to RON 50,000.

One reason this measure was taken is the fact that the threshold of RON 10,000, set when the Civil Procedure Code came into force 15 years ago, is no longer reflective of today's economic and social reality.

The special small claims procedure has multiple advantages for both the courts and the parties to the civil proceedings: cases can now be settled without the parties having to appear, with the judgment of the court of first instance being enforceable as of right.

Source: Law no. 57/2025 amending Article 1,026(1) of Law no. 134/2010 on the Civil Procedure Code

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

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