

GOVERNMENT OF ROMANIA

ORDINANCE

amending Law No 422/2006 concerning the organisation and functioning of the statistical system of international trade in goods

THE GOVERNMENT OF ROMANIA,

Having regard to Article 108 of the Romanian Constitution, republished, and to Article 1 point I.11 of Law No 311/2021 empowering the Government to issue ordinances,

HAS ADOPTED THIS ORDINANCE:

SOLE ARTICLE – Law No 422/2006 concerning the organisation and functioning of the statistical system of international trade in goods, published in Official Journal of Romania, Part I, No 967 of 4 December 2006, is amended as follows:

1. Paragraphs (1) and (2) of Article 1 shall read as follows:

“(1) This Law regulates the legal framework for the organisation and functioning of the statistical system of international trade in goods, with the aim of producing statistics on the trading of goods between Romania and the other EU Member States, as well as on the trading of goods between Romania and third countries (non-EU countries), according to Regulation (EU) 2019/2152 of the European Parliament and of the Council of 27 November 2019 on European business statistics, repealing 10 legal acts in the field of business statistics, published in Official Journal of the European Union L 327 of 17 December 2019.

(2) The statistical system of intra-EU trade in goods is hereinafter referred to as the Intrastat statistical system, and the statistical system of trade with third countries (non-EU countries) is hereinafter called the Extrastat statistical system.”

2. Points d), g), h) and o) of Article 3 shall read as follows:

“**d)** it prepares and updates the template and content of the Intrastat statistical declaration and the methods for collecting information on intra-EU trade in goods;

g) it organises the Intrastat statistical survey in order to obtain information on intra-EU trade in goods;

h) it creates the system for the management of the Intrastat statistical register of the economic operators that are registered for VAT purposes and perform intra-EU trade activities, and it permanently updates it based on the information provided by the Ministry of Finance;

o) it monthly receives, processes and manages the information provided by the Ministry of Finance on the economic operators that perform intra-EU trade activities, from the VAT return form and from the Summary statement on intra-EU deliveries/procurements/supplies;”

3. Points a), c), e) and f) of Article 4 shall read as follows:

“**a)** it provides the necessary framework for collecting tax information in accordance with the requirements of the EU legislation in the field of intra-EU trade in goods;

c) it monthly provides the National Institute of Statistics with information from the VAT return form for each economic operator who declares that, during the reference period, he/she was involved in the intra-EU trading of goods;

e) it monthly sends the National Institute of Statistics information from the Summary statement on intra-EU deliveries/procurements/supplies for each economic operator who is involved in the intra-EU trading of goods during the reference month;

f) it informs the National Institute of Statistics of any changes that it intends to make to the tax legislation in force concerning the intra-EU trading of goods;”

4. Paragraphs (2)-(4) and (6) of Article 6 shall read as follows:

“(2) The obligation to provide Intrastat statistical information lies with the economic operators registered in Romania for VAT purposes that perform intra-EU trade activities whose value exceeds the threshold set annually and separately for the two flows (i.e. arrivals and dispatches) by the National Institute of Statistics.

(3) The economic operators registered in Romania for VAT purposes that perform intra-EU trade activities have the obligation to know the thresholds annually set by the National Institute of Statistics in order to provide Intrastat statistical information on the two flows, namely arrivals and dispatches.

(4) The economic operators that supply Intrastat statistical information separately declare the arrivals and dispatches according to the provisions of Regulation (EU) 2019/2152 of the European Parliament and of the Council, on the basis of the Intrastat statistical declaration drawn up by the National Institute of Statistics.

(6) The reference period taken into account for filling in the Intrastat statistical declaration is the calendar month during which the intra-EU trade operations are performed.”

5. Paragraph (2) of Article 9 shall read as follows:

“(2) The request of the economic operators shall specify the period of application, the goods for which confidentiality is to be ensured, the flows relating to the transactions in goods for which they request an assurance of confidentiality.”

PRIME MINISTER

NICOLAE-IONEL CIUCĂ

**Bucharest,
No**