

SIMPLIFIED MEASURES FOR CONSTRUCTION PERMITTING PROCESS IN ROMANIA

The Government Emergency Ordinance no. 31/2025 on certain measures to simplify urban planning and construction procedures and to accelerate investments (“**GEO 31/2025**”) was enacted and entered into force on 30 April 2025, addressing both the urban planning documentation stage (e.g., PUG, PUZ, PUD) - through changes to Law no. 350/2001 regarding territorial development and urban planning (the “**Urbanism Law**”), and the construction permitting stage - through relevant changes to the Construction Law no. 50/1991 (the “**Construction Law**”).

MANDATORY TIMELINE FOR ISSUANCE OF ENDORSEMENTS

General rules

Following the amendments approved by GEO 31/2025, both the Urbanism Law and the Construction Law now expressly provide specific timeframes for issuance of the endorsements required in the urban planning/ construction permitting process, respectively:

- 30 days as of submitting the request, for the endorsements required for approval of the urban planning documentation (e.g., urban zonal plan - “**PUZ**”), and
- 15 days as of submitting the request, for the endorsements required for issuance of the building permit.

The issuance of endorsements cannot be conditioned upon obtaining other endorsements **in advance**, except for the opportunity endorsement and the chief-architect endorsement, in case of PUZ approval. Endorsements shall be requested simultaneously from all relevant entities. The conditions provided by the endorsements must be included in permitting documentation, ensuring that the final solution submitted for approval meets all conditions set by the approvers.

GEO 31/2025 also establishes that the local public authorities issuing an opportunity endorsement for the approval of a PUZ have a maximum term of 30 days for review of documentation by the urbanism commission, the opportunity endorsement being issued in maximum 15 days as of review.

The endorsements must be electronically sent to the beneficiary on the same day they are issued.

Validity of endorsements

Key changes

- Clear deadlines for the issuance of the required endorsements in the construction permitting process, as well as the tacit approval mechanism if these deadlines are not complied with;
- Measures aiming to streamline the issuance of the building permit by at least 50% and to eliminate cascading approval requirements, which usually contributed to significant delays in the permitting process;
- Clear provisions for clarification, completion, or amendment of the permitting documentation submitted for approval now in place;
- Authorities are required to review and approve, as a matter of priority and on an urgent basis, the documentation for investments financed under PNRR.

The endorsements remain valid until the urban planning documentation is approved. In case of the endorsements underlying the building permit, they will remain effective until the reception of the works, unless new factors arise or the underlying conditions change.

Specific cases

GEO 31/2025 provides specific deadlines in the case of:

- environmental protection authority – 15 days as of the completion of environmental procedures;
- central public authorities requiring a specialized commission review – 15 days as of the review by the relevant commission;
- authorities for the protection of historical monuments – 30 days from the documentation review by the relevant commission;
- National Defence, Public Order, and National Security System authorities must comply with deadlines set by their respective procedures, applicable for the urban planning phase;
- emergency situations inspectorates – 15 days of submission for issuing the endorsements, applicable for the urban planning phase.

In cases the term elapses from the relevant commission' analysis, the documentation must be placed on the commission's agenda and reviewed within 30 days from submission.

We note that GEO 31/2025 provides that the Romanian Civil Aviation Authority (AACR) has a 30-day period as of submission of the request to issue its endorsement in view of obtaining the building permit.

TACIT APPROVAL OF THE ENDORSEMENTS

If the endorsements are not issued within the specified deadlines or the relevant authorities do not issue rejection notice or clarification requests, the relevant documentation submitted is deemed completed and correct and the relevant endorsement is deemed granted (*i.e.*, **tacitly approved**).

Therefore, the beneficiaries will be able to continue the permitting procedure for the approval of the relevant urban planning documentation or the issuance of the building permit, based on:

- evidence of submitting the relevant documentation to the competent authority/entity;
- a sworn statement from the beneficiary confirming that no requests for clarification, completion, or amendment were received, and no endorsements or rejection notices were issued before the relevant deadlines expired. The template of the sworn statement is approved within 10 days as of 30 April 2025 by secondary legislation.

The endorsements issued after the beneficiary invoked tacit approval are ineffective.

However, the above-mentioned facility of tacit approval (and the related procedure) is not applicable for (i) the opportunity endorsement required in the process of approval of the PUZ, and (ii) the endorsements issued by the authorities within the National Defence, Public Order and National Security System.

CONTACTS

This publication does not necessarily deal with every important topic or cover every aspect of the topics with which it deals. It is not designed to provide legal or other advice.

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